

ORDINANCE NO. O-2020-0158

AN ORDINANCE AMENDING ZONING AND DEVELOPMENT CODE, CHAPTER 1, ARTICLE III, SECTION 1-50, CHAPTER 2, ARTICLE II, SECTIONS 2-20, 2-22, AND 2-23 AND ARTICLE VI, SECTIONS 2-71, 2-72, 2-73, 2-74, AND 2-75, CHAPTER 8, ARTICLE IV, SECTION 8-35 AND ARTICLE VIII, SECTION 8-65, REGARDING VIEW FENCING; 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 by adding the following definition:

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.

Fence	A construction, not considered a structure, which is designed for screening or enclosing.
Fence, lot	A construction, not considered a structure, which is designed for enclosing a lot.
<u>Fence, view</u>	<u>Any fence that is made of, or imitates, a cast iron or wrought iron fence, including decorative metal, constructed in such a way that the surface area of the fence does not obstruct a view through the fence from a position perpendicular to the fence.</u>

1 II.

2 That Zoning and Development Code, Chapter 2, Article II, Section 2-20(d)(2),  
3 Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as  
4 follows:

5 **CHAPTER 2. ZONING DISTRICTS AND USE REGULATIONS**

6  
7 Sec. 2-20. - TH (Townhouse) district.

8  
9 (d) *Supplementary development standards.* In addition to the standards found in chapter 8 of this Code,  
10 the following regulations apply to the TH district:

- 11 (2) *Fences.* Lot fences shall be constructed of the following materials: brick, natural stone,  
12 simulated stone, architectural CMU, or wrought iron. A brick, natural stone, simulated stone, or  
13 architectural CMU fence shall be installed abutting single-family or two-family uses. ~~Wrought~~  
14 ~~iron or an equivalent view fencing material~~ shall be installed where abutting a park, trail, or  
15 open space, in accordance with Section 8-35.

16  
17 III.

18 That Zoning and Development Code, Chapter 2, Article II, Section 2-22(d)(7),  
19 Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as  
20 follows:

21 **CHAPTER 2. ZONING DISTRICTS AND USE REGULATIONS**

22  
23 Sec. 2-22. - MF-1 (Multifamily - Low Density) district.

24  
25 (d) *Supplementary development standards.* In addition to the standards found in chapter 8 of this Code,  
26 the following regulations apply to the MF-1 district:

- 27 (7) *Lot fencing.* A ~~wrought iron or equivalent view~~ fence in the front street yard shall be permitted to  
28 reach a height of six (6) feet.

29  
30 IV.

31 That Zoning and Development Code, Chapter 2, Article II, Section 2-23(d)(6),  
32 Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as  
33 follows:

34 **CHAPTER 2. ZONING DISTRICTS AND USE REGULATIONS**

35  
36 Sec. 2-23. - MF-2 (Multifamily - Medium Density) district.

(d) *Supplementary development standards.* In addition to the standards found in chapter 8 of this Code, the following regulations apply to the MF-2 district:

- (6) *Lot fencing.* A ~~wrought iron or equivalent view~~ fence in the front street yard shall be permitted to reach a height of six (6) feet.

## V.

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

### CHAPTER 2. ZONING DISTRICTS AND USE REGULATIONS

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 shall be view fencing~~. Other decorative masonry materials or ~~wrought iron-view fencing~~ 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 view~~ 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.

## VI.

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

1 **CHAPTER 2. ZONING DISTRICTS AND USE REGULATIONS**

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

4  
5 (d) *Supplementary development standards.* In addition to the applicable standards found in Chapter 8  
6 of this code, the following regulations apply to the MU-2 district:

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

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

29  
30 **VII.**

31 That Zoning and Development Code, Chapter 2, Article VI, Section 2-73(d)(3),  
32 Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as  
33 follows:

34 **CHAPTER 2. ZONING DISTRICTS AND USE REGULATIONS**

35  
36 Sec. 2-73. - MU-L (Mixed-Use Limited) district.

37  
38 (d) *Supplementary development standards.* In addition to the applicable standards found in Chapter 8  
39 of this code, the following regulations apply to the MU-L district:

40 (3) *Lot fencing standards.*

- 41 a. The following design standards apply to fencing in the MU-L district, in addition to the  
42 applicable portions of Sec. 8-35:

1. Fences shall be constructed of the following materials: brick, natural stone, simulated stone, ~~wrought iron, or wood~~, or shall be view fencing. Other decorative masonry materials, reinforced concrete, or ~~wrought iron-view fencing~~ equivalents may be approved by the zoning administrator.
  2. ~~A wrought iron or equivalent fence~~ View fencing in the street yard shall be permitted to reach a height of six (6) feet.
  3. Fences in all other yards shall not exceed six (6) feet, except that fences may be eight (8) feet in height to accommodate topographical changes, as approved by the zoning administrator.
- b. All nonresidential uses shall be required to install and maintain a fence constructed of masonry materials such as brick, natural stone, simulated stone, decorative reinforced concrete, or other equivalent material approved by the zoning administrator, a minimum of six feet in height, along every property line which is adjacent to a residential use, except when a view fence is required in accordance with Section 8-35. The zoning administrator may waive the requirement based upon a finding of any of the following:
1. The zoning administrator determines that due to the site plan layout and/or existing conditions, potential impacts will be negligible;
  2. The zoning administrator receives a letter from the adjacent residential property owner(s) requesting that the fence not be installed; or
  3. The zoning administrator determines that existing and/or proposed vegetation will serve as an adequate screen.

## VIII.

That Zoning and Development Code, Chapter 2, Article VI, Section 2-74(d)(4), Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

### CHAPTER 2. ZONING DISTRICTS AND USE REGULATIONS

Sec. 2-74. - MU-R (Mixed-Use Redevelopment and Small Lot) 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-R district:

(4) *Lot fencing design standards.*

- a. The following standards apply to all lot fencing in the MU-R district, in addition to the applicable standards found in Sec. 8-35:
  1. Fences shall be constructed of brick, natural stone, simulated stone, or ~~wrought iron~~ shall be view fencing. Other decorative masonry materials, reinforced concrete, or ~~wrought iron-view fencing~~ equivalents may be approved by the Zoning Administrator.
  2. Fence posts shall be constructed of rust-resistant metal parts, concrete-based masonry or concrete pillars of sound structural integrity.
  3. Fence posts and fence panels shall be capped.
  4. All fences shall provide a finished face to abutting single-family or townhouse uses.



(a) *Standards.* All lot fencing shall comply with the following standards unless otherwise stated within a specific zoning district, in which case the standard within the zoning district shall apply:

(1) *General standards.*

- a. All fences shall provide a finished face to abutting public rights-of-way.
- b. Fences for nonresidential uses shall provide a finished face to abutting single-family, two-family or townhouse uses.
- c. Fences shall not conflict with sight visibility triangles at street intersections or obstruct views from adjacent driveways.
- d. Fence posts for all new fences shall be constructed of rust-resistant metal parts, concrete based masonry, or concrete pillars of sound structural integrity.
- e. Fence posts and fence panels for non-wood fences shall be capped.

(2) *Maximum height.*

- a. Front street yard, non-~~wrought iron~~ view fence (residential uses): three (3) feet.
- b. Front street yard, ~~wrought iron~~ view fence (residential uses): six (6) feet.
- c. All street yards, non-~~wrought iron~~ view fence (nonresidential uses): three (3) feet.
- d. All street yards, ~~wrought iron~~ view fence (nonresidential uses): six (6) feet.
- e. All other yards (all non-industrial uses): eight (8) feet.
- f. All other yards (light industrial and industrial uses): 10 feet.

(3) Except where an opaque wall is required in Section 8-65, view fencing shall be required when the property abuts any one of:

- a. Hike and bike trail corridor from the City of Round Rock Trail Master Plan;
- b. Private hike and bike trail;
- c. Public park;
- d. Private park; or a
- e. Private open space amenity.

## XI.

That Zoning and Development Code, Chapter 8, Article VIII, Section 8-65(c)(1), Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended as follows:

### CHAPTER 8. ZONING AND DEVELOPMENT STANDARDS

Sec. 8-65. - Outdoor storage and display.

(c) *Categories of outdoor storage and display.*

(1) *Outdoor display.*

- a. Outdoor display is display of items actively for sale.

- 1 b. Outdoor display shall be allowed adjacent to a principal building wall and, except as  
2 provided in this subsection, extend to a distance no greater than 10 feet from the wall.  
3 Such display is prohibited to block windows, entrances or exits, and shall not impair the  
4 ability of pedestrians to use the sidewalks.
- 5 c. Outdoor display located more than 10 feet from the wall of a principal building shall be  
6 fenced in by a masonry, ~~wrought iron-view~~ fencing or similar material fence/wall. The  
7 location and fencing of such a display shall be approved by the PDS director.
- 8 d. Outdoor display in the OS district shall only be permitted in metropolitan and regional  
9 parks.
- 10 e. Outdoor display in the downtown development area and in the MU-1 and MU-2 districts  
11 may be permitted in limited quantities provided it does not impede pedestrian traffic.
- 12 f. Outdoor display in the LI district shall be limited to plants and landscape materials for sale  
13 at nurseries and similar landscaping supply establishments.

14  
15 **XII.**

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

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

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

26 Alternative 1.

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

30 **READ, PASSED, and ADOPTED** on first reading this \_\_\_\_ day of  
31 \_\_\_\_\_, 2020.



1 Alternative 2.

2 **READ** and **APPROVED** on first reading this the \_\_\_\_\_ day of  
3 \_\_\_\_\_, 2020.

4 **READ, APPROVED** and **ADOPTED** on second reading this the \_\_\_\_\_ day of  
5 \_\_\_\_\_, 2020.

6  
7  
8  
9  
10 \_\_\_\_\_  
11 CRAIG MORGAN, Mayor  
12 City of Round Rock, Texas  
13

14 ATTEST:  
15

16 \_\_\_\_\_  
17 SARA L. WHITE, City Clerk