

ORDINANCE NO. Z-99-12-16-12A2

AN ORDINANCE AMENDING CHAPTER 11, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, BY ADDING A NEW SECTION 11.204, ADOPTING A GENERAL ANNEXATION PLAN; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES

WHEREAS, Section 43.052, Local Government Code, V.A.T.S., as amended, provides that Texas home-rule cities shall prepare an annexation plan that specifically identifies annexations that may occur beginning on the third anniversary of the date the annexation plan is adopted, and,

WHEREAS, the Planning and Zoning Commission held a public hearing concerning such General Annexation Plan on the 17th day of November, 1999, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the General Annexation Plan be adopted, and

WHEREAS, on the 9th day of December, 1999, the City Council held a public hearing on the General Annexation Plan, following proper notification, and

WHEREAS, the City Council has determined that the General Annexation Plan attached hereto be adopted, and

WHEREAS, each and every requirement set forth in Section 43.052, Local Government Code, V.A.T.S., as amended, and in the Code of Ordinances (1995 Edition), City of Round Rock, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

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

I.

That Chapter 11, Code of Ordinances (1995 Edition), City of Round Rock is hereby amended by adding a new Section 11.204, which shall read as follows:

11.204 GENERAL ANNEXATION PLAN

The document entitled General Annexation Plan is hereby adopted as the statutorily-mandated plan enumerated in Section 43.052, Local Government Code, V.A.T.S., as amended, and is referred to in this Code as the "General Annexation Plan." A true and correct copy of the General Annexation Plan shall be kept on file in the City Secretary's Office and, in compliance with Section 43.052(j), Local Government Code, V.A.T.S., shall be posted and maintained on the city's Internet website.

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A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.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 the 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 hereof were discussed, considered and formally acted upon, as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

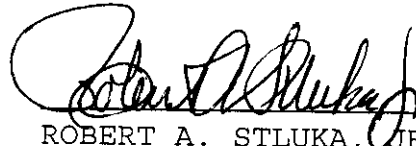
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 16th day of December, 1999.

Alternative 2.

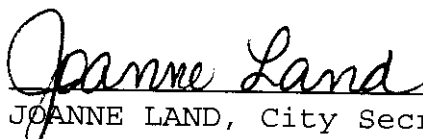
READ and APPROVED on first reading this the _____ day of _____, 1999.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 1999.



ROBERT A. STLUKA, JR., Mayor
City of Round Rock, Texas

ATTEST:


JOANNE LAND, City Secretary

GENERAL ANNEXATION PLAN

In accordance with Section 43.052, Local Government Code, V.A.T.S., as amended, the City of Round Rock, Texas, hereby establishes its General Annexation Plan, to-wit:

I.

SPECIFIC IDENTIFICATION OF ANNEXATIONS THAT MAY OCCUR BEGINNING ON THE THIRD ANNIVERSARY OF THE DATE THE ANNEXATION PLAN IS ADOPTED:

None.


The City of Round Rock, Texas, does not plan to annex areas other than those areas established as exceptions in Section 43.052(h), Local Government Code, V.A.T.S., as amended.

II.


ENUMERATED EXCEPTIONS IN SECTION 43.052(H), LOCAL GOVERNMENT CODE, V.A.T.S., AS AMENDED, WHICH MAY BE ANNEXED WITHOUT INCLUSION ON THE GENERAL ANNEXATION PLAN:

- (1) areas that contain fewer than 100 separate tracts of land on which one or more residential dwellings are located on each tract;
- (2) areas that will be annexed by petition of more than 50 percent of the real property owners in the area proposed for annexation or by vote or petition of the qualified voters or real property owners as provided in Subchapter B, Section 43.021 et. seq., Local Government Code, V.A.T.S.;
- (3) areas that are or were the subject of:
 - (A) an industrial district contract under Section 42.044, Local Government Code, V.A.T.S.; or
 - (B) a strategic partnership agreement under Section 43.0751, Local Government Code, V.A.T.S.;
- (4) areas that are located in a colonia, as that term is defined by Section 2306.581, Government Code, V.A.T.S.;
- (5) areas that are annexed under Section 43.026, 43.027, 43.029, or 43.031, Local Government Code, V.A.T.S.;
- (6) areas that are located completely within the boundaries of a closed military installation; or
- (7) instances when the municipality determines that the annexation of the area is necessary to protect the area proposed for annexation or the municipality from:
 - (A) imminent destruction of property or injury to persons; or
 - (B) a condition or use that constitutes a public or private nuisance as defined by background principles of nuisance and property law of this state.

ADOPTED on this the 16th day of the month of December, 1999.


ROBERT A. STLUKA, JR., Mayor
City of Round Rock, Texas

ATTEST:


JOANNE LAND, City Secretary

Date: December 9, 1999

Subject: City Council Meeting - December 16, 1999

Item: 12.A2. *Consider an ordinance adopting an Annexation Plan. (First Reading)* Although the City of Round Rock does not intend and will not need to utilize the recently adopted 1999 legislative statutory annexation procedure, it is still necessary to adopt an ordinance that officially states this. Staff Resource Person: Joe Vining, Planning Director.