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SP2019-043 - Consider a request by Clay Cristy of ClayMoore Engineering, Inc. on behalf of Brian Berry of Milestone Electric, Inc. for the approval of an alternative tree mitigation settlement agreement in conjunction with an approved amended site plan for a multi-tenant office complex on a 9.52-acre tract of land identified as Lot 18 and the south portion of Lot 19, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 407 Ranch Trail, and take any action necessary.

SP2019-043	66
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P2019-049 - Consider a request by Tony Austin of Rockwall Downtown Lofts, LTD on behalf of Doug Kaufmann of Myreli, LLC, Linda Peoples Morris of the Billy Peoples Estate, and the City of Rockwall for the approval of a conveyance plat for Lot 1, Block A, TAC Rockwall Addition being a 3.338-acre tract of land identified as existing City right-of-way for West Street & Houston Street; Lots 1-8, Block P & Lots 1 & 2, Block AB, Rockwall OT Addition; and Lots 4-5, Block A, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, generally located at the southwest corner of the intersection of S. Alamo Road (i.e. SH-205) and W. Washington Street (i.e. SH-66), and take any action necessary.

P2019-049	71
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Appointment with the Friends of the Library to request a waiver of rental fees at the The Center for a fundraiser event, and take any action necessary.

Memo	81
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Z2019-026 - Hold a public hearing to discuss and consider a request by Timothy Bates of Plano Marine on behalf of Jason Breland of Suntex Marina Investors, LLC for the approval of an ordinance for a Specific Use Permit (SUP) for an existing marina allowing boat sales, storage and repair on a 6.282-acre tract of land identified as Tracts 134, 134-14 & 134-15 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Lake Ray Hubbard Takeline Overlay (TL OV) District, located at the western terminus of Henry M. Chandlers Drive, and take any action necessary (1st Reading).

Z2019-026	83
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Z2019-027 - Hold a public hearing to discuss and consider a request by Raymond Jowers of Jowers, Inc. for the approval of an ordinance extending a Specific Use Permit (SUP) allowing outside storage adjacent to IH-30 on a 4.4317-acre tract of land identified as Tract 22-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2260 E. IH-30, and take any action necessary (1st Reading).

Z2019-027	139
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Z2019-028 - Hold a public hearing to discuss and consider the approval of an ordinance amending the Unified Development Code (UDC), and take any action necessary (1st Reading).

Z2019-028 160

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Discuss and consider an update regarding the Complete Count Committee for the U.S. 2020 Census and take any action necessary.

Census Update 417

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ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, January 21, 2020 - 4:00 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

1. Hold a work session to discuss Article VIII, Landscape and Fence Standards, of the Unified Development Code (UDC), and take any action necessary.
2. Hold a work session to discuss the Unified Development Code (UDC), and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply Corporation (WSC) and RCH WSC pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding legal issues pertaining to potential annexation/development in the Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
3. Discussion regarding possible acquisition of real property in the vicinity of Ridge Road and Glen Hill Way pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding possible sale of real property in the vicinity of SH-205 and Pecan Valley Road pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
5. Discussion regarding a settlement agreement between the City of Rockwall and Dietz Engineers, LLC for damage at Breezy Hill Park Pavilion pursuant to Section §551.071 (Consultation with Attorney).
6. Discussion regarding legal issues pertaining to an approved 380 Development Agreement in the vicinity of the Downtown pursuant to Section §551.071 (Attorney/Client Consultation).
7. Discussion regarding possible acquisition of real property in the vicinity of the municipal airport pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
8. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
9. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).

IV. ADJOURN EXECUTIVE SESSION

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

VII. PROCLAMATIONS

- pg.8 1.** Hometown Hero Dr. Stan Lowrance

VIII. OPEN FORUM

IX. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

X. CONSENT AGENDA

- pg.10 1.** Consider approval of the minutes from the January 6, 2020 regular city council meeting, and take any action necessary.
- pg.17 2.** Consider authorizing the City Manager to execute an agreement with NTMWD, approving the City of Rockwall’s participation in the Sabine Creek Wastewater Treatment Plant Feasibility and Master Plan Study in the amount of \$161,207 and amend the Sewer Operations Budget for said amount, and take any action necessary.
- pg.53 3.** Consider authorizing the City Manager to execute a contract with Baseball Nations to utilize Leon Tuttle Athletic Complex for five weekend tournaments during the 2020 baseball season, and take any action necessary.
- pg.58 4.** Consider awarding a bid to Waukesha Pearce Industries and authorizing the City Manager to execute a Contract for Generator Preventative Maintenance Services in the amount of \$54,831.89 to be funded out of the General and Water Sewer Funds, and take any action necessary.
- pg.60 5. P2020-001** - Consider a request by Adam Buczek of Windsor Homes Cumberland, LLC for the approval of a replat for Lot 12, Block C, Ridgecrest Addition, being a 0.503-acre parcel of land identified as Lot 1, Block C, Ridgecrest Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 (PD-81) for Single-Family 10 (SF-10) District land uses, addressed as 405 Fox Hollow Drive, and take any action necessary.
- pg.66 6. SP2019-043** - Consider a request by Clay Cristy of ClayMoore Engineering, Inc. on behalf of Brian Berry of Milestone Electric, Inc. for the approval of an alternative tree mitigation settlement agreement in conjunction with an approved amended site plan for a multi-tenant office complex on a 9.52-acre tract of land identified as Lot 18 and the south portion of Lot 19, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 407 Ranch Trail, and take any action necessary.
- pg.71 7. P2019-049** - Consider a request by Tony Austin of Rockwall Downtown Lofts, LTD on behalf of Doug Kaufmann of Myreli, LLC, Linda Peoples Morris of the Billy Peoples Estate, and the City of Rockwall for the approval of a conveyance plat for Lot 1, Block A, TAC Rockwall Addition

being a 3.338-acre tract of land identified as existing City right-of-way for West Street & Houston Street; Lots 1-8, Block P & Lots 1 & 2, Block AB, Rockwall OT Addition; and Lots 4-5, Block A, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, generally located at the southwest corner of the intersection of S. Alamo Road (i.e. SH-205) and W. Washington Street (i.e. SH-66), and take any action necessary.

XI. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
- pg.81** 2. Appointment with the Friends of the Library to request a waiver of rental fees at the The Center for a fundraiser event, and take any action necessary.

XII. PUBLIC HEARING ITEMS

- pg.83** 1. **Z2019-026** - Hold a public hearing to discuss and consider a request by Timothy Bates of Plano Marine on behalf of Jason Breland of Suntex Marina Investors, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) for an existing marina allowing boat sales, storage and repair on a 6.282-acre tract of land identified as Tracts 134, 134-14 & 134-15 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Lake Ray Hubbard Takeline Overlay (TL OV) District, located at the western terminus of Henry M. Chandlers Drive, and take any action necessary **(1st Reading)**.
- pg.139** 2. **Z2019-027** - Hold a public hearing to discuss and consider a request by Raymond Jowers of Jowers, Inc. for the approval of an **ordinance** extending a Specific Use Permit (SUP) allowing outside storage adjacent to IH-30 on a 4.4317-acre tract of land identified as Tract 22-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2260 E. IH-30, and take any action necessary **(1st Reading)**.
- pg.160** 3. **Z2019-028** - Hold a public hearing to discuss and consider the approval of an ordinance amending the Unified Development Code (UDC), and take any action necessary **(1st Reading)**.

XIII. ACTION ITEMS

- pg.417** 1. Discuss and consider an update regarding the Complete Count Committee for the U.S. 2020 Census and take any action necessary.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply Corporation (WSC) and RCH WSC pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding possible acquisition of real property in the vicinity of Ridge Road and Glen Hill Way pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding legal issues pertaining to potential annexation/development in the Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
4. Discussion regarding possible sale of real property in the vicinity of SH-205 and Pecan Valley Road pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
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8. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
9. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 17th day of January, 2020 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

Rockwall, Texas Proclamation

Whereas, Dr. Stan Lowrance has been practicing dentistry in Rockwall since 1981; and

Whereas, as the brainchild behind Rockwall Rotary's highly successful "Hot Rocks Bike Ride" annual fundraiser, Dr. Lowrance has long been associated with helping others and giving back to our local community; and

Whereas, after helping one female veteran who was a cancer survivor and was in excruciating tooth pain from her radiation treatments and medication, Dr. Lowrance formed a desire to help other veterans on a larger scale; and

Whereas, since its inception in 2017, Dr. Lowrance's "D-Day for V-Day" event has helped nearly two hundred Rockwall area veterans in need of dental assistance; and

Whereas, through partnership with Rockwall's Terry Fisher American Legion Post 117 and other area dentists, the "D-Day for V-Day" event helped care for 84 veterans in one day in 2019 alone; and

Whereas, having received a Congressional Recognition Award for his efforts Dr. Lowrance's desire is to duplicate the program and take it across the nation; and

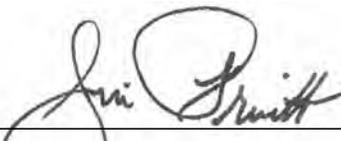
Whereas, Dr. Lowrance's selfless service to veterans and our local community exemplifies the caliber of people we have living and working in Rockwall.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim **January 21, 2020** as

Hometown Hero Stan Lowrance Day

in the City of Rockwall and encourage all citizens to recognize and applaud Dr. Lowrance for going above and beyond to give back to our community through his selfless service to others.

In Witness Whereof, I hereunto set my hand and official seal this 21st day of January, 2020.



Jim Pruitt, Mayor

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2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, January 06, 2020 - 5:00 PM**

4 **City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 **Mayor Pruitt called the public meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro**
8 **Tem Dana Macalik and Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Bennie**
9 **Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers**
10 **Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Pruitt read the discussion items below**
11 **into the record before recessing the public meeting to go into Executive Session at 5:03 p.m.**
12

13 **II. EXECUTIVE SESSION.**

14 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE**
15 **FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:**

- 16 1. Discussion regarding agreement between the City of Rockwall and Blackland Water Supply
17 Corporation pursuant to Section §551.071 (Consultation with Attorney).
18 2. Discussion regarding legal issues pertaining to an approved 380 Development Agreement in
19 the vicinity of the Downtown pursuant to Section §551.071 (Attorney/Client Consultation).
20 3. Discussion regarding legal issues pertaining to potential annexation/development in the
21 Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
22 4. Discussion regarding land lease agreement of real property on city owned land at Yellow
23 Jacket Park pursuant to Section §551.072 (Real Property)
24 5. Discussion regarding possible acquisition of real property in the airport pursuant to Section
25 §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
26 6. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
27 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
28 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
29

30 **III. ADJOURN EXECUTIVE SESSION**

31
32 **Council adjourned from Executive Session at 6:00 p.m.**
33
34

35 **IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

36 **Mayor Pruitt reconvened the public meeting at 6:03 p.m. with all council members being present.**

37 **V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FOWLER**

38 **Councilman Hohenshelt delivered the invocation and led the Pledge of Allegiance.**

39 **VI. OPEN FORUM**

40 Mayor Pruitt explained how Open Forum is conducted, asking if anyone would like to come forth and
41 speak at this time. He also stated that if anybody was here for a Public Hearing agenda item to please
42 come forth and speak during that actual agenda item.

43 **Jim Turner**
44 **1691 E. Old Quail Run Road**

45
46 Mr. Turner thanked the Council for making 2019 a great year for Rockwall. He stated that Rockwall
47 has a trash problem in construction areas. People who live north of 66 particularly along John King
48 Blvd and 205 where the new neighborhoods are going in can see trash/litter scattered along the
49 roadway. Mr. Turner read an excerpt from our codes regarding disposing of the trash and waste
50 material. He also indicated the constructions sites are covered with trash, such as plastic fences,
51 lumber, orange plastic bins, cups, lunches and other debris. He mentioned it seems that they just
52 throw their trash anywhere. The contractor at these sites should be notified of these violations
53 so we can keep Rockwall clean. The Mayor stated that Mr. Turner's concerns cannot be discussed
54 tonight due to the particular topic not being specifically listed on the agenda. He told Mr. Turner
55 that staff member Joey Boyd will continue to assist Mr. Turner by working with code enforcement
56 to address the trash issues.

57
58 There being no one else wishing to come forth and speak, Mayor Pruitt then closed Open Forum.

59
60 **VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

61 Mayor Pro Tem Macalik indicated that no action was needed as a result of Executive Session.

62 **VIII. CONSENT AGENDA**

- 63 1. Consider approval of the minutes from the December 26, 2019 special city council meeting,
64 and take any action necessary.
- 65 2. **P2019-048** - Consider a request by Anthony Loeffel of Kimley-Horn on behalf of Randy
66 McCuiston of Rockwall 549/I-30 Partners, LP for the approval of a final plat of Lot 1, Block A;
67 Lot 1, Block B; Lot 1, Block C; and Lot 1, Block D, Rockwall Commercial Addition being a
68 106.215-acre tract of land identified as a portion of Lot 1, Block C and Lot 1, Block D, Rockwall
69 Commercial Park Addition; Tracts 5 & 6 of the A. J. Lockhart Survey, Abstract No. 134; and
70 Tract 5 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas,
71 zoned Agricultural (AG) District and Light Industrial (LI) District, situated within the IH-30
72 Overlay (IH-30 OV) District and the FM549 Overlay (FM-549 OV) District, situated at the
73 northwest corner of the IH-30 Frontage Road and N. FM-3549 [Stodghill Road], and take any
74 action necessary.
- 75 3. **P2019-049** - Consider a request by Tony Austin of Rockwall Downtown Lofts, LTD on behalf of
76 Doug Kaufmann of Myreli, LLC, Linda Peoples Morris of the Billy Peoples Estate, and the City
77 of Rockwall for the approval of a conveyance plat for Lot 1, Block A, TAC Rockwall Addition
78 being a 3.338-acre tract of land identified as existing City right-of-way for West Street &
79 Houston Street; Lots 1-8, Block P & Lots 1 & 2, Block AB, Rockwall OT Addition; and Lots 4-5,
80 Block A, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown
81 (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, generally located at the
82 southwest corner of the intersection of S. Alamo Road (i.e. SH-205) and W. Washington Street
83 (i.e. SH-66), and take any action necessary.

84 **4. P2019-050** - Consider a request by Bill Thomas of Engineering Concepts & Design, LP on behalf
85 of Justin Webb of Horizon Road Self-Storage, LLC Sandra McMullen for the approval of a replat
86 for Lots 24 & 25, Rainbo Acres Addition being an 8.733-acre tract of land identified as a portion
87 of Lots 22 & 23, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned
88 Commercial (C) District, addressed as 259 Ranch Road, and take any action necessary.

89 **Mayor Pruitt asked the Council if there was any item the City Council wanted removed from the Consent**
90 **Agenda. With no reply from the Council, Mayor Pro Tem Dana Macalik made a motion to approve all**
91 **the Consent Agenda items, as presented (#s 1, 2, 3, and 4). Prior to seconding the motion for the**
92 **approval of all of the items on the Consent Agenda, Councilmember Trowbridge asked Mr. Miller if**
93 **Consent Agenda item # 3 - P2019-049 was the agreement to be addressed when the Council reconvenes**
94 **in the Ex. Session. Mr. Miller confirmed that, yes, it is related to the same property. Councilmember**
95 **Trowbridge stated he was not ready to make a decision on Consent Agenda item # 3. Mayor Pruitt**
96 **stated Consent Agenda item #3 will be discussed when Council reconvenes into Ex. Session.**

97 **Mayor Pro Tem Dana Macalik then made a motion to approve Consent Agenda items, as presented,**
98 **minus item #3 (motion to approve item #s 1, 2, and 4), Mr. Trowbridge seconded the motion which**
99 **passed by a vote 7 ayes to 0 nays.**

100 **Mayor Pruitt then recognized Human Resources Director Cheryl Dunlop for her 20 years of service to**
101 **the City of Rockwall. Mr. Mayor went on to read a letter from Mrs. Dunlop expressing her gratitude to**
102 **everyone at the City of Rockwall with whom she has worked. He also recited the reading of plaque,**
103 **named "Our Town" which Mrs. Dunlop dedicated to the City of Rockwall. Mr. Mayor asked everyone**
104 **to join him in congratulating and sending well wishes to Mrs. Dunlop on her retirement.**

105 **IX. APPOINTMENT ITEMS**

106 **1. Appointment with representatives of this year's Leadership Rockwall class to hear about "The**
107 **Big Event: Rockwall County" project, and take any action necessary.**

108 **Fire Chief Kenneth Cullins came forth on behalf of this year's Leadership Rockwall class and proceeded**
109 **to make a presentation about the "The Big Event", Leadership by Action, Rockwall County, which he**
110 **explained is an event that will be held on Saturday April 18, 2020. Chief Cullins presented an outline of**
111 **the project, groups for solicitation, schedule of events, deadlines for projects, volunteer submissions,**
112 **and sponsorships levels opportunities. He also introduced the website www.bigeventrockwall.com,**
113 **which was set up for project and volunteer submissions.**

114
115 **2. Appointment with Melody Mayer of Renew Fence & Construction to hear request and discuss**
116 **and consider the possibility of changing the city's regulations pertaining to residential**
117 **retaining walls, including material and height restrictions, and take any action necessary.**

118
119 **Ms. Mayer, of Renew Fence & Construction spoke about the retaining wall she installed for Rockwall**
120 **citizen, Ms. Harvey, at her home at 506 Shore Trail Drive. Mr. Jeffrey Widmer gave a brief statement to**
121 **the Council that Ms. Mayer appeared before the City Council meeting approximately 90 days ago, asking**
122 **the Council to consider relaxing the City's current retaining wall standards. The wall was constructed**
123 **using treated wood, which is not an acceptable retaining wall material according to city standards.**

124

125 Mr. Widmer pointed out that the city has received complaints from nearby residents who are aware of
126 our standards and have expressed their unhappiness with the wall's appearance. He shared that
127 following Ms. Mayer's appearance before the Council, city management and staff met with her to
128 discuss the situation. Ms. Mayer was told that a permit could not be issued for the wall she built, due
129 to its non-compliance with the City's standard. Ms. Mayer was asked to obtain a permit and construct
130 a code compliant wall for the resident. In addition, staff communicated with the resident, Ms. Amy
131 Harvey, to express this information and to answer her questions.
132

133 Ms. Mayer has requested an appointment with council to ask for reconsideration of the current
134 retaining wall standards, essentially to relax the adopted standards so that wood products could be
135 utilized in the construction of retaining walls.
136

137 Indication was given that wood was an acceptable material until city council amended the city's
138 retaining wall standards in 2014, prohibiting the use of wood products and other specific methods and
139 clarifying acceptable wall types. Mr. Widmer's (staff's_ presentation in the meeting packet included
140 photos of the wall that Ms. Mayer built and detailed information on the prohibitions and standards of
141 building a retaining wall. This information is located on the City's website and is also provided as a
142 handout to customers. Mr. Widmer answered any questions that the Council had.
143

144 Mrs. Harvey, the homeowner, came forth and stated that she did not get a permit from the City to build
145 the wall. Councilmember Fowler pointed out to Ms. Mayer that she also did not properly install the
146 poles on the retaining wall fence. The poles should have been installed inside the fence, not on the
147 outside. Ms. Mayer's then presented pictures and an engineering report regarding the retaining wall on
148 the City Council Conference room screen for the City Council to review (she did not send to the City
149 Council prior to the meeting, so they were not able to read the information in advance). Ms. Mayer
150 stated it was her fault that she did not obtain the required permit prior to constructing the retaining
151 wall.
152

153 After reviewing the engineering report, Councilmember Hohenshelt stated that data within the report
154 equated to no analysis of the wall that was built - there was no testing of the wall and no plans were
155 submitted. So his conclusion is that Ms. Mayer just took the engineer's word for it that the wall was
156 done correctly.
157

158 None of the Council wanted to pursue this topic further. Indication was given that if Ms. Mayer needs
159 additional information, she should meet with Mr. Widmer. She should obtain the ordinance, and she
160 will have to abide by those guidelines.
161

162 **X. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO**
163 **CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED**
164 **MATTERS.**
165

166 **1. Departmental Reports**

- 167 Building Inspections Monthly Report - November 2019
- 168 GIS Monthly Report - November 2019
- 169 Harbor PD Monthly Report - November 2019

- 170 Internal Operations Department Monthly Report - November 2019
- 171 Recreation Monthly Report - November 2019
- 172 Rockwall Animal Adoption Center Monthly Report - November 2019
- 173 Rockwall Fire Department Monthly Report - November 2019
- 174 Rockwall Meals on Wheels Senior Services Quarterly Report
- 175 Rockwall Police Departmental Monthly Report - November 2019
- 176 STAR Transit Monthly Report - November 2019
- 177 STAR Transit Quarterly Report

178 **2. City Manager’s Report**

179 **Mr. Crowley stated that some of the City Councilmember have gotten authorization to work with**
 180 **administration to do some revamping to the departmental monthly reports and bring them up to date.**
 181 **They have really evolved over time with hot issues/topics that the City Council wants reported. Mayor**
 182 **Pruitt noted that many of those reports are already different from before. Mr. Crowley stated if there**
 183 **are any ideas or questions regarding updating the reports, please contact him. Councilmember**
 184 **Trowbridge stated he and Councilmember Daniels have already met regarding the departmental**
 185 **reports and will continue to work on this issue.**

186
 187 **Mr. Mayor did not have any other comments regarding the City. Mr. Mayor then brought before the**
 188 **Council that Texas Municipal League president has asked the Mayor as serve on the TML policy**
 189 **committee to work on the advocacy strategy for the next legislative session. Mayor Pruitt stated that**
 190 **he and Mr. Crowley have been working on this project. If there are any specific issues that the Council**
 191 **wants to see legislatively done, please contact Mayor Pruitt. Mr. Crowley stated he would send a list**
 192 **of items that he and the Mayor have already come up with. He welcomes any further input from the**
 193 **City Council.**

194
 195 **Mayor Pruitt recessed the public meeting at 7:04 p.m. to go back into Executive Session at 7:06 p.m. to**
 196 **discuss and address Consent Agenda Item #3, as stated below and associated with Ex. Session item #2:**

- 197 **3. P2019-049 - Consider a request by Tony Austin of Rockwall Downtown Lofts, LTD on behalf of**
 198 **Doug Kaufmann of Myreli, LLC, Linda Peoples Morris of the Billy Peoples Estate, and the City**
 199 **of Rockwall for the approval of a conveyance plat for Lot 1, Block A, TAC Rockwall Addition**
 200 **being a 3.338-acre tract of land identified as existing City right-of-way for West Street &**
 201 **Houston Street; Lots 1-8, Block P & Lots 1 & 2, Block AB, Rockwall OT Addition; and Lots 4-5,**
 202 **Block A, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown**
 203 **(DT) District, situated within the SH-66 Overlay (SH-66 OV) District, generally located at the**
 204 **southwest corner of the intersection of S. Alamo Road (i.e. SH-205) and W. Washington Street**
 205 **(i.e. SH-66), and take any action necessary.**

206
 207 **XI. EXECUTIVE SESSION**

208 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE**
 209 **FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:**

- 210 **1. Discussion regarding agreement between the City of Rockwall and Blackland Water Supply**
 211 **Corporation pursuant to Section §551.071 (Consultation with Attorney).**
- 212 **2. Discussion regarding legal issues pertaining to an approved 380 Development Agreement in**
 213 **the vicinity of the Downtown pursuant to Section §551.071 (Attorney/Client Consultation).**

- 214 **3.** Discussion regarding legal issues pertaining to potential annexation/development in the
215 Extraterritorial Jurisdiction (ETJ) pursuant to Section §551.071 (Attorney/Client Consultation).
216 **4.** Discussion regarding land lease agreement of real property on city owned land at Yellow
217 Jacket Park pursuant to Section §551.072 (Real Property)
218 **5.** Discussion regarding possible acquisition of real property in the airport pursuant to Section
219 §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
220 **6.** Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
221 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
222 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
223

224 **XII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

225 **Council came out of Executive Session at 7:30 p.m. and took no action as a result of Executive Session.**

226 **XIII. ADJOURNMENT**

227 **Mayor Pruitt adjourned the public meeting at 7:33 p.m.**

228 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 21st DAY OF**
229 **JANUARY, 2020.**

230
231
232
233
234

ATTEST:

JIM PRUITT, MAYOR

235
236 _____
KRISTY COLE, CITY SECRETARY

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Amy Williams, Director of Public Works/City Engineer

DATE: January 15, 2020

SUBJECT: Cost-Sharing Agreement Regarding the Sabine Creek Wastewater Treatment Plant Feasibility and Master Plan Study

North Texas Municipal Water District (NTMWD) owns and operates the Sabine Creek Wastewater Treatment Plant (WWTP), which currently provides treatment for its two (2) participants, Fate and Royse City. The plant discharges to Parker Creek, which ultimately flows into Lake Tawakoni. Lake Tawakoni is a water supply source for NTMWD. This plant was initially constructed in 2006 as a 1.5 million gallon per day (mgd) treatment facility. The most recent expansion was completed in 2019, and increased the permitted annual average daily treatment capacity to three (3) mgd. The Sabine Creek WWTP is permitted to be expanded to five (5) mgd in the future.

Per the Master Sanitary Sewer Study, the Brushy Creek, Hackberry Creek, Berry Creek, Klutts Branch, and Parker Creek sanitary sewer basins are to drain into the Sabine Creek WWTP in the future (see attached map). The Brushy Creek basin includes the existing Timbercreek subdivision and the future Terracina, Discovery Lakes, and Fienza subdivisions. It also includes the existing phase of the Rockwall Economic Development Corporation (REDC) that is adjacent to Rochelle Road.

The City of Rockwall requested that NTMWD study the possibility of the City of Rockwall becoming a participant in the Sabine Creek WWTP and provide a cost proposal for the study. Royse City and Fate will also participate in this feasibility and master planning study. The purpose of this study is to perform an evaluation to determine if it is feasible for a portion of the Sabine Creek WWTP capacity to be utilized by the City of Rockwall. The study is also intended to be a master plan for future expansions for the entire Sabine Creek basin.

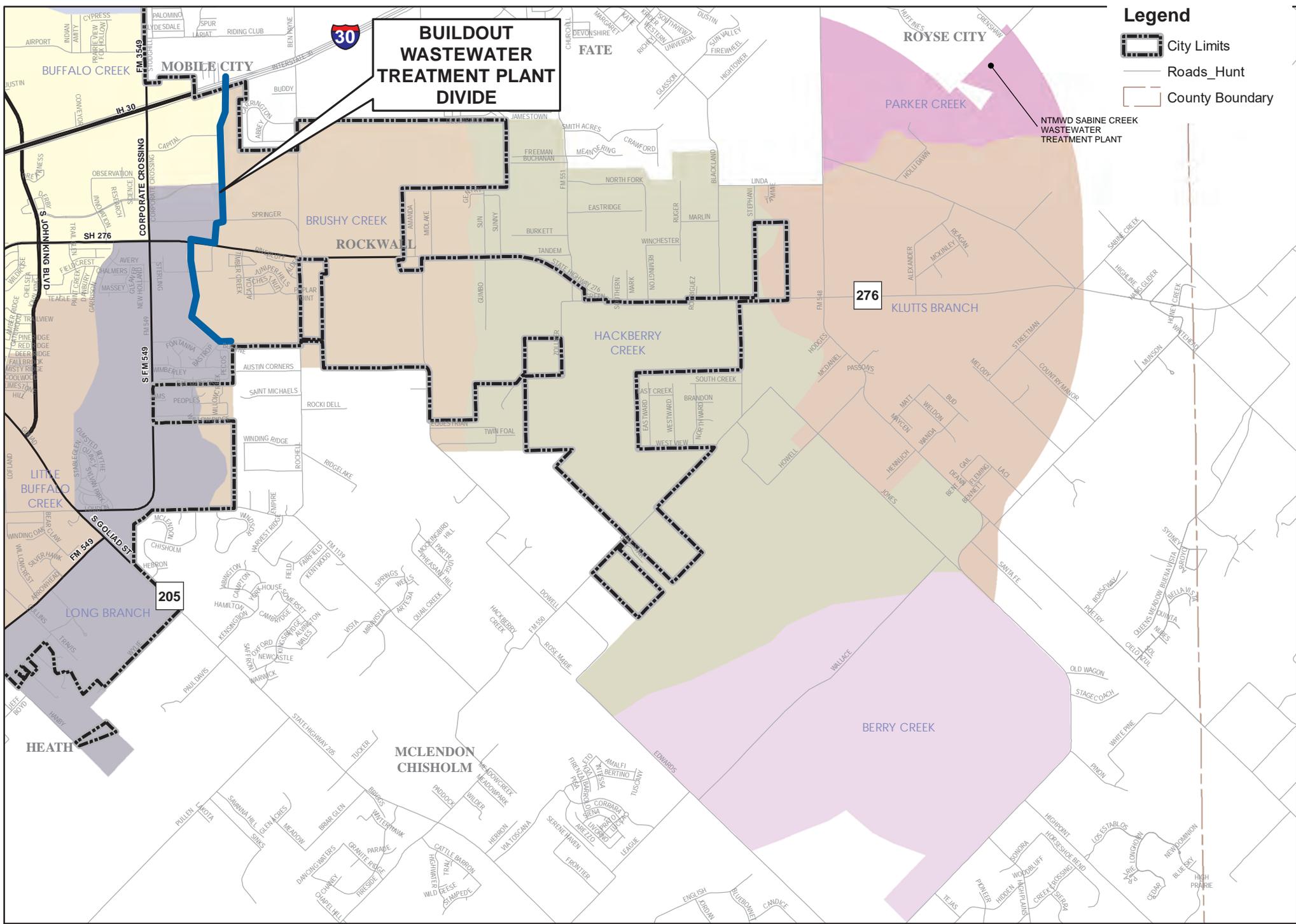
The City of Rockwall's portion of the feasibility study would be \$161,207. The budget will need to be amended to provide funds for this study. Staff requests City Council authorize the City Manager to approve the implementation of the feasibility study.

AJW

Attachments

Cc:

Joey Boyd, Assistant City Manager
Mary Smith, Assistant City Manager
file



**BUILDOUT
WASTEWATER
TREATMENT PLANT
DIVIDE**

Legend

- City Limits
- Roads_Hunt
- County Boundary

NTMWD SABINE CREEK
WASTEWATER
TREATMENT PLANT



0 0.5 1 Miles
Date: 1/15/2020

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and/or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.



City of Rockwall
The New Horizon

July 16, 2019

Mr. RJ Muraski
Assistant Deputy Director
Capital Improvement Program (CIP) and Planning
North Texas Municipal Water District
505 E. Brown Street
Wylie, Texas 75098

Dear Mr. Muraski:

The City of Rockwall is formally requesting that North Texas Municipal Water District study the possibility of Rockwall becoming a participant in the Sabine Creek Wastewater Treatment Plant. The City's consultant, Derek Chaney, with Birkhoff, Hendricks & Carter will be providing you with information regarding the area to be served and the City's existing facilities.

Please provide the City of Rockwall a cost proposal for any necessary engineering studies to accommodate this request and if you need additional information. Thank you for your assistance in this matter.

Respectfully,

Rick Crowley
City Manager



Regional. Reliable. Everyday.

January 15, 2020

Mr. Rick Crowley
City Manager
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

Re: Sabine Creek Wastewater Treatment Plant Feasibility Study and Master Plan
Cost Sharing of Feasibility Study

Dear Mr. Crowley:

This letter summarizes North Texas Municipal Water District (NTMWD) efforts on the Sabine Creek Wastewater Treatment Plant (WWTP) Feasibility Study and Master Plan project, presents the recommended consulting firm and cost sharing for the City of Rockwall. On July 16, 2019, the City of Rockwall requested NTMWD to determine the feasibility of its participation in the Sabine Creek WWTP System. Since then, the City of Rockwall and NTMWD have had several discussions on the project's scope of work development. Tetra Tech, Inc. (TTI), the consulting firm to assist NTMWD in the project, has provided the attached fee proposal of \$319,999.00 towards completing the project.

In order for NTMWD to move forward with the project, it will be necessary for the City of Rockwall to provide funds to NTMWD for its share. The City of Rockwall will be responsible for \$161,207.00. NTMWD will request approval from its Board of Directors on January 23, 2020, subject to the City of Rockwall approval. NTMWD will invoice the City upon Board approval and execute the engineering services agreement to start the project.

We look forward to your participation in this project. Please confirm your agreement to the cost-sharing amount by signing in the space provided below and returning one original to this office. If you have any questions or need additional information, please Contact R.J. Muraski, Assistant Deputy of CIP and Planning, or myself at (972) 442-5405.

Sincerely,

THOMAS W. KULA
Executive Director

CB/RJM

Attachment: Tetra Tech, Inc., preliminary scope of work and fee proposal, cost-sharing table, preliminary engineering service agreement, and City of Rockwall request for the project letter dated 7/16/2019

Accepted by City of Rockwall:

Rick Crowley
City Manager

DRAFT Attachment A

Scope of Work for the North Texas Municipal Water District Sabine Creek Wastewater Treatment Plant Facility Feasibility Study and Master Plan

Project No. _____

The North Texas Municipal Water District (District) owns and operates the Sabine Creek Wastewater Treatment Plant (WWTP), which currently provides treatment for its two participants, Fate, and Royse City. The plant discharges to Parker Creek, which ultimately flows to Lake Tawakoni, which is a water supply source for the District. The plant was initially constructed in 2006 as a 1.5 million gallon per day (mgd) activated sludge treatment facility. The most recent expansion was placed into service in 2019, brought the permitted annual average daily treatment capacity to 3 mgd, with a peak two-hour flow (P2HF) of 9 mgd. The Sabine Creek WWTP is currently permitted for expansion to up to 5 mgd with a P2HF of 15 mgd.

The cities of Fate and Royse City are experiencing rapid population growth. Based on current District flow projections for the two cities' service areas, the Sabine Creek WWTP will likely require expansion beyond its expansion permitted capacity after year 2035. Rockwall is experiencing population growth as well and has expressed an interest in sending flow to the WWTP. A feasibility study will be conducted to explore impacts to the WWTP due to Rockwall's additional flows.

The District serves the City of Rockwall through the South Mesquite Creek Regional WWTP, the Buffalo Creek WWTP, and the Squabble Creek WWTP. The Brushy Creek basin, located in southeastern Rockwall, is projected to have a rapid population growth. According to Rockwall, its 5-year flow projection is approximately 2.2 mgd and its buildout flow projection 5.01 mgd. Due to the basin's geographical characteristics its flows could be conveyed to two different treatment plants. One option is to South Mesquite WWTP through the Buffalo Creek Interceptor System and the other one is to the Sabine Creek WWTP through a proposed Rockwall conveyance system. Rockwall is currently studying sewer conveyance feasibility from the Brushy Creek basin to the Sabine Creek WWTP by a force main system. The District will study the feasibility of Sabine Creek WWTP receiving its additional flows in the short and long terms.

The District is in the process of implementing multiple condition-based facility master plans at its wastewater treatment facilities and rolling out enhanced asset management practices and programs throughout the District. To support the short-term capital improvement decisions and long-term strategies required to treat the service area flows for Fate and Royse City, to allow the District, Rockwall, Fate, and Royse City to jointly explore the cost impacts and feasibility of serving a portion of Rockwall at the Sabine Creek WWTP, and to implement a condition and criticality-based asset maintenance and renewal program at the Sabine Creek WWTP similar to other plans being performed at the District, the District desires to perform the Sabine Creek WWTP Facility Master Plan (Project).

This project is proposed to be performed in two distinct parts:

1. **Feasibility Study** – intent of this portion of the effort is to collect data and perform sufficient analysis on current flows and future flow and load conditions to establish high-level conceptual cost impacts for treatment only that will allow a decision to be made as to the extent to which it is feasible for Rockwall to participate in the Sabine Creek WWTP system or send flow to the South Mesquite WWTP as currently planned by the District. At the end of this study element, the ultimate flows to be used for the Sabine Creek WWTP master facilities plan assessment will be determined. Coordination with the District and Cities will be conducted regarding the potential impacts of new annexation laws.

For purposes of this feasibility assessment, the following potential service area flows should be considered:

- a. Provide service to all of Fate, all of Royse City, and the southeastern portion of the City of Rockwall.
- b. Provide service to the eastern portion of Fate, all of Royse City, and the southeastern portion of the City of Rockwall.
- c. Provide service to the eastern portion of Fate and all of Royse City

For all instances, the service area flow projections will consider both the City limits and the full extraterritorial jurisdiction (ETJ) of the potential service areas.

The feasibility study will be comprised primarily of Task 2 within the Basic Services as described further below.

2. **Facility Master Planning** – the intent of this portion of the effort is intended to provide a comprehensive improvement plan for the Sabine Creek WWTP. This will include a condition and criticality assessment effort and focused evaluations on capital expansion, asset renewals, planning for future potential regulatory compliance needs, and site planning for these drivers and triggers as described herein. This portion of the project is required not only for the Cities of Fate and Royse City, but also to understand capital expansion, improvements, and phasing impacts that will arise due to the additional of Rockwall flows, pending the outcome of the Feasibility Study portion of the project.

The facility portion of the plan will focus on capital and operating impacts to the Sabine Creek WWTP only and will not address the upstream conveyance capital needs. This scope assumes that identification of reuse opportunities such as sewer mining and their effects on the analysis will not be included in the assessment.

The Facility Master Planning tasks will be comprised primarily of Tasks 3-5 within the Basic Services as described further below.

For all instances, the master planning horizon is to be for development of a phased 20-year CIP, with planning increments of 5, 10, and 20 years. However, the master plan will consider the 50-year planning horizon as an assumed build-out flow condition.

An additional key part of the overall assessment will be to adequately capture the influent hydrograph to the WWTP. Since the Sabine Creek WWTP has experienced relatively high peak to average flow ratios, the District desires that sufficient temporary flow monitoring and assessment be performed to establish the appropriate P2HF and influent hydrograph for assessing the facility in accordance with District planning criteria. Additionally, the District desires to understand the inflow/infiltration within the Sabine Creek Interceptor to inform capital decisions regarding metering for Royse City.

The District does not currently have a model of the Sabine Creek WWTP conveyance system; a model would greatly improve the ability to project future peak flows to the facility and develop a more robust hydrograph from which to assess WWTP capital improvement needs. A simplified InfoSWMM model of the Parker Creek and Sabine Creek Interceptor Systems will be developed as part of this project to allow the District to better capture the influent hydrograph and provide consistency with other District planning efforts.

Tetra Tech, Inc. (Engineer) will provide services as described below in two major classifications:

I. Basic Services

II. Special Services

Basic Services

The Basic Services are divided into the following major tasks:

- Task 1 Project Management, Administration, and Initiation
- Task 2 Data Collection and Review, and Feasibility Study
- Task 3 Facility and Process Assessments
- Task 4 Solutions Development and Draft Implementation Plan
- Task 5 Facility Master Plan Report

These tasks are described in further detail in the sections below.

1.0 PROJECT MANAGEMENT, ADMINISTRATION, AND INITIATION

1.1 PREPARE WORK PLAN

The Engineer will prepare a detailed schedule and work plan to guide the project execution. The workplan will describe the project elements, identify project execution staff and District/City project stakeholders, and outline the project schedule, deliverables, budget, quality assurance procedures, decision tracking procedures, and health and safety requirements. The draft project workplan will be delivered to the District prior to the project initiation meeting (Task 2.1) for review and comment. A final project workplan will be issued to incorporate District comments.

1.2 PROJECT ADMINISTRATION AND COORDINATION

The Engineer will provide project management services that include planning, organizing, staffing, and coordinating the work efforts of the team members and subconsultants. As a general protocol, project activities will be coordinated and communicated through the District and Engineer Project Manager unless specifically designated otherwise. The Engineer will subcontract performance of certain aspects of the project to subconsultants; the Engineer will coordinate with the subconsultants to prepare a scope of work, contractual agreement, and manage the work effort. The Engineer's Project Manager will monitor the subconsultants' project status, budget, schedule, and performance.

The Engineer will prepare and submit a monthly progress report and invoice to the District. The reports will include information on the status of the project, budget spent, budget remaining, conformance to the schedule, reasons for any deviation from the plan, and a listing of critical items anticipated to occur the following month. Additional communications will be provided to coordinate information as needed prior to project meetings and workshops.

The Engineer will utilize the District's ProjectMates for document management. This task includes ProjectMates uploads and administration.

1.3 QUALITY ASSURANCE

The Engineer will employ a quality assurance process on the Project. Senior Engineer staff will be engaged throughout the course of the project to ensure continuous QA and will review all work products prior to delivery to the District. This task includes general ongoing QA only; the level of effort for task-specific technical deliverables is included in those specific tasks.

1.4 PROJECT INITIATION MEETING

The Engineer will attend a project initiation or kickoff meeting with District staff and City staff to initiate the project, discuss the work plan, and define the roles, responsibilities, stakeholders, assumptions, District goals and objectives to be considered in the planning effort, and critical success factors related to the project. It is assumed that the kickoff meeting will last approximately two hours and will include key District and City representatives and key Engineer representatives. This scope assumes that no separate kickoff workshop will be required with City staff.

The Engineer will provide the meeting materials, including a PowerPoint presentation, to the District a minimum of 3 days prior to the project kickoff meeting to allow the District's project manager to review prior to the meeting. The District will provide any comments to the Engineer at least 1 day prior to the kickoff meeting.

The Engineer will provide a meeting summary and copy of the PowerPoint presentation to the District and City representatives for review within 2 weeks of the kickoff meeting.

Task 1 Meetings and Deliverables:

- Project Workplan
- Monthly progress reports and invoices (assumed one for each month of the project duration, or 12 progress reports).
- Project kickoff meeting materials and meeting summary

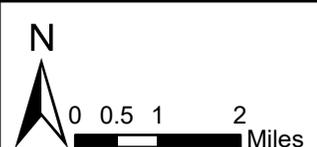
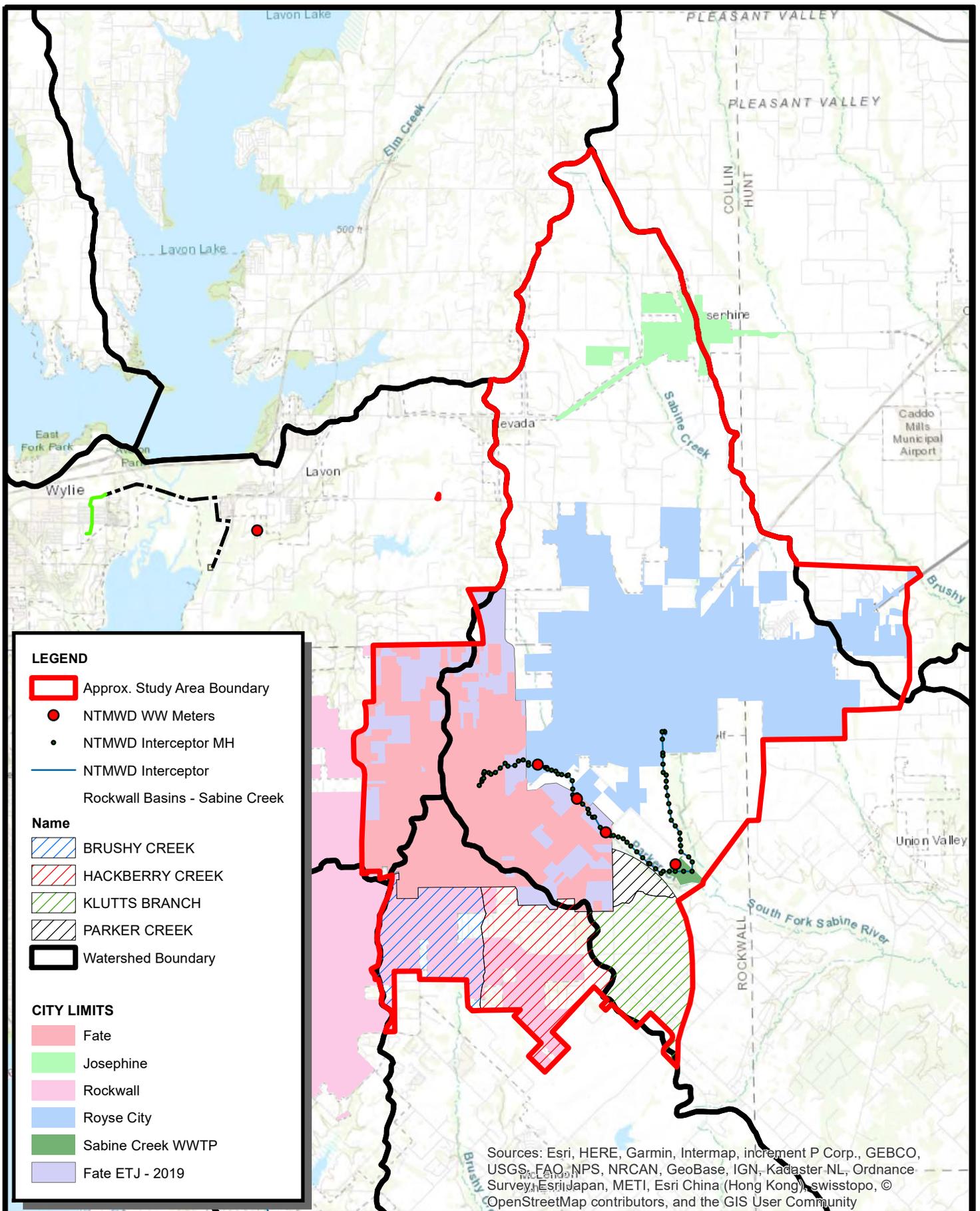
2.0 DATA COLLECTION AND REVIEW AND FEASIBILITY STUDY

2.1 DATA COLLECTION AND REVIEW

Data will be requested from the District where available prior to the project kickoff meeting. The following preliminary data needs are required and assumed to be provided by the District:

- Updated (after 2009) historical cost data for treatment plant expansions, lift stations, pipe lines, permitting and easement costs. (Note, the Engineer will leverage data from the recent Feasibility Study for Regional Wastewater System Southeast of Lavon Lake to extent feasible.)
- Updated operating costs including energy, labor, and chemical costs for the Sabine Creek WWTP. Historical budgetary expenditures for the last 5 years.
- Any known outside funding/incentive opportunities potentially available to the District.
- Copies of the District's contracts for Fate and Royse City for the Sabine Creek WWTP, Parker Creek Interceptor, and Sabine Creek Interceptor

- Currently identified Sabine Creek WWTP CIP improvements.
- Existing Sabine Creek WWTP Construction Documents
- Any pertinent information already known to the District as related to the development of potential future customers within the general limits of the study area (generally defined for the ultimate buildout condition to be the area defined by the City of Fate ETJ, Royse City ETJ, area generally bounded by the Sabine Creek watershed north of the WWTP (including Nevada and Josephine), and southeastern service area of the City of Rockwall as shown in the figure on the following page).
- Last 5 years of WWTP operational information for the Sabine Creek WWTP including: discharge reports filed with TCEQ, solids production, and other operations reports. This data is assumed to be available in electronic format such as Excel to allow for ease of assessment. Noted that operational data prior to the plant expansion in 2016 may not be relevant.
- Population projections for the study area throughout the 20-year master plan horizon in 5-year increments. Additionally, population projections for the 50-year assumed area build-out planning horizon in 10-year increments from 2020 – 2050. These population projections are assumed to be provided by the District no later than 4 weeks after Notice to Proceed. Flows are assumed to be provided for the areas indicated in the Service Area figure to allow for use in the simplified collection system model to be developed for area hydrograph generation.
- Asset registry for the Sabine Creek WWTP and desired format
- GIS and related asset data for the Parker Creek and Sabine Creek interceptors
- Desired condition and criticality assessment recording and reporting formats to comply with Maximo structure
- Any prior hydraulic or process models available for the Sabine Creek WWTP
- Available maintenance data and WWTP SOPs
- Past 5 years of WWTP flow data and City of Fate collection system meter and WWTP effluent meter Telog data (desired duration of data to be coordinated with District). Noted that operational data prior to the plant expansion in 2016 may not be relevant.
- Copies of previous studies relevant to the project
- Copies of any other pertinent documentation which should be considered including any other agreements, deed restrictions, regulatory permits, or any potential known regulatory requirements
- Existing One-Line Diagrams
- Existing Network Diagrams
- Existing SCADA WAN network diagram
- I/O List and written control narratives
- Plant O&M Manuals
- Process Flow Diagrams
- Power Company Contact
- CADD files to facilitate generation of site plan and process area master plans



PROPOSED STUDY AREA BOUNDARY

NORTH TEXAS MUNICIPAL WATER DISTRICT
SABINE CREEK WWTW FACILITY
MASTER PLAN



As the project progresses, additional data and information needs will likely emerge and these will be communicated to the District on a case by case basis.

The Engineer will review the pertinent documentation to inform subsequent project evaluations. In addition, the Engineer will perform a review of other currently-applicable Federal, State, and Local regulations that may impact future expansion and development on the Sabine Creek WWTP site or potential discharge permit conditions.

2.2 WASTEWATER HYDROGRAPH DEVELOPMENT

2.2.1 Temporary Flow and Rainfall Monitoring

The Engineer will conduct temporary flow and rainfall monitoring in the Parker Creek Interceptor and Sabine Creek Interceptor Systems to facilitate generation of a hydrograph for assessing plant peak flow improvement needs. Additionally, this data will be collected in a sufficient manner to allow for the development of a simplified collection system model of the Sabine Creek WWTP Interceptor Systems to allow the District to verify future improvement needs. This scope of work includes installation, monitoring, and reporting for up to 3 temporary flow meters and up to 2 rain gauges in accordance with the District's flow monitoring protocol. The temporary flow meters are anticipated to be installed on both the Fate and Royse City interceptors near Sabine Creek WWTP as well as on the point-of-entry of Royse City into the Parker Creek interceptor.

2.2.1.1 Installation

Site inspections will be performed at each of the proposed flow monitoring sites immediately prior to the installation. Each site will be investigated for presence of debris, turbulent flow or splash flow, hydraulic suitability, level of flow at least one inch, and significant velocity profile variation. If any of these conditions exist, the Engineer shall search for an alternate location with more favorable hydraulic conditions and inform the District of the need for alternative site selection. The goal is to choose a site that has the least amount of turbulence at all times to provide stable velocity and depth readings in the sewer line where the flow monitor will be placed.

A similar methodology for temporary rain gauge installations will be performed. The Engineer will investigate potential facilities for use in the installation, make arrangements to inspect the locations, select a potential installation site, coordinate with the facility owner, and prepare an inspection/installation report. GPS locations will be obtained for each rain gauge and temporary flow monitoring site for inclusion in report maps.

In conjunction with the site inspections, the Engineer will install the flow and rainfall monitoring equipment. Each meter will be verified prior to installation and initiation of the data collection, consisting of an independent verification of the flow depth and velocity. The flow sensors will be secured to a mounting band that fits snugly in the pipeline. The data logger for each site will then be installed and secured in the top of each manhole and the meter will be activated at user-defined sampling intervals of 15 minutes. Each site will be equipped with a modem/data service to allow for remote data communication and access.

This scope assumes that District staff will be available to assist with site access for initial meter installations, but that Engineer staff can access meter sites independently for routine maintenance and no additional coordination would be required unless a site requires special consideration.

Continuously-recording temporary rainfall gauges will be installed for the flow monitoring period at up to 2 locations to obtain each storm event intensity and duration across the study area and record data to coincide with the flow monitoring efforts. Each rainfall gauge will be installed and calibrated to ensure proper operation and recording. Each gauge site will be documented with sketches and photos verifying adequate exposure of the

gauge under all wind conditions. Rainfall gauges are of the tipping bucket type and accurately record rainfall to 0.01 inches.

2.2.1.2 Monitoring and Maintenance

Flow monitoring shall be conducted simultaneously with rainfall monitoring for a period of 30 consecutive days. Depending on the amount of measured rainfall, additional monitoring may be needed as outlined in the Special Services section of this scope of work. Successful flow monitoring will include at least 3 rainfall events that represent 0.5 inches and provide a measurable system response.

After 20 days of flow monitoring, the downloaded flow data will be reviewed and a determination will be made as to whether the flow monitoring period should be extended to capture the needed amounts of storm information. Any extension in length of the monitoring period past the 30 days is not included in this Basic Services scope of work. Increase in scope and work fee associated with any extension of the monitoring period will be finalized with the District prior to the completion of the original 30-day period. This scope of work assumes that the 30-day monitoring period will begin in February 2020.

Routine maintenance and service will be undertaken to confirm normal operation. Flow monitors will be maintained on a rolling bi-weekly basis and shall include upload and interrogation of all flow data, meter calibration, rolling bi-weekly velocity profiling and other diagnostics checks. Logs of each site visit will be maintained and will be used to record date and time of visit, meter velocity and depth reading, corresponding independent velocity and depth reading, and maintenance items such as battery voltage, etc.

For rain gauges, maintenance logs will be prepared for each site visit (as-needed based on remote monitoring of gauge data) and will show as a minimum the date, time, operational check, verification of recordings, and other applicable maintenance items such as battery voltage, etc. Data will be recorded at 15-minute intervals.

Flow Monitoring Bubble Diagram and Flow Balancing

The Engineer will develop a detailed bubble diagram to illustrate meter connectivity and the system flow path; the bubble diagram will be linked to a calculation tool to enable quick assessment of flow balancing checks. This diagram and calculation tool will be prepared prior to the beginning of the flow monitoring period. After the initial meter installation, the Engineer will collect the first week of data and use this data to perform an assessment/balancing of observed dry weather flows. Additionally, the Engineer will obtain a flow data download from the District's Telog system and include the 3 City of Fate billing meters in the flow balancing check.

2.2.1.3 Demobilization

At the completion of the flow monitoring period, the Engineer will begin removal of the flow and rainfall monitoring equipment from the field. Each manhole will be restored to its original condition, with replacement of bolts/silicone seals.

2.2.1.4 Flow Monitoring Report

A report will be prepared to document the flow and rainfall monitoring effort. The flow monitoring report will include the following sections.

- Executive Summary
- Description of equipment, procedures, and other relevant information for all tasks
- Flow and rainfall monitor % uptime summaries

- Flow and rainfall data summaries, including observed dry-weather flow and peak flow for each meter and rainfall event classification for each rain gauge
- Depth-velocity scattergraphs and depth-velocity-flow hydrographs
- QC reports and service logs
- Site Inspection Report (including site sheets)
- Bubble diagram
- Flow meter and rain gauge location map
- Velocity, depth, and flow finalized meter data in tabular and electronic format.

The draft flow monitoring report will be provided to the District within 30 days of the completion of the flow monitoring recording period. A review meeting will be held with the District to discuss and receive comments on the report. Following the meeting, comments will be incorporated and a final flow monitoring report provided. This scope assumes that 2 hard copies of the draft and final flow monitoring report will be required and that the primary deliverable format will be electronic with upload to Projectmates.

Assumptions

- District staff will be available to assist with site access for initial meter installations, but that Engineer staff can access meter sites independently for routine maintenance and no additional coordination would be required unless a site requires special consideration.
- Flow monitoring period will begin in February 2020 and will be 30 days. A flow monitoring period extension can be conducted as outlined in the Special Services section of this scope of work if authorized by the District.
- District staff will help in opening bolted manhole covers and in obtaining access to any manholes determined to be inaccessible due to overgrowth or private property access.

2.3 WASTEWATER HYDROGRAPH DEVELOPMENT

2.3.1 Simplified Collection System Model Development

While a simplified assessment of the influent hydrograph under a variety of design storm conditions could be conducted, the District desires to have a collection system model of the Sabine Creek and Parker Creek Interceptors to facilitate both the assessment of the existing influent hydrograph and to facilitate future District planning efforts within the Sabine Creek WWTP service area. The model will be constructed using existing District GIS collection system infrastructure alignment data and as-builts of the existing interceptor system piping. No survey data will be collected for construction of the model infrastructure.

Model subbasins will be generated using existing available land-use and GIS data from the City of Fate and City of Roys City. Simplified loads will be developed using flow metering data and used to load the model for existing conditions. No disaggregation of wastewater loads will be performed for land use categories. Base loads are assumed to occur at 4 primary locations within the model, 3 for the City of Fate and 1 for the City of Roys City.

Using base flow data and rainfall data from the flow monitoring period, the Engineer will perform a calibration of the model on up to 2 rainfall events. The Engineer will provide a brief TM to the District to document the model development and calibration results and will provide the TM and simplified steady state InfoSWMM model to the District for review. District comments will be incorporated prior to completing Task 2.3.2.

2.3.2 Influent Hydrograph Assessment

The District design storms (2-year 24-hour, 5-year 24-hour, and back-to-back storms) will then be populated into the model and the model run for the existing condition to determine the existing influent hydrograph for the design storm conditions.

2.4 WASTEWATER FLOW AND LOAD PROJECTIONS

Using City-and District-provided population projections and historical gallon per capita per day (gpcd) trends from a review of District flow and population data, the Engineer will prepare flow projections in 5-year increments through the planning period through 2040 and in 10-year increments from 2040 through 2070. For those areas outside existing City service area regions for the flows from 2040 through 2070, the Engineer will reference other available population projection sets such as Region C population projections.

2.5 FEASIBILITY STUDY ASSESSMENT

Based on the review conducted as part of Task 2.1 and the evaluations performed in Tasks 2.2 through 2.4, the Engineer will conduct assessments to determine the range of potential impacts on the planning conditions to be considered for the WWTP. Basis of design documents and reports and existing design/sizing criteria affecting capacity of the various treatment components will be captured to allow for high-level consideration of potential impacts to the WWTP for planning for the various flow conditions. Train sizing, possible site impacts, etc. will be considered to allow the District and the Cities to make a decision on which flow conditions will form the desired basis of evaluation for given planning years. The planning level InfoSWMM model will be loaded with the 5-year increment projections through 2040 and the model run to show the probable hydrograph changes over time.

Conceptual cost impacts will be prepared using historical District costing data for plant facilities of similar size to allow for consideration by District and Cities. District contractual information and ongoing CIP costs at WWTPs will be compared to possible plant impacts for each flow condition to provide consideration of desired planning basis.

Using the District goals and objectives developed in conjunction with the District during the Project Initiation meeting, the Engineer will prepare a draft planning matrix to assist in development of planning scenarios to be considered to guide the master plan evaluation. The Engineer will then conduct a Feasibility Study Workshop with the District and Cities to review the results of the data collection and finalize the scenarios to be considered in the assessment. Once finalized, considerations of additional flow scenarios during the facilities planning phase shall be considered Additional Services.

2.6 FEASIBILITY STUDY TECHNICAL MEMORANDUM

The Engineer will prepare a Technical Memorandum (TM) to summarize the findings and document the results of Tasks 2.1 through 2.5. The Engineer will issue a draft TM to the District for review. Comments will be incorporated into a final TM. This TM will be included as an Appendix to the final project report.

Task 2 Meetings and Deliverables:

- Kick-off meeting
- Kick-off meeting summary
- Data request summary
- Feasibility Study workshop

- Task 2 Technical Memorandum (draft and final) in electronic format

Task 2 Assumptions:

- Up to 3 representatives from the Engineer team will be present at the Project Kickoff Meeting.
- The Engineer will reasonably rely upon the accuracy, timeliness, and completeness of the information provided by the District and Cities.
- The Engineer will rely on the population projections provided by the District and Cities as outlined above.

3.0 TASK 3 FACILITY AND PROCESS ASSESSMENTS

The overall master facility plan is intended to provide a comprehensive improvement plan for the Sabine Creek WWTP. This will include a substantial condition assessment effort and focused evaluations as described below. It is anticipated that a TM will be developed for each task to describe the approach and methodology as well as to summarize the findings and ensure buy-in from the project team. These TMs will be used to generate the Final report described in Task 5 of this scope of work.

Task 3 will be performed in two primary steps:

1. Asset Condition Assessment
2. Facility Process and Performance Assessment

3.1 ASSET CONDITION ASSESSMENTS

3.1.1 Condition Assessment Planning

Following collection of the data requested in Task 2, the Engineer will prepare a Condition Assessment Plan that:

- Defines all inspection areas to include all process units and facility-wide assessments.
- Contains the condition assessment forms to be used within each inspection area, including facility-wide forms.
- Documents condition assessment scoring criteria (assumed to correspond with District-provided asset scoring criteria).
- Identifies any recommended assessment criteria modifications.
- Provides a detailed site visit schedule developed in coordination with District Operations personnel to accommodate available inspection timeframes.

The Engineer will provide the Condition Assessment Plan draft to the District for review. Following receipt of comments, the Engineer will finalize the Condition Assessment Plan and provide to the data collection team for use.

3.1.2 Asset Field Assessments

Engineer will perform the tasks below via field visits to the Sabine Creek WWTP to observe existing conditions and operations. Photographs will be taken and existing conditions and operation documented for use in subsequent tasks. Interviews with operations staff will be conducted during the site visits. It is assumed that the site visits, interviews, and condition assessments can be conducted over the course of one business day allowing time to coordinate with operations staff maintenance schedules. The condition assessments will be performed not only using visual inspections and discussion with District staff but also available information on

preventative and corrective maintenance activities. As part of Task 3.1, the Engineer will work with the District to establish condition criteria and the weighting for the criteria for each asset class that best fits the available data.

Assumptions for field condition assessments:

1. The condition assessments are intended to be high-level, non-intrusive assessments for the purposes of identifying and prioritizing future improvements. If the need is identified for additional inspections, these will be coordinated with the District as part of the Owner-Directed Services task.
2. When assessing equipment, a non-intrusive approach through visual inspection will be used. The Engineer will not open or inspect operating equipment or that which is deemed unsafe. For the SCADA assessments, intrusive methods of documenting IP addresses, port settings, and routing is not included.
3. The condition assessments for Electrical/SCADA components do not include the following:
 - Software licenses or hardware.
 - HVAC Engineering
 - Reverse engineering of existing PLC programs. Written control narratives for existing PLCs are required to review the process control.
 - Fiber optic cable tracing and testing
 - Radio path study
 - Preparation of an inventory of all equipment at each site.
 - Cybersecurity audits
 - Physical security or access control systems
 - Standards development
 - SKM Model
 - Developing Plant Network Diagram
 - Coordination with other agencies, entities or Cities.
 - Improvements to the electrical system redundancy. The current electrical system distribution will not be evaluated.

3.1.2.1 Facility-Wide Condition Evaluations

The Engineer will perform condition assessments for the Sabine Creek WWTP for the assets provided in the District's asset registry. Assets covered under the Facility Wide Evaluations shall include discipline specific assessments in accordance with the following discipline breakdown:

- Civil
- Structural
- Mechanical
- Electrical
- Instrumentation and Controls
- Chemical
- Support
- Site Piping
- Safety

Facility-Wide Evaluations shall be organized in accordance with the facility and process breakdown provided by the District as part of the asset registry. This is assumed to include up to 20 major unit processes or facilities.

3.1.3 Condition Assessment Summary TM

The data from the condition assessment Task 3.1.2 will be compiled into a draft Condition Assessment Summary TM that includes the following:

- Summary of inspection area condition assessment results that are organized and presented in tabular format broken down by relevant/applicable disciplines, condition observations/findings, recommendations, and applicable photographic or other reference documentation.
- Criticality Assessment – the criticality (or consequence of failure) of each asset class will be determined and presented in tabular format in accordance with District-preferred criteria such as capacity affected, redundancy, water quality/system impact, and outage duration.
- Overall condition/criticality ranking of each asset class to provide a prioritization for improvements to the facility.

The Engineer will provide the TM to the District for review and then present the condition and criticality assessment results summary to the District and receive comments in a workshop setting. This workshop will be combined with the Process and Performance Workshop outlined in Task 3.4.

3.2 FACILITY PROCESS AND PERFORMANCE ASSESSMENT

The second step of the facility assessment is to evaluate overall processes and performance. The Engineer will coordinate this portion of the evaluation in two major tasks:

- **O&M Staff Interviews and On-site observations** to identify assets that are not performing as intended, designed and/or expected and to observe whether assets are meeting intended function in terms of flow, quality/treatment, monitoring and control
- **Desk-top assessments and review of operational data** to determine whether facilities are operating per design criteria and evaluate and compare actual flows, capacities and removal efficiencies to equipment specifications and process goals.

3.2.1 O&M Staff Interviews, O&M Manual Reviews and On-site Observations

The Engineer will coordinate the process and performance evaluation through O&M staff interviews and on-site observations— these will be performed in conjunction with the site visits described in Task 3.1. The Engineer will obtain Plant Manager/staff feedback on equipment and process function, capacity, and reliability and will conduct walk-around interviews with key O&M staff to identify any known hydraulic bottlenecks during normal O&M activities or during extreme weather, to identify equipment requiring frequent maintenance, and to review preventive maintenance frequency and practices.

During the on-site interviews and walk-throughs, the Engineer will conduct on-site observations of each major process and subsystem to include chemical handling and storage facilities, chemical feed equipment, solids removal equipment and handling, pumping systems, and plant monitoring and control systems to assess overall performance.

The Engineer will review the District's O&M Manuals and make recommendations for improvements or updates if needed.

The Engineer will prepare a list of observed and described deficiencies, perform a root cause analysis on observed deficiencies, assess evaluation of impact on overall treatment capacity, and identify potential corrective actions. This information will be compiled and included in the Process and Performance TM described in Task 3.4.

3.3 PERFORMANCE EVALUATION

3.3.1 Process Data Assessment

The Engineer will conduct a review of and assessment of equipment O&M data and monitoring data for key process monitoring points against regulatory, performance criteria, and treatment goals.

3.3.2 Hydraulic Capacity Assessment

The Engineer will develop a customized spreadsheet-based hydraulic model for the WWTP using Microsoft Excel. A hydraulic profile will be generated for the following flow conditions (both existing flows and projected future flows) for the current WWTP facility configuration:

- Minimum Dry Weather Flow
- Annual Average Daily Flow
- Maximum Week Flow
- Maximum Day Flow
- Peak 2-Hr Flow

The hydraulic profiles will be evaluated and analyzed to identify constraints, limitations, redundancies, and potential improvements for the above conditions. Projected future flow conditions to be assessed include:

- 2025 (5-year flow)
- 2030 (10-year flow)
- 2035 (15-year flow)
- 2040 (20-year flow)

These conditions will be assessed under the selected single planning flow projection scenario from Task 2.5 as noted. Consideration of additional flow projection scenarios is not included within this scope of work.

3.3.3 Process and Performance Assessment

3.3.3.1 Desktop Capacity Assessment

The Engineer will prepare a desktop capacity assessment to determine the capacity of unit operations and equipment for both normal and firm capacity operating conditions for current conditions. This desktop model of key unit processes will be used to determine/verify existing unit process design capacity. Based on conversations with District staff regarding anticipated future permit conditions, this scope assumes that development of detailed process models such as BioWIN will not be required for this task, but may be recommended for future assessments.

TCEQ standard design criteria and other industry design standards will be used to calculate and asset unit process capacities. Return activated sludge (RAS) and waste activated sludge (WAS) pumping will be reviewed for adequacy to support the process capacities. Chemical dosing schemes and operational reports will be considered to assess the capacity of chemical feed equipment. The output from this assessment will be a tabulation of normal/firm capacities of each unit process, unit operation, and equipment. A listing of deficiencies and of processes or equipment with excess capacity will be noted.

The ability of the WWTP to treat flows under the future flow conditions will be evaluated and an assessment made as to the impacts on the need for additional treatment units and processes and phasing implications.

3.3.3.2 Regulatory, Site Evaluation, and Permitting Considerations

Current and future potential regulatory conditions will be assessed, and existing unit processes evaluated against latest industry standards and current/future regulatory requirements (e.g., chloride, total dissolved solids, and sulfate). Historical process data and testing reports will be reviewed to validate the effectiveness of the existing treatment process against current and future water quality requirements and District treatment goals. A table will be created to distinguish which facilities are regulated by TCEQ Chapter 217 or 317 design criteria.

The ability of the WWTP to comply with regulations under the future flow conditions will be evaluated and an assessment made as to the impacts on the treatment plant expansion considerations, site needs, and permit phasing and assessment needs.

3.4 PROCESS AND PERFORMANCE TM AND WORKSHOP

Based on the results of Tasks 3.2 and 3.3, a Process and Performance TM will be prepared to document the results of the evaluation. The Engineer will issue the draft TM to the District and then prepare and conduct a Process and Performance and Condition Workshop to review the results and receive District comments on both the Process and Performance and Condition Assessment TMs.

The Engineer will provide a meeting summary to the District for review and to document comments to be incorporated to the Task 4 results.

Additionally, the Engineer will prepare a draft set of alternative solutions to consider based on the outcome of the Task 3.2 and 3.3 results for review with the District at the workshop. The Engineer will use the feedback received on the preliminary solutions to generate the set of alternatives described in Task 4 below.

Task 3 Meetings and Deliverables:

- Asset Inventory and Condition/Criticality Scoring TM
- Process and Performance TM
- Process and Performance and Condition Workshop

Task 3 Assumptions:

- Up to 3 representatives from the Engineer team will be present at the site visits.
- Interviews with operations staff will be conducted during the site visits.
- It is assumed that the site visits, interviews, and condition assessments can be conducted over the course of three consecutive business days allowing time to coordinate with operations staff maintenance schedules.

4.0 SOLUTIONS DEVELOPMENT AND DRAFT IMPLEMENTATION PLAN

The condition and process conditions determined from the outcomes of Task 3 will be used to perform an assessment of operational resiliency, determine the improvements that are most critical to maintaining operational resiliency, and develop a set of prioritized solutions to best manage the District's risk.

Based on feedback received in the Task 3.4 Workshop, the Engineer will develop a set of alternatives and solutions to address the identified deficiencies from Task 3, both for individual processes and facility-wide systems. The solutions will consider:

1. Determining root cause of deficiency

2. Determine whether whole or partial solutions can be achieved through modification of O&M activities
3. Generate solutions that leverage any identified unused capacity
4. Then develop capital project solutions considering implementation of the root cause elimination/O&M/unused capacity solutions.

Solutions will be developed for the major unit processes and following general disciplines:

- Civil
- Structural
- Mechanical
- Electrical
- Instrumentation and Controls
- Chemical
- Odor Control (future)
- Support
- Site Piping
- Safety

Using this methodology, life cycle costs of the alternative solution groupings will be generated. Class 5 life cycle cost estimates will be developed based on the cost models generated as part of Task 2 for the potential improvement alternatives. Using data from Task 2, the Engineer will estimate baseline O&M costs for the Sabine Creek WWTP. Existing and planned CIP and rehab/replacement activities and costs will be reviewed to segregate costs required to maintain the facilities regardless of expansion or upgrade scenario and costs that can be avoided as a result of improvement or upgrade of the facilities.

The alternatives will be presented in terms of existing District capital planning need identification criteria and tied to overall criticality and reliability scores from Task 3.

A Draft Alternatives Selection and Recommendations TM will be prepared to document the potential alternatives and issued to the District for review. The Alternatives Selection and Recommendations TM will contain a set of draft solution recommendations and a prioritized 5, 10, and 20-year capital improvement plan generated based on feedback received from the District as part of the Task 3.4 workshop. This plan will be developed and interdependencies assessed between the individual improvement projects and will consider scheduling, funding, and project bundling. The prioritized 20-year plan will provide asset replacement investment schedules based on remaining asset service life condition scales established in conjunction with the District.

District comments and feedback on the Alternatives Selection and Recommendations TM will be received at the Task 4 Workshop and then incorporated to the Task 5 Master Plan.

5.0 FACILITY MASTER PLAN REPORT

The Engineer will develop a facility master plan report that captures the results of the analysis findings. The facility master plan report will include:

- Existing facility descriptions
- Flow assessments and projections
- Load assessments and projections
- Facility hydraulic evaluations
- Regulatory compliance and requirements
- Review of latest floodplain maps to determine available land for expansion outside of the floodplain

- Individual unit process evaluations, to include Capacity Analysis, Condition Analysis, and Other Deficiencies/Betterments (including safety)
- Facility-wide evaluations, to include buildings and associated systems, electrical and cathodic protection systems, I&C/SCADA (broken down by process area), one-line diagrams, yard piping, security, and site civil.
- Plant layout configurations based on the projections, regulatory compliance, unit process, and facility-wide evaluations. These layouts will be used in conjunction with floodplain mapping to determine the need for available land and/or required site improvements.
- 20-year prioritization plan
- Future implementation triggers
- Conclusions and Recommendations

The Engineer will deliver a draft report to the District for review. Following District review, the Engineer will prepare for and conduct a workshop to receive District comments. Following the workshop, the Engineer will issue a workshop summary along with completed review and comment for to the District. The Engineer will then prepare a final report and deliver to the District. This scope assumes that no hard copies will be provided for the Draft Report (electronic deliverable) and 3 hard copies provided along with electronic deliverable of the Final Report.

Special Services

SPECIAL SERVICES TASK 1 – OWNER DIRECTED SERVICES

This task is for Owner-Directed services. Due to the nature of this planning study, the District may desire to have additional alternatives or scenarios evaluated beyond those described within this scope of work based on results of individual tasks. In the event that the District desires the Engineer to perform additional tasks in support of the evaluation, the Engineer will develop proposed scope and fee proposals for the work requested and authorized by the District. Owner-Directed services shall include an amount not to exceed Five Thousand Dollars (\$5,000).

Additional Services

Additional services are those services that are not currently defined or authorized by the District but may be defined and authorized by the District as the project progresses.

Schedule

The project duration is 11 months from NTP for completion of the Basic Services. The draft Feasibility Study (Task 2 Technical Memorandum) will be completed within 6.5 months from NTP.

A proposed schedule with the major project milestones for the Basic Services is presented in the table below. The schedule may be affected by authorization of Special Services or any Additional Services by the District; updates to the overall project schedule will be provided to the District if the project schedule is affected by weather or authorization of Special Services or Additional Services.

Phase	Task Completion (from NTP)
Task 1: Project Management, Administration, and Initiation	
Work Plan & Data Request	2 weeks
Project Initiation Meeting, Data Collection & Review	2 weeks
Task 2: Data Collection & Review & Feasibility Study	6.5 Months
Completion of Flow and Rainfall Monitoring	5 months
Feasibility Study	6 months
Delivery of Feasibility Assessment Draft TM	6.5 months
Task 3: Facility & Process Assessments	7.5 Months
Conditional Assessment Plan	3.5 months
Delivery of Conditions Assessment TM	4.5 months
Process Data, Hydraulic & Desktop Assessment	6.5 months
Delivery of Process and Performance TM & Workshop	7.5 months
Task 4: Solutions Development & Draft Implementation Plan	9.5 Months
Draft Alternatives Selection and Recommendations TM	9 months
Workshop	9.5 months
Task 5: Facility Master Plan Report	11.5 Months
Draft Report	10.5 months
District Review/Workshop	11 months
Final Report	11.5 months

Tt Price Proposal

Sabine WWTP Master Plan

Submitted to: NTMWD

Project Phases / Tasks

Labor Plan

10 Resource

Bill Rate >	305.00	260.54	243.22	118.75	165.57	139.67	212.90	145.12	105.95	287.43
Proj Area >										

Task Pricing Totals 319,998

0

Total Price 319,998

Pricing by Resource

Total Labor Hrs	Principal in Charge	Project Manager	Treatment & Process / Condition Assessment	Flows, Loads and Hydraulics	Project Engineer and Cost Estimating	GIS/CADD	Hydraulic Modeling Lead	Hydraulic Modeler	Hydraulic Data Analysis	QA/QC	Labor	Subs	Travel	Mat'ls & Equip	ODCs	Task Pricing Totals
1,275	32	113	182	356	338	60	34	124	16	20	222,761	83,762	11,550	-	1,925	319,998

1.0 Project Management, Administration, and Initiation	102	16	58	4	4	-	-	-	-	20	27,188	7,447	1,760	-	-	36,395
1.1 Work Plan	12	4	8								3,304					3,304
1.2 Project Administration and Coordination	54	12	42								14,603					14,603
1.3 Quality Assurance	24		4							20	6,791					6,791
1.4 Project Initiation Meeting	12		4	4	4						2,490		1,760			4,250
Electrical, SCADA, and Controls Subconsultant	-											7,447				7,447
2.0 Data Collection and Review and Planning Conditions	583	6	21	68	146	132	36	34	124	16	94,989	19,800	1,760	-	550	117,099
2.1 Data Collection and Review	50	-	2	4	36	8	-	-	-	-	7,093	-	-	-	-	7,093
Data and Information Request and Review	26		2	4	16	4					4,056					4,056
Regulatory Review	24				20	4					3,037					3,037
2.2 Temporary Flow and Rainfall Monitoring	8	-	-	-	4	-	-	-	4	-	1,055	19,800	-	-	-	20,855
Subconsultant (3 Flow Meters/2 Rain Gauges/30 Days)	-											19,800				19,800
Coordination and Oversight	8				4						1,055					1,055
2.3 Wastewater Hydrograph Development	106	-	-	2	-	-	-	16	72	16	16,037	-	-	-	-	16,037
Collection System Model Development	34			2				8	24		5,673					5,673
Data Processing	44							4	24	16	6,030					6,030
Influent Hydrograph Assessment	28							4	24		4,335					4,335
2.4 Wastewater Flow and Load Projections	114	2	2	16	50	24	20	-	-	-	17,727	-	-	-	-	17,727
Review Existing Flow Data	10			2	8						1,436					1,436
Review Existing WQ Data	10			2	8						1,436					1,436
Service Area Definition	22	2	2		10		8				3,436					3,436
Develop Future Projections (5, 10, 20, 50 Years)	72	-	-	12	24	24	12	-	-	-	11,418	-	-	-	-	11,418
Scenario 1: All Fate, All Royse, Watershed, SE Rockwall	24			4	8	8	4				3,806					3,806
Scenario 2: Eastern Fate, All Royse, Watershed, SE Rockwall	24			4	8	8	4				3,806					3,806
Scenario 3: Eastern Fate, All Royse, Watershed	24			4	8	8	4				3,806					3,806
2.5 Assess Planning Conditions	164	2	10	32	16	72	4	8	20	-	29,984	-	1,760	-	-	31,744
Existing Basis of Design and Capacity Evaluation	36		4	8		24					6,962					6,962
Train Sizing, Site Impacts, Etc.	28			8		16	4				5,154					5,154
Future Hydrograph Changes	28							8	20		4,606					4,606
Conceptual Cost Estimates	20			4		16					3,622					3,622
Draft Planning Matrix/Scenarios	24	2	2	4	8	8					4,378					4,378
Planning Conditions Workshop	16		4	4	8						2,965		1,760			4,725
Finalize Scenarios for Assessment	12			4		8					2,297					2,297
2.6 Planning Conditions TM	141	2	7	14	40	28	12	10	28	-	23,093	-	-	-	550	23,643
Draft TM	78	2	2	8	22	16	8	4	16		12,629				275	12,904
Address Review Comments	19		1	2	6	4		2	4		3,128					3,128
Final TM	44		4	4	12	8	4	4	8		7,336				275	7,611

 Price Proposal		Labor Plan 10 Resource										Task Pricing Totals					319,998	
Sabine WWTP Master Plan		Bill Rate >	305.00	260.54	243.22	118.75	165.57	139.67	212.90	145.12	105.95	287.43						0
Submitted to: NTMWD		Proj Area >											Total Price					319,998
Project Phases / Tasks		Total Labor Hrs	Principal in Charge	Project Manager	Treatment & Process / Condition Assessment	Flows, Loads and Hydraulics	Project Engineer and Cost Estimating	GIS/CADD	Hydraulic Modeling Lead	Hydraulic Modeler	Hydraulic Data Analysis	QA/QC	Labor	Subs	Travel	Mat'ls & Equip	ODCs	Task Pricing Totals
		1,275	32	113	182	356	338	60	34	124	16	20	222,761	83,762	11,550	-	1,925	319,998
3.0 Facility and Process Assessments		376	2	16	78	154	126	-	-	-	-	-	62,898	41,902	4,510	-	275	109,585
3.1 Asset Condition Assessments		150	-	6	36	46	62	-	-	-	-	-	26,047	41,902	2,750	-	-	70,699
Condition Assessment Planning		12	-	2	2	-	8	-	-	-	-	-	2,332	-	-	-	-	2,332
<i>Condition Assessment Plan</i>		12		2	2		8						2,332					2,332
Asset Field Assessments		84	-	2	26	24	32	-	-	-	-	-	14,993	41,902	2,750	-	-	59,645
<i>Site Visit and Interviews (1.5 Days)</i>		24			12		12						4,905	12,505	2,750			20,160
<i>Facility-Wide Condition Evaluations</i>		60		2	14	24	20						10,087					10,087
<i>SCADA System</i>		-												6,141				6,141
<i>Electrical System</i>		-												23,257				23,257
<i>Condition Assessment Summary TM</i>		54		2	8	22	22						8,722					8,722
3.2 Facility Process and Performance Assessment		14	-	-	6	-	8	-	-	-	-	-	2,784	-	-	-	-	2,784
O&M Staff Interviews		4			4								973					973
O&M Manual Review		10			2		8						1,811					1,811
3.3 Performance Evaluation		138	-	2	20	76	40	-	-	-	-	-	21,033	-	-	-	-	21,033
Process Data Assessment		24			4	16	4						3,535					3,535
Hydraulic Capacity Assessment		50		2	4	24	20						7,655					7,655
Desktop Capacity Assessment		36			8	20	8						5,645					5,645
Regulatory, Site Evaluation, Permitting Considerations		28			4	16	8						4,197					4,197
3.4 Process and Performance TM and Workshop		74	2	8	16	32	16	-	-	-	-	-	13,035	-	1,760	-	275	15,070
Draft TM		44	2	2	8	24	8						7,251				275	7,526
Workshop		16		4	4	8							2,965		1,760			4,725
Draft Alternative Solutions		14		2	4		8						2,818					2,818
4.0 Solutions Development and Draft Implementation Plan		92	4	10	22	8	48	-	-	-	-	-	18,073	9,613	1,760	-	-	29,447
Proposed Alternatives and Solutions		20	2	2	8		8						4,401	4,153				8,555
Life Cycle Cost Estimates		26			2		24						4,460	5,460				9,920
Draft Alternatives Selection and Recommendations TM		30	2	4	8		16						6,247					6,247
Workshop		16		4	4	8							2,965		1,760			4,725
5.0 Facility Master Plan Report		122	4	8	10	44	32	24	-	-	-	-	19,612	-	1,760	-	1,100	22,472
Draft Report		72	2	2	4	24	24	16					11,162				550	11,712
Workshop		12		4	4	4							2,490		1,760			4,250
Workshop Summary		4				4							475					475
Final Report		34	2	2	2	12	8	8					5,484				550	6,034
Special Services		-	-	-	-	-	-	-	-	-	-	-	-	5,000	-	-	-	5,000
Owner Directed Special Services		-												5,000				5,000
Totals		1,275	32	113	182	356	338	60	34	124	16	20	222,761	83,762	11,550	-	1,925	319,998



Regional. Reliable. Everyday.

AGREEMENT FOR ENGINEERING SERVICES

This Agreement is made, entered into, and executed on this ___ day of _____, 2020 by and between the NORTH TEXAS MUNICIPAL WATER DISTRICT of Wylie, Texas (the “District”), acting herein by and through its duly authorized representative, and Tetra Tech, Inc. (the “Engineer”), acting herein by and through its duly authorized representative (each herein a “Party” and collectively, the “Parties”).

WHEREAS, the District intends to contract for engineering services associated with Sabine Creek Wastewater Treatment Plant Feasibility Study and Master Plan, Project No. 308-0554-20, such improvements hereinafter called the “Project;” and

WHEREAS, the Engineer desires to enter into this Agreement to perform the Scope of Work for the Project pursuant to the terms further outlined in the Agreement.

NOW, THEREFORE, the District and the Engineer, in consideration of the mutual covenants and agreements herein contained, the receipt and sufficiency of which are hereby acknowledged, do mutually agree as follows:

SECTION I ENGINEER TO PROVIDE PROFESSIONAL SERVICES FOR NTMWD

The Engineer agrees to perform the professional services outlined in Sections IV – VI of this Agreement and as otherwise contemplated in this Agreement (the “Services”) in connection with the Project and, for having rendered such services, the District agrees to pay to the Engineer compensation as outlined in the Section IX of this Agreement.

SECTION II PERIOD OF SERVICE

This Agreement shall become effective upon execution by the District and the Engineer and shall remain in full force for the period which may reasonably be required for the design, award of contract, and construction of the Project, including extra services and any required extensions approved by the District.

SECTION III PROFESSIONAL QUALITY

Engineer shall be responsible for the professional quality, technical accuracy, timely completion, and coordination of any and all plans, designs, drawings, documents, estimates, specifications, reports, studies and other material (collectively, the “Project Documents”) and Services furnished by the Engineer, Engineer’s subcontractors, and any sub-subcontractors under this Agreement. Engineer represents and warrants that all of the Services and contemplated Project Documents are within the Engineer’s scope of expertise. As such, Engineer shall be liable for any deficient or sub-standard work of any subcontractors or sub-subcontractors utilized in the performance of this

Agreement.

Engineer shall perform the Services required hereunder in accordance with the prevailing standard of care by exercising the skill and ability normally required of professionals performing the same or similar services, under the same or similar circumstances, in the State of Texas (the "Standard of Care"). Approval by the District of the Project Documents, services, and incidental engineering services shall not in any way relieve the Engineer of responsibility for the technical accuracy of the services performed. The District's review, approval or acceptance of, or payment for any of the Services described herein shall not be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

SECTION IV BASIC SERVICES

The Engineer shall render professional services necessary for the development of the Project. The Scope of Services covered by Basic Services for the Project shall be as indicated in Attachment A, which is fully incorporated herein by reference.

SECTION V SPECIAL SERVICES

Special Services to be performed by the Engineer, if authorized by the District, are indicated in Attachment A. which is fully incorporated herein by reference.

SECTION VI ADDITIONAL SERVICES

Additional Services to be performed by the Engineer, if authorized by the District, which are not included in the above described Basic and Special Services, are described as follows:

1. Field layouts or the furnishing of construction line and grade surveys;
2. Investigations involving detailed consideration of operation, maintenance and overhead expenses, and the preparation of rate schedules, earnings and expense statements, feasibility studies, appraisals, evaluations, or assessment schedules performed by the District;
3. Preparing of applications and supporting documents for governmental grants, loans, or planning advances and providing data for detailed applications;
4. Providing shop, mill, field, or laboratory inspection of materials and equipment, except as initiated at the Engineer's discretion for the purposes of his own verification;
5. Preparation of any required Operation and Maintenance Manuals or conducting operator training and preparation of Environmental Impact Assessments or Statements;
6. Appearance before regulatory agencies or courts as an expert witness in any litigation with third parties or condemnation proceedings arising from the development or construction of the Project including the preparation of engineering data and reports for assistance to the District; and
7. Furnishing the services of a full-time Resident Project Representative to act as the District's onsite representative during any ensuing construction phase, if requested by the District under terms and conditions described in Section X of this Agreement.

SECTION VII COORDINATION WITH THE DISTRICT

The Engineer shall hold periodic conferences with the District or its representatives in order to obtain the full benefit of the District's experience and knowledge of existing needs and facilities so that the Project as designed will be consistent with the District's current policies and construction standards. To implement this coordination, the District will make available to the Engineer for use in designing and constructing the Project existing plans, reports, studies, maps, field notes, statistics, computations and other data in its possession relative to existing facilities and to the Project. The Engineer shall coordinate with the Owner in obtaining plans for existing facilities. Engineer shall use the District's designated project management software system for documentation of all Project documents.

SECTION VIII WRITTEN AUTHORIZATION

All Services and work to be performed by the Engineer under this Agreement shall be authorized by the District in writing and in advance. Prior to each phase of the Basic Services and each special service task as referenced in Section IV and Section V of this Agreement, the Engineer shall submit a written request for authorization for District approval. The request shall set forth in reasonable detail the scope of the Project and the Services to be provided, including estimated cost of the construction work, approximate total amount of engineering fees and approximate date of completion of the Services authorized.

The written work order for each phase of the Basic Services and Special Services shall be acknowledged and accepted by both the District and the Engineer. It is specifically understood and agreed that the Engineer shall not be authorized or undertake any work pursuant to this Agreement which such work would require the payment of any charge, expense or reimbursement without having first had and obtained a work order or specific written authorization from the District.

In the event that Additional Services are requested for any work not included in the scope of work and fee proposal, written authorization is required by the District before the Engineer proceeds with any work.

SECTION IX COMPENSATION

For and in consideration of the services to be rendered by the Engineer, the District will pay the fees hereinafter set forth.

A. COMPENSATION TERMS:

1. "Construction Cost" is defined as the total cost to the District for the execution of the work on the construction project. This cost excludes fees or other costs for engineering and legal services and the cost of land, right of way, and administrative expenses. This cost includes the direct cost to the District of all current construction contracts and items of construction including labor, materials and equipment required for the completed work (including extras), and the total value at site of Project of all labor, materials, and equipment purchased or furnished directly by the District for the Project.
2. "Salary Cost" is defined as the cost of salary of engineers, drafters, surveyors, clerks, and laborers for time directly chargeable to the Project, plus Social Security contributions, unemployment, excise and payroll taxes, employment compensation insurance, retirement

benefits, medical and insurance benefits, sick leave, vacation, and holiday pay applicable thereto.

3. "Sub-Contract Expense" is defined as that expense directly related to the Project incurred by the Engineer in employment of others in outside firms for services in the nature of foundation borings, testing, and similar services that are not included in the Basic Services.
4. "Direct Non-Labor Expense" is defined as that expense directly related to the Project incurred by the Engineer for supplies, transportation, travel, subsistence and lodging away from home and similar incidentals in connection with the Project.

B. BASIC SERVICES:

The Engineer shall be compensated for the work described as Basic Services (Section IV). Work to be performed by the Engineer as part of Basic Services is described in "Scope of Services, Attachment A". **The Basic Services Compensation shall not exceed \$314,999 without prior written authorization from the District, and shall be as follows:**

1. Where the services of individuals are supplied by the Engineer, as authorized by the District, payment for these services shall be based on salary costs times a multiplier of 2.25. All overhead, profit and indirect labor and expenses are included within the multiplier.
2. Services for direct non-labor expenses and subcontract expense provided by the Engineer shall be reimbursed at actual cost times a multiplier of 1.10.

It is specifically understood and agreed that the Engineer shall not be authorized to undertake any work pursuant to this Agreement which would require additional payments by the District of any charge, expense, or reimbursement above the maximum fee without having first obtained written authorization from the District's Engineering Manager and above.

C. SPECIAL SERVICES:

For any Special Services described in Attachment A and separately authorized by the District, the Engineer shall be compensated as follows:

1. Where the services of individuals are supplied by the Engineer, as authorized by the District, payment for these services shall be based on salary costs times a multiplier of 2.25. All overhead, profit and indirect labor and expenses are included within the multiplier.
2. Services for direct non-labor expenses and subcontract expense provided by the Engineer shall be reimbursed at actual cost times a multiplier of 1.10.

Special Services in the amount not to exceed \$5,000 is included for Owner Directed Special Services if defined in Attachment A.

D. ADDITIONAL SERVICES:

If Additional Services are required and approved by the District, the Engineer shall be compensated as follows:

1. Where the services of individuals are supplied by the Engineer, as authorized by the District, payment for these services shall be based on salary costs times a multiplier of 2.25. All overhead, profit and indirect labor and expenses are included within the multiplier.
2. Services for direct non-labor expenses and subcontract expense provided by the Engineer shall be reimbursed at actual cost times a multiplier of 1.10.

3. Compensation for the services of a Resident Project Representative during the construction phase, if requested by the District, shall be under the terms and conditions described in Section X of this Agreement.

E. PAYMENT:

Payments to the Engineer will be made on the basis of monthly statements rendered to and approved by the Executive Director of the District or his designee; however, under no circumstances shall any monthly statement for services exceed the value of work performed at the time a statement is rendered (i.e. payment equal to 60% of design phase fee will not be made until 60% plans have been submitted). The Engineer shall be entitled to a cumulative amount not to exceed eighty-five percent (85%) of the Basic Services fee upon completion and submission of the plans, specifications, bid proposals to the District, and completion of the bidding assistance task. The remaining fifteen percent (15%) of the Basic Services charge shall be paid in installments during the construction phase of the project in proportion to the contractors compensation for work completed. In no case shall any payments exceed the value of the work actually completed at the time.

F. NON-CONSTRUCTION PAYMENT:

If construction bids are received and a contract is not awarded or if construction bids are not received, payment to the Engineer shall be based on time and changes expended by the Engineer at that time in accordance with Basic Services above, or a maximum of eighty-five percent (85%) of the Basic Services agreed by the District and the Engineer. In either case (as described above) the Engineer will receive payment within two (2) months after the District has approved and received the final plans, specifications, and contract documents.

**SECTION X
RESIDENT PROJECT REPRESENTATIVE**

If the District elects to have the Engineer furnish the services of a Resident Project Representative to act as the District's on-site representative during the construction phase, the Engineer shall furnish these services at salary cost times a multiplier of 2.25; direct non-labor expenses shall be reimbursed at actual cost times a multiplier of 1.10. If a Resident Project Representative is required by the District, the services provided by the Engineer shall be as described in an attachment to the District's written request and authorization entitled, "*Duties, Responsibilities and Limitations of Authority of Resident Project Representative.*"

**SECTION XI
REVISION TO PROJECT DOCUMENTS**

The Engineer shall make, without expense to the District, such amendments to the draft plans and project documents as may be required to meet the needs of the District; but if after a definite plan has been approved by the District, a decision is subsequently made by the District which requires additional work by the Engineer, the Engineer shall be compensated for such extra services and expenses as Additional Services as described in Section IX above. If revisions in the project documents are required by reason of the Engineer's, the Engineer's subcontractor, or the subcontractor's sub-subcontractor's error or omission, then such revisions shall be made by the Engineer without additional compensation.

**SECTION XII
OWNERSHIP OF DOCUMENTS**

Original documents, plans, designs, and survey notes developed in connection with Services performed hereunder shall belong to and remain the property of the District, which it may use without restraint. The Engineer is not responsible and is hereby released from responsibility for the District's use of the documents for any purpose other than for this Project. The Engineer may retain reproducible copies of such documents; however, Engineer shall not provide to, or use this work product on behalf of, any person or entity without the express written consent of the District, which it may withhold for any reason or not reason at all.

SECTION XIII TERMINATION

Either Party to this Agreement may terminate the Agreement by giving to the other Party thirty (30) days' written notice (the "Notice of Termination"). Upon delivery of such notice by the District to the Engineer, the Engineer shall immediately, unless the notice directs otherwise, discontinue all Services in connection with the performance of this Agreement and should proceed to cancel promptly all existing orders and contracts insofar as such orders or contacts are chargeable to this Agreement. As soon as practicable after receipt of the Notice of Termination, the Engineer shall submit a statement to the District showing in detail the services performed under this Agreement through the date of termination.

The District shall then pay the Engineer promptly that portion of the Basic Services called for under this Agreement, less such payments on account of the charges as have been previously made. Copies of all completed or partially completed project documents prepared under this Agreement shall be delivered to the District, which it may use without restraint.

SECTION XIV PRIVATE LAND ENTRY

Engineer shall not enter onto any real property owned by others on the District's behalf to survey, perform soil tests, or for other reasons related to the performance of Services under this Agreement until the Engineer has secured the landowner's permission to so enter and perform said Services. The Engineer shall follow the District's procedures in notifying and acquiring landowner permission. The District shall ultimately be responsible for obtaining an unwilling landowner's permission for access onto landowner's property.

SECTION XV LAWS AND ORDINANCES

Engineer shall at all times observe and comply with all federal, state and local laws, ordinances, rules, regulations, and orders of any public authority, which in any manner affect the Agreement or the Project. Engineer agrees that Section XVI shall apply to Engineer's failure to comply with this Section XV.

SECTION XVI

INDEMNIFICATION

To the fullest extent permitted by law, Engineer DOES HEREBY COVENANT AND AGREE TO INDEMNIFY, DEFEND, AND HOLD

HARMLESS THE DISTRICT AND ALL OF ITS OFFICIALS, DIRECTORS, OFFICERS, AND EMPLOYEES, IN BOTH THEIR PUBLIC AND PRIVATE CAPACITIES, from and against any and all liability, claims, suits, demands, causes of action, damages, expenses, and costs, including all expenses of litigation, and/or settlement of any character, type, or description (including expert/consultant fees and reasonable attorneys' fees, and expenses of alternative dispute resolution) to the extent caused by or resulting from a failure to comply with this Agreement and/or any act of negligence or intentional tort of Engineer or its agents, subcontractors, consultants, employees, or its subcontractors' sub-subcontractors in the execution or performance of this Agreement, provided that the claims, suits, losses, damages, causes of action, expenses, fees or liability of whatever nature arise in whole or in part from the failure to comply with this Agreement and/or negligence or other act or omission of Engineer or any of its officers, officials, agents, subcontractors, subcontractors' sub-subcontractors, consultants, employees, or invitees. This obligation shall not be defeated by the contributory, joint, or concurrent negligence or fault of the District, but shall be limited proportionately to the extent of that negligence or fault, as ultimately adjudged by the finder of fact.

Engineer shall be responsible for all acts, omissions, negligence, and/or intentional torts of Engineer's subcontractors and any and all sub-subcontractors that impact the Project or cause the District to suffer damages. It is understood and agreed that any failure to comply with the applicable standard of care by the Engineer's subcontractors or sub-subcontractors shall be deemed to be a failure by Engineer to discharge the standard of care owed by Engineer to the District under this Agreement.

SECTION XVII AUDIT OF RECORDS

All records of the Engineer of a financial or timekeeping basis which have been used to determine the fees earned by the Engineer and billed to District shall be open to inspection and subject to audit and/or reproduction by District's agent or its authorized representative to the extent necessary to adequately permit evaluation and verification of cost of the service at any time throughout the scope of all Services to be performed under this Agreement. In addition, this Section shall apply to Subcontractors and direct purchases only to the extent of invoices received by Engineer and evidence of payment for such invoices in the possession of Engineer. In its audits, the District may require inspection and copying from time to time and at reasonable times and places of any and all information, materials and data of every kind and character that may in District's judgment have any bearing on or pertain to the payments subject to this audit. The District or its designee shall be afforded access to all of the Engineer's records pursuant to the provisions of this Section at any time during the term of the Agreement and for a period of three years after final payment.

**SECTION XVIII
LIABILITY AND INSURANCE MATTERS**

During the term of this Agreement, Engineer shall, to the fullest extent permitted by law, maintain, and shall require its subcontractors and its subcontractors' sub-subcontractors to maintain the following insurance written by companies approved by the State of Texas. The insurance shall be evidenced by delivery to the NTMWD of certificates of insurance executed by the insurer or its authorized agent stating coverages, limits, expiration dates and compliance with all applicable required provisions. Subject to the Engineer's right to maintain reasonable deductibles, Engineer shall obtain and maintain in full force and effect for the duration of this Agreement and any extension hereof, at the Engineer's sole expense, insurance coverage in the following type(s) and amounts:

1. Professional liability insurance to provide coverage against any claim which the Engineer becomes legally obligated to pay as damages arising out of the performance of professional services caused by any negligent error, omission, or act with minimum limits as indicated in the table below. If the professional liability insurance is written on a "claims made" form, the policy shall: 1) be in force until acceptance of the Project improvements by the District; 2) be in force for a period of three years after acceptance of the Project improvements by the District; and 3) have a retroactive date on or prior to the effective date of this Agreement:

Engineer's Total Fee for Project	Professional Liability Insurance Requirement
Up to \$2,000,000	\$1,000,000 annual aggregate
\$2,000,001 - \$4,000,000	\$2,000,000 annual aggregate
\$4,000,001 - \$6,000,000	\$3,000,000 annual aggregate
\$6,000,001 - \$8,000,000	\$4,000,000 annual aggregate
\$8,000,001 or higher	\$5,000,000 annual aggregate minimum (higher amounts may be required for total fees above \$10,000,000)

2. Commercial General Liability Insurance with minimum combined bodily injury (including death) and property damage limits of \$1,000,000 per occurrence, \$1,000,000 general aggregate.
3. Business Automobile Liability insurance covering owned, hired, and non-owned vehicles, with a minimum combined bodily injury (including death) and property damage limit of \$500,000 per occurrence.
4. Workers' Compensation with statutory limit; Employers' Liability with minimum limits for bodily injury by accident, of \$100,000 per each accident.
5. All insurance policies referenced above, except workers' compensation coverage and professional liability coverage, shall to the fullest extent permitted by law, name and cover the District as an additional insured, by policy declaration, with coverage being primary, and all said insurance policies shall include a waiver of subrogation.
6. Engineer shall furnish to the District certificates (and upon request endorsements and policies) reflecting that the above-required insurance coverages are in full force and effect prior to Engineer's execution of this Agreement and also thereafter within seven days of the District's request. Policies shall not be subject to endorsements, exclusions, limitations, conditions, or restrictions inconsistent with the insurance requirements to be fulfilled by the Engineer, and all policies shall be written through companies duly approved to transact that class of insurance in the State of Texas. Said certificates of insurance shall be attached hereto and shall be incorporated herein for all purposes.
7. Approval, disapproval, or failure to act by the District regarding any insurance required by the Agreement shall not relieve Engineer of full responsibility or liability, if any, for liabilities

and damages as set forth in the Agreement. Neither shall the insolvency or denial of liability by any insurance company relieve the Engineer of liability.

8. Engineer shall contractually obligate its subcontractors and those subcontractors shall contractually obligate their sub-subcontractors to list the District as an additional insured on all insurance policies required herein.

SECTION XIX REPRESENTATIONS

Engineer represents that no officer, employee, or agent of the District has sought or received compensation in any way with respect to the consideration or execution of this Agreement, and in no event will Engineer pay a fee to, or in any other manner compensate District officers, employees, or agents in connection with the approval or performance of this Agreement. Engineer expressly warrants and represents that no promise or agreement that is not herein expressed has been made to Engineer in executing the Agreement and Engineer is not relying upon any such statement or representation of the District, its officials, directors, officers, agents, or employees in entering into this Agreement. Engineer is relying on its own judgment in entering into this Agreement and has been represented by independent legal counsel in the matter.

A breach of any provision contained in the Section shall result in grounds for automatic termination of this Agreement. Upon such termination, the District may use all Project Documents prepared under this Agreement as provided in Section XIII, Termination, and Engineer shall be liable for all damages to the District occasioned by a termination under this section.

SECTION XX SECTION CAPTIONS

Each Section of this Agreement has been supplied with a caption to serve only as a guide to the contents. The caption does not control the meaning of any section or in any way determine its interpretation or application.

SECTION XXI SUCCESSORS AND ASSIGNS

This Agreement shall be binding upon the parties hereto, successors, assigns, and personal representatives of the parties in respect to all covenants of the Agreement. This Agreement shall not be assignable in whole or in part by the Engineers without the written consent of the District. Nothing herein shall be construed as creating any personal liability on the part of any Officer, Director, employee, or agent of the District.

SECTION XXII GOVERNING LAW; EXCLUSIVE VENUE

This Agreement will be governed by and construed in accordance with the laws of the State of Texas, without regard to the application of conflict of law rules or principles. The Parties consent, stipulate, and agree that the exclusive venue of any lawsuit or proceeding arising from or related to this Agreement shall be in Collin County, Texas.

SECTION XXIII SEVERABILITY

If any term of this Agreement is to any extent invalid, illegal, or incapable of being enforced, such term shall be excluded to the extent of such invalidity, illegality, or unenforceability; all other terms hereof shall remain in full force and effect; and, to the extent permitted and possible, the invalid or unenforceable term shall be deemed replaced by a term that is valid and enforceable and that comes closest to expressing the intention of such invalid or unenforceable term. If application of this Severability provision should materially and adversely affect the economic substance of the transactions contemplated hereby, the Party adversely impacted shall be entitled to compensation for such adverse impact, provided the reason for the invalidity or unenforceability of a term is not due to serious misconduct by the Party seeking such compensation.

**SECTION XXIV
FLOW DOWN TO SUBCONTRACTORS**

Engineer shall include in its contracts with subcontractors a “flow-down” provision that incorporates by reference the terms of this Agreement into the subcontract. The “flow down” provision shall state: “Subcontractor assumes all obligations and responsibilities that the Engineer assumes toward the District for the Engineer’s Services as outlined in the Agreement between the Engineer and the District.” Further, Engineer shall require that its subcontractors include the same “flow down” provision in contracts with its sub-subcontractors.

**SECTION XXV
DISTRICT AS INTENDED THIRD-PARTY BENEFICIARY**

Engineer shall include in its contracts with subcontractors a provision stating that the District is a third-party, intended beneficiary of the Engineer’s contracts with its subcontractors and with those subcontractors’ contracts with any sub-subcontractors. The third-party beneficiary provision shall state: “The North Texas Municipal Water District is an intended beneficiary of the services and scope of work to be provided for in this Agreement and this Agreement is expressly made in and for the North Texas Municipal Water District’s benefit and use. The North Texas Municipal Water District, as an intended third-party beneficiary, may enforce the terms of this Agreement.”

IN WITNESS HEREOF, the North Texas Municipal Water District has caused the present to be executed by its Executive Director and Tetra Tech Inc. by and through its authorized representative.

NORTH TEXAS MUNICIPAL WATER
DISTRICT

Tetra Tech, Inc.

BY:

BY:

Cesar Baptista
Deputy Director

Leslie Turner, P.E.
Operations Manager

ATTEST:

ATTEST:

By: _____

By: _____

Sabine Creek WWTP Feasibility Study & Master Plan

Fee Split between Rockwall and the System

Last Updated: 1/9/2020

Task No.	Task Description	Updated Fee / Task	Amount Split	
			Sabine Ck WWTP System	Rockwall
1	Project Management, Admin, & Initiation	\$ 36,395	\$ 18,198	\$ 18,198
2	Data Collection, Review, & Planning Condition	\$ 117,099	\$ 21,993	\$ 95,107
3	Facility & process Assessments	\$ 109,586	\$ 90,143	\$ 19,444
4	Solutions Development & Draft Implementation Plan	\$ 29,447	\$ 14,724	\$ 14,724
5	Facility Master Plan Report	\$ 22,472	\$ 11,236	\$ 11,236
	Special Services	\$ 5,000	\$ 2,500	\$ 2,500
	TOTAL	\$ 319,999	\$ 158,792	\$ 161,207

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CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

CC: Rick Crowley, City Manager
Joey Boyd, Assistant City Manager
Mary Smith, Assistant City Manager

FROM: Travis E. Sales, Director of Parks and Recreation

DATE: January 21, 2019

SUBJECT: Baseball Nations Contract for Leon Tuttle Athletic Complex

1. Staff has received a request from James Belt, President of Baseball Nations to utilize Leon Tuttle Athletic Complex for five weekend tournaments during the 2020 baseball season. Rockwall Parks and Recreation entered into agreements in 2017 and 2018 with Baseball Nations with great success. These tournaments are open to all participants including Rockwall teams. This can be a major revenue stream for our department and it also puts Rockwall Parks and Recreation on the sports map for hosting local, state and national tournaments with our award winning fields that many organizations want to utilize. An example of revenue is January 2019 (\$8,000.00) April 2019 (\$13,000.00) and June 2019 (\$9,000.00) for Baseball Nation tournaments and this does not include the concession stand revenue. It is important to note that these tournaments do not conflict with our Rockwall Baseball and Softball League games, as many of teams compete in these tournaments. Staff recommends the approval of this request as we feel it is positive for the City of Rockwall and allows outside teams to see what we have to offer.

Park Board voted unanimously to recommend to the City Council to proceed with the Baseball Nations contract for 2020. The City Council is asked to authorize the City Manager to execute the agreement with Baseball Nations. Staff will be available to answer any questions.

AGREEMENT

This agreement is entered into this 9th day of December, 2019 by and between City of Rockwall ("Rockwall") and Baseball Nation LLC ("Baseball Nation").

RECITALS

WHEREAS, Baseball Nation operates two indoor baseball facilities located at 1210 W. Scyene Rd., Suite A, Mesquite, Texas and 6151 CR 124, McKinney, Texas ("Indoor Facilities") and three baseball field complexes located at 1410 Wooded Lake Dr., Mesquite, Texas ("Future Telecom Ballpark"), 11911 Rylie Crest Dr., Balch Springs, Texas ("Baseball Nation Ballpark South") and 6151 CR 124, McKinney, Texas ("Aviator Ballpark"). Baseball Nation provides the following products and services to its customers; team formation, private baseball instruction, baseball camps and clinics, baseball leagues, baseball tournaments and other baseball related services; and

WHEREAS, Baseball Nation desires to rent Leon Tuttle Park (Fields #1, #2, #3, #4, #5 & #6) on the following dates:

- March 28-29, 2020 | DFW Select Super NIT
- April 4-5, 2020 | Reach the Trees
- April 25-26, 2020 | Longhorn Launch Fest
- May 2-3, 2020 | Make-A-Wish Invitational
- June 13-14, 2020 | USSSA State Championship

THEREFORE, City of Rockwall and Baseball Nation hereto agree to the Following:

Section 1 Duties and Responsibilities

- A. Baseball Nation agrees to pay \$65 per game to Rockwall for every game played at Leon Tuttle Park during the Event.
 1. Any game started will be deemed a full game and require the \$65 fee to Rockwall.
 2. All parties to this agreement acknowledge and agree that the rental fee is consideration for game use of Leon Tuttle Park by Baseball Nation within the dates and times herein specified.
- B. Baseball Nation agrees to pay \$12 per bag of quick dry used during the Event by Rockwall.
- C. Baseball Nation will handle pre-tournament emails, phone calls, team registration, accepting team payments and collection, telemarketing campaign, and communications to teams regarding Event.

- D. Baseball Nation will provide an on-site director. The on-site director is responsible for checking in teams, collecting owed funds and gate fees, checking team tournament insurance, log in game scores and pitch counts. The on-site director is responsible for handling any team protest, parent conflicts, coach conflicts, umpire conflicts. The on-site director is expected to be at the assign park an hour before the first game and not leave until the end of the last game on each tournament day.
- E. Rockwall agrees to stripe all fields for Saturday pool play as well as Sunday bracket play.
- F. Rockwall agrees to provide temporary pitching mounds for any/all applicable fields and age divisions at Leon Tuttle Park.

Section 2
Insurance and Indemnification

Baseball Nation will obtain insurance for baseball tournaments held on City property in accordance with this Section.

- A. At least three working (3) days prior to the Event, Baseball Nation shall furnish copies of completed Certificate(s) of Insurance to the City. The certificate(s) or form must have the agent's original signature, including the signer's company affiliation, title and phone number, and be mailed, with copies of all applicable endorsements, directly from the insurer's authorized representative to the City.
- B. Insurance coverage, by companies authorized and admitted to do business in the State of Texas for the amount listed:
 - \$ 500,000 per Occurrence
 - \$1,000,000 Policy Aggregate
- C. **Indemnification:** Baseball Nation whose services are the subject of this Agreement, agrees to INDEMNIFY AND HOLD CITY, ITS OFFICIALS, OFFICERS, AGENTS AND EMPLOYEES HARMLESS against any and all claims by third parties, lawsuits, judgments, cost, liens, losses, expenses, fees (including reasonable attorney's fees and costs of defense), proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including but not limited to, personal injury (including death), property damage, or other harm for which recovery of damages is sought to the extent ARISING OUT OF A NEGLIGENT ACT, ERROR, OR OMISSION OF TRU, OR ANY OFFICER, DIRECTOR OR EMPLOYEE OF Baseball Nation while in the exercise of performance of services under this Agreement. The INDEMNITY provided for in this paragraph shall not apply to any liability resulting from the NEGLIGENCE of CITY, its officers or employees, in instances where such NEGLIGENCE causes personal injury, death, or property damage

**Section 2
Miscellaneous**

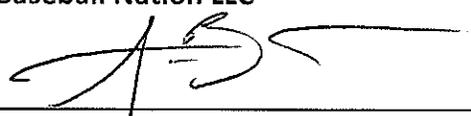
- A. Neither party will assign or transfer this agreement without the express written consent of the other party hereto.
- B. This Agreement between the Parties does not constitute a joint venture or partnership of any kind.
- C. The laws of the State of Texas shall govern the validity, performance and enforcement of this agreement. Parties hereto hereby submit to the exclusive jurisdiction of the courts in Rockwall County, Texas.
- D. No oral statements or prior written material not specifically incorporated herein shall be of any force or effect. The parties hereto agree that in entering into this agreement they have relied solely upon the representations and agreements contained herein and no others. This agreement constitutes the whole agreement of the parties and shall not be modified or amended except by a written agreement executed by and delivered to both parties.
- E. The individuals executing this agreement on behalf of Rockwall and Baseball Nation have the authority to execute this agreement on behalf of their organizations.

Agreed to this 9th day December, 2019.

City of Rockwall

Rick Crowley, City Manager

Baseball Nation LLC



James Belt, President

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CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Richard Crowley, City Manager
FROM: Lea Ann Ewing, Purchasing Agent
DATE: January 14, 2020
SUBJECT: Generator Maintenance contract with Waukesha Pearce Industries

Approved in the Internal Operations, Water and Sewer Operating budgets are funds to provide for annual preventative maintenance services for generators. Internal Operations oversee seven stationary generators supplying stand by power to City Hall, Police Bldg., four Fire Stations, and the Service Center. Water and Sewer oversee 35 stationary generators located at our water towers, water yards, lift stations, and two trailer-mounted mobile units.

The total cost of annual service for these 42 generators has exceeded the \$25,000 bid threshold this budget year under multiple contracts. Staff has been researching companies providing this type of service under one contract for numerous manufacturers' generators. We learned that the City of Plano awarded a competitively sealed bid for annual preventative maintenance services for generators in 2014 to Waukesha Pearce. This contract is in effect until Dec. 2020. Staff reviewed this contract and found that it will meet our service specifications. We have used the Buy Board purchasing cooperative contract with Waukesha Pearce to install the last nine generators at lift stations (EPA requirement).

Total annual maintenance cost for 42 generators is \$54,831.89 of that \$9,937 is General Fund (Inter Ops) and \$44,894.89 is Water and Sewer Fund. Equipment maintenance budgets are sufficient to cover the cost for this contracted service. As a member and participant in a cooperative purchasing agreement with the City of Plano, we have met all formal bidding requirements pertaining to this service contract.

For Council consideration is the bid award to Waukesha Pearce for annual generator maintenance services of \$54,831.89 and authorize the City Manager to execute the contract.

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: January 21, 2020
APPLICANT: Adam Buczek; *Windsor Homes Cumberland, LLC*
CASE NUMBER: P2020-001; *Lot 12, Block C, Ridgecrest Addition*

SUMMARY

Consider a request by Adam Buczek of Windsor Homes Cumberland, LLC for the approval of a replat for Lot 12, Block C, Ridgecrest Addition, being a 0.503-acre parcel of land identified as Lot 1, Block C, Ridgecrest Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 (PD-81) for Single-Family 10 (SF-10) District land uses, addressed as 405 Fox Hollow Drive, and take any action necessary.

PLAT INFORMATION

- The applicant is requesting the approval of a replat for a 0.503-acre parcel of land (*i.e. Lot 12, Block C, Ridgecrest Addition*) for purpose of incorporating a four (4) foot strip along the eastern property line of Lot 1, Block C into Lot X, Block C. Currently, a structure from the property directly east of the subject property (*i.e. Tract 17, of the E M Elliott Survey, Abstract No. 77*) encroaches into this four (4) strip, and replatting the property will facilitate the construction and sale of a single-family home on the subject property. The remaining four (4) foot strip -- *along with the remainder of Lot X, Block C* -- will be dedicated as open space and will be maintained by the Homeowner's Association (HOA).
- On May 16, 2016, the City Council approved Planned Development District 81 (PD-81) [*Ordinance No. 16-42*] allowing Single-Family 10 (SF-10) District land uses on a 29.541-acre tract of land. Following zoning approval, the City Council approved a preliminary plat [*Case No. P2016-029*] for 45 single-family residential lots within Planned Development District 81 (PD-81) on June 20, 2016. On November 21, 2016, the City Council approved the final plat [*Case No. P2016-045*] for 45 single-family residential lots within Planned Development District 81 (PD-81), and which established the Ridgecrest Subdivision.
- On December 30, 2019, the Planning and Zoning Commission approved a variance request for the subject property (*i.e. 405 Fox Hollow Drive*) allowing a solid wood fence to be established adjacent to open space.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat - *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

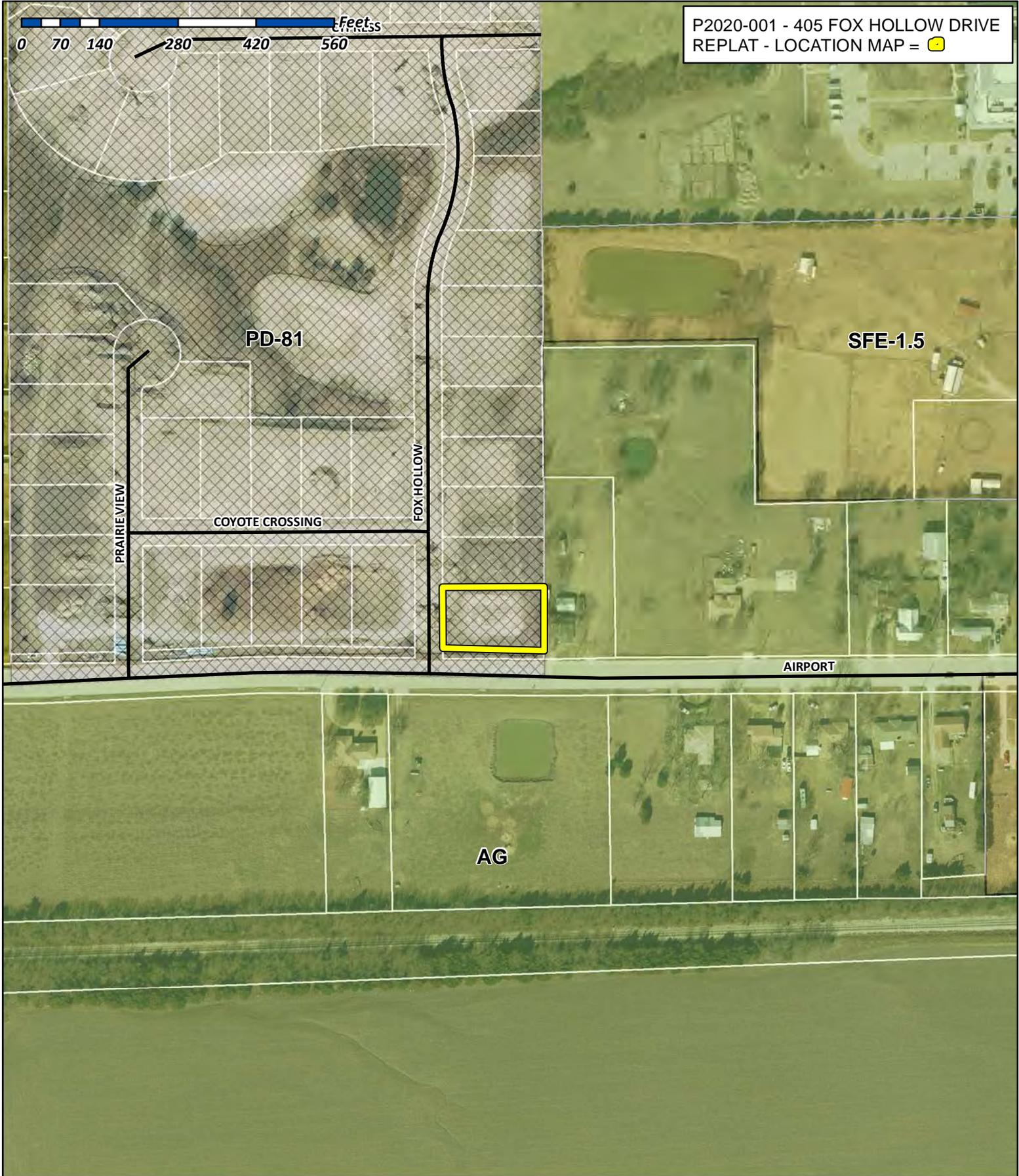
CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 12, Block C, Ridgecrest Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 14, 2020, the Planning and Zoning Commission made a motion to recommend approval of the replat with staff conditions. The motion was approved by a vote of 6-0, with Commissioner Logan absent.



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2020-001

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: [Signature]

CITY ENGINEER: [Signature]

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address 405 FOX HOLLOW DRIVE

Subdivision RIDGECREST

Lot 1 Block C

General Location N/E CORNER OF FOX HOLLOW DRIVE & AIRPORT ROAD

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning ORDINANCE 16-42

Current Use SF

Proposed Zoning NO CHANGE - JUST REPLAT

Proposed Use NO CHANGE. JUST NEED TO CREATE ADDITIONAL HOA OPEN SPACE (11-240 SF)

Acreage 1-20, 340 SF, or .5A Lots [Current] 1 SF

Lots [Proposed] 1 SF & 1 HOA

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner WINDSOR HOMES CUMBERLANDS LLC

Applicant SAME AS OWNER

Contact Person ADAM BUCZEK

Contact Person

Address 8214 Westchester Dr., Ste 710

Address

City, State & Zip DALLAS, TX 75225

City, State & Zip

Phone 214-888-8843

Phone

E-Mail abuczek@skorburgcompany.com

E-Mail

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared ADAM J. BUCZEK [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 320.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 31ST day of DECEMBER, 20 19. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 31ST day of DECEMBER, 20 19.

Owner's Signature

[Signature]

Notary Public in and for the State of Texas

[Signature]



My Commission Expires 1-3-23

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
 COUNTY OF ROCKWALL
 We the undersigned owners of the land shown on this plat, and designated herein as the LOT 1 BLOCK C out of RIDGECREST, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose, and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in LOT 1 BLOCK C out of RIDGECREST, subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- The detention drainage system is to be maintained, repaired and owned by the subdivision/HOA. The drainage easements shall be maintained, repaired, and replaced to approved plan conditions by the subdivision/HOA.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

WINDSOR HOMES CUMBERLAND, LLC.
 a Texas limited liability company

Adam J. Buczek
 Authorized Signer

STATE OF TEXAS
 COUNTY OF
 Before me, the undersigned authority, on this day personally appeared ADAM J. BUCZEK known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this _____ day of _____, 2020.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

Planning & Zoning Commission _____ Date _____

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2020.

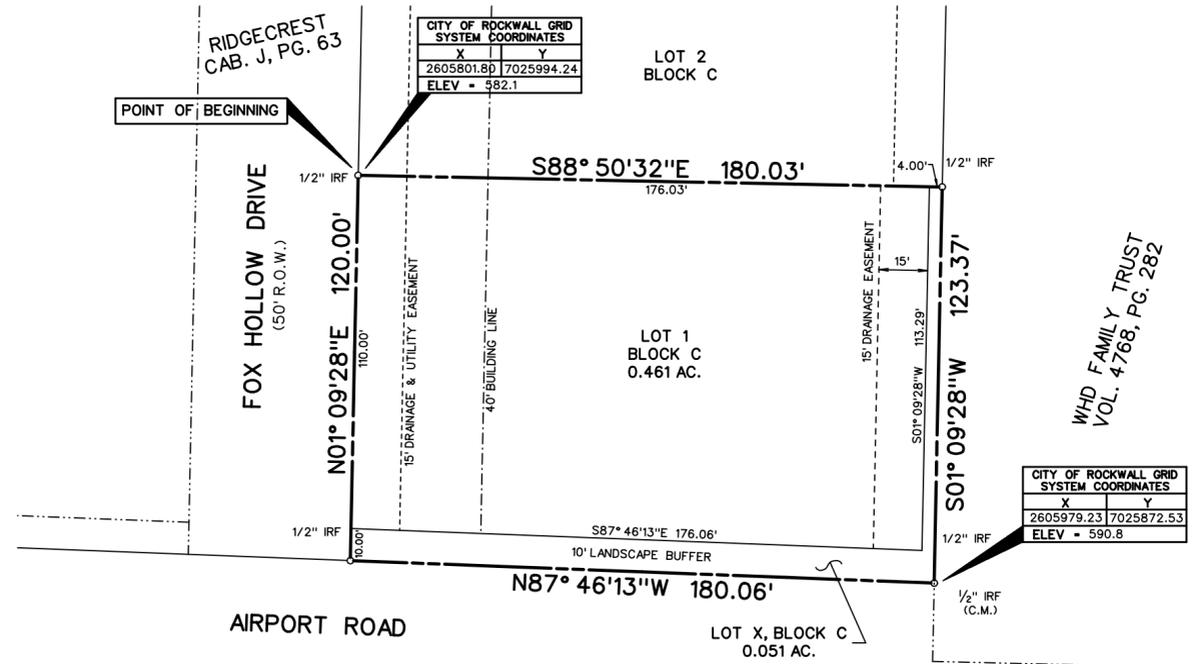
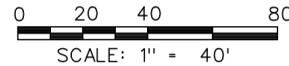
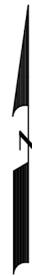
This approval shall be invalid unless the approved plat for such addition is recorded in the office of the Court Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2020.

 Mayor, City of Rockwall City Secretary City Engineer

NOTES

- Bearing are referenced to Ridgcrest (Cab. J, Slide 63).
- All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
- 1/2" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangency, and angle points in public right-of-way unless otherwise noted.
- No fences or structures allowed in any Drainage Easements.
- H.O.A. to maintain all Drainage Easements.



LEGAL DESCRIPTION

BEING, a tract of land situated in the E.M. Elliott Survey, Abstract No. 77 in Rockwall County, Texas, being all of Lot 1 Block C, out Ridgcrest, an addition to the City of Rockwall, as described in Cabinet J, Slide 63, in the Plat Records of Rockwall County, Texas, being more particularly described as follows:

BEGINNING, at a 1/2 inch iron rod found at the northwest corner of said Lot 1 being in the east line of Fox Hollow Drive (50' R.O.W.);

THENCE, South 88° 50' 32" East, along the north line of said Lot 1, for a distance of 180.03 feet, to a 1/2 inch iron rod found at the northeast corner of said Lot 1;

THENCE, South 01° 09' 28" West, along the east line of said Lot 1, for a distance of 123.37 feet, to a 1/2 inch iron rod found at the southeast corner of said Ridgcrest, being in the north line of Airport Road;

THENCE, North 87° 46' 13" West, along the south line of said Ridgcrest and the north line of said Fox Airport Road, for a distance of 180.06 feet, to a 1/2 inch iron rod found intersection of the east line of said Fox Hollow Drive and the north line of said Airport Road;

THENCE, North 01° 09' 28" East, departing said north line and along the east line of said Fox Hollow Drive, for a distance of 120.00 feet, to the POINT OF BEGINNING and containing 0.503 acres of land.

THE PURPOSE OF THIS REPLAT IS TO CREATE LOT X, BLOCK C.

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this _____ day of _____, 2020.

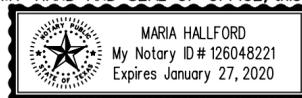
WARREN L. CORWIN
 R.P.L.S. No. 4621



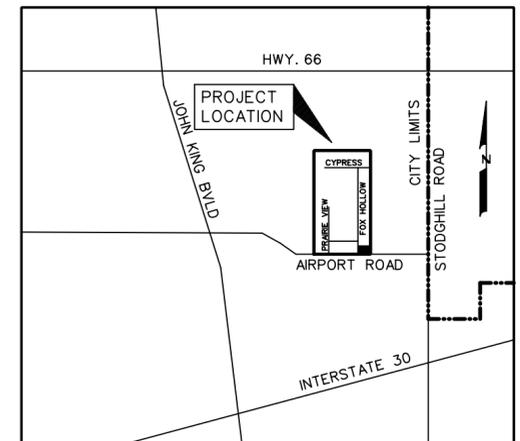
THE STATE OF TEXAS
 COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2020.



Notary Public in and for the State of Texas



LOCATION MAP
 N.T.S.

FINAL PLAT
 OF

LOT 1 BLOCK C

BEING 0.503 ACRES

BEING A REPLAT

LOT 1 BLOCK C

OF

RIDGECREST

SITUATED IN THE

E.M. ELLIOTT SURVEY, ABSTRACT NO. 77

IN THE

**CITY OF ROCKWALL
 ROCKWALL COUNTY, TEXAS**

**PREPARED BY
 CORWIN ENGINEERING, INC.**

200 W. BELMONT, SUITE E
 ALLEN, TEXAS 75013
 972-396-1200

OWNER

WINSOR HOMES CUMBERLAND, LLC.

8214 WESTCHESTER DRIVE, SUITE 710
 DALLAS, TEXAS 75225

JANUARY 2020 SCALE 1" = 40'

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CITY OF ROCKWALL
CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*
Joey Boyd, *Assistant City Manager*
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: January 21, 2020
SUBJECT: SP2019-043; *Alternative Tree Mitigation Plan*

On January 12, 2020, the Planning and Zoning Commission recommended approval of an *alternative tree mitigation plan* in conjunction with an approved site plan (*i.e. SP2019-043*) for a multi-tenant office complex that will be located at 407 Ranch Trail. The submitted treescape plan identifies 38.5 caliper-inches of primary protected trees and 596 caliper inches of secondary trees that will require removal in order to develop the site. According to Section 5, *Tree Mitigation Requirements*, of Article IX, *Tree Preservation*, of the Unified Development Code (UDC), primary protected trees require mitigation to be calculated on an inch-for-inch bases and secondary protected trees require mitigation of one-half (½) of the total caliper inches being removed. Based on the submitted treescape plan, the total mitigation balance for both primary and secondary protected trees is 336.5 caliper inches. Since the applicant will be planting 150 caliper inches within the proposed development, the remaining balance will be 186.5 caliper inches (*i.e. 55% of the total mitigation balance*). The Unified Development Code (UDC) gives the City Council the ability to approve alternative tree mitigation agreements, pending a recommendation from the Planning and Zoning Commission. The Unified Development Code (UDC) allows up to 20% of the total tree mitigation balance (*i.e. 67.3 caliper-inches or \$13,360.00*) to be paid to the City's tree fund. The Unified Development Code (UDC) gives the City Council the ability to review and approve alternative tree mitigation settlement agreements, pending a recommendation from the Planning and Zoning Commission. In this case, since the applicant is proposing to exceed the 20% maximum allowable tree mitigation paid to the City's tree fund (*i.e. proposing to pay 55% of the total tree mitigation balance*), an alternative tree mitigation settlement agreement will need to be approved. The remaining balance requiring mitigation is \$37,300.00 (*i.e. 186.5 caliper-inches @\$200.00 per caliper-inch*); however, since the applicant is proposing to plant at least one (1) tree on site, the balance is reduced by one-half (½) for a total mitigation balance of \$18,650.00 that will need to be paid to the City's tree fund at the time of final plat.

PLANT LIST

CANOPY TREES				
11	LE	Lacebark Elm	Ulmus parviflora	4" cal. B&B 14' ht. 7' spread
29	LO	Live Oak	Quercus virginiana	4" cal. B&B 14' ht. 7' spread
12	CO	Chinquapin Oak	Quercus muhlenbergia	4" cal. B&B 14' ht. 7' spread
27	CE	Cedar Elm	Ulmus crassifolia	4" cal. B&B 14' ht. 7' spread
18	BC	Bald Cypress	Taxodium distichum	4" cal. B&B 14' ht. 7' spread
17	SO	Shumard Oak	Quercus shumardii	4" cal. B&B 14' ht. 7' spread
8	BO	Bur Oak	Quercus macrocarpa	4" cal. B&B 14' ht. 7' spread
ORNAMENTAL TREES				
2	TY	Tree Yaupon	Ilex vomitoria	30 gal. 8' ht. multi-trunk female
2	CR	Crape myrtle	Lagerstroemia indica 'Tuscarora'	30 gal. 8' ht. 3 trunk 2 1/2" cal. min.
3	DW	Desert Willow	Chilopsis linearis 'Timeless Beauty'	30 gal. 6' ht. 2 1/2" cal. min.
16	ERC	Eastern Red Cedar	Juniperus virginiana	30 gal. 6' ht. 2 1/2" cal. min.
SHRUBS & GROUNDCOVERS				
59	BH	Burford Holly	Ilex cornuta burfordii	10 gal. as shown
128	BH	Burford Holly	Ilex cornuta burfordii	5 gal. 48" oc
63	WM	Dwarf Wax Myrtle	Myrica pusilla	5 gal. 36" oc
177	AB	Abelia	Abelia grandiflora	5 gal. 36" oc
2,017	AJ	Asian Jasmine	Trachelospermum asiaticum	1 gal. 18" oc
2,325	BBL	Big Blue Liriope	Liriope muscari 'Big Blue'	1 gal. 18" oc

See note on L-2 for additional tree planting in Detention Pond

**City of Rockwall, Texas
LANDSCAPE CALCULATIONS**

Total Lot Area	327,554 SF	Required	Provided
Landscape Area 15%		49,133 SF	118,246 SF (36.10%)

Street Buffer Trees	1 Shade tree 3" cal. per 50 LF of frontage	Required	Provided
Ranch Trail	618.51 LF	13	13
County Line Road	454.64 LF	10	11

Parking Lot Landscape		Required	Provided
Parking Spaces	374	38	47
	1 tree per 10 spaces		

Tree Mitigation

Primary tree inches removed - 38.5"
Secondary tree inches removed - 586' / 2 = 293"

38.5"
+ 293"
Total mitigation required = 331.5"

New proposed inches = 468"

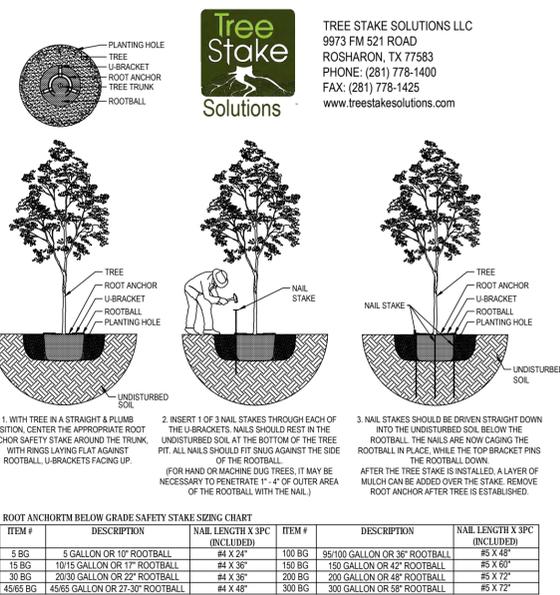
Diseased trees, ROW trees, preserved trees, and secondary trees under 11" not included in mitigation total

EXISTING TREE LIST

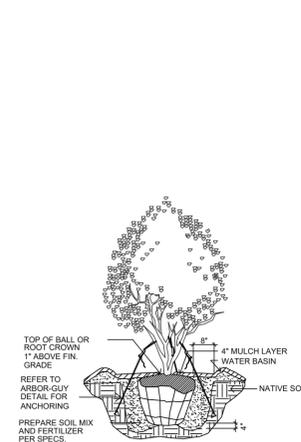
ROW	Number	Size	Type
ROW	2000	8" 8"	Hackberry
ROW	2001	13"	Cedar
ROW	2002	7" 10" 10"	Cedar
ROW	2003	16"	Cedar
ROW	2004	17"	Cedar
ROW	2005	15"	Cedar
ROW	2006	12"	Cedar
ROW	2007	16"	Cedar
ROW	2008	26"	Cedar
ROW	2009	10" 13" 18"	Cedar
ROW	2010	10"	Cedar
ROW	2011	8"	Oak
ROW	2012	12"	Hackberry
ROW	2013	10"	Cedar
ROW	2014	14" 20"	Cedar
ROW	2015	15" 14"	Cedar-Hackberry
ROW	2016	10"	Hackberry
ROW	2017	10"	Hackberry
ROW	2018	10"	Hackberry
ROW	2019	10"	Hackberry
ROW	2020	7" 10"	Hackberry
ROW	2021	13"	Cedar
ROW	2022	22"	Cedar
ROW	2023	12" 16"	Cedar
ROW	2024	16"	Cedar
ROW	2025	15"	Cedar
ROW	2026	12"	Hackberry
ROW	2027	12"	Hackberry
ROW	2028	11"	Cedar
ROW	2029	22"	Hackberry
ROW	2030	27"	Cedar
ROW	2031	8"	Hackberry
ROW	2032	10"	Hackberry
ROW	2033	16"	Hackberry
ROW	2034	8"	Hackberry
ROW	2035	22"	Live Oak
ROW	2036	23"	Mulberry
ROW	2037	17"	Mulberry
ROW	2038	32"	Mulberry
ROW	2039	17"	Mulberry
ROW	2040	15"	Mulberry
ROW	2041	18"	Oak
ROW	2042	8"	Cedar
ROW	2043	14"	Mulberry
ROW	2044	12"	Hackberry
ROW	2045	8" 10" 10"	Hackberry
ROW	2046	10"	Hackberry
ROW	2047	16"	Cedar
ROW	2048	12"	Cedar
ROW	2049	10"	Hackberry
ROW	2050	10"	Hackberry
ROW	2051	10" 10"	Hackberry
ROW	2052	12"	Hackberry
ROW	2053	8"	Hackberry

Number	Size	Type
2054	8"	Hackberry
2055	10" 17"	Hackberry
2056	7" 9"	Ash
2057	11"	Hackberry
2058	8"	Hackberry
2059	8"	Hackberry
2060	8"	Hackberry
2061	7"	Hackberry
2062	8"	Hackberry
2063	8"	Hackberry
2064	10"	Hackberry
2065	8"	Hackberry
2066	16"	Hackberry
2067	8" 8" 10"	Hackberry
2068	16"	Hackberry
2069	8" 8"	Hackberry
2070	15"	Hackberry
2071	10" 12"	Hackberry
2072	13"	Hackberry
2073	7" 9"	Hackberry
2074	13"	Hackberry
2075	13"	Hackberry
2076	11"	Hackberry
2077	11"	Hackberry
2078	9"	Hackberry
2079	9"	Hackberry
2080	12"	Hackberry
2081	9"	Hackberry
2082	13"	Hackberry
2083	8"	Hackberry
2084	13"	Hackberry
2085	11"	Cedar
2086	13"	Cedar
2087	10"	Cedar
2088	10"	Cedar
2089	10"	Cedar
2090	10"	Cedar
2091	8"	Cedar
2092	12"	Cedar
2093	8" 12"	Cedar
2094	8"	Cedar
2095	10"	Cedar
2096	10"	Cedar
2097	10"	Cedar
2098	12"	Cedar
2099	10"	Cedar
2100	8"	Cedar
2101	10"	Cedar
2102	10"	Cedar
2103	8"	Cedar
2104	15"	Cedar
2105	10"	Hackberry
2106	10"	Hackberry

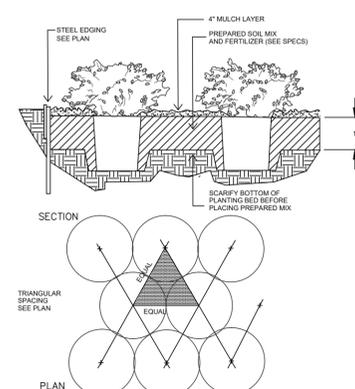
D = DISEASED TREE
ROW = TREE IN RIGHT OF WAY
* = PRESERVED TREE



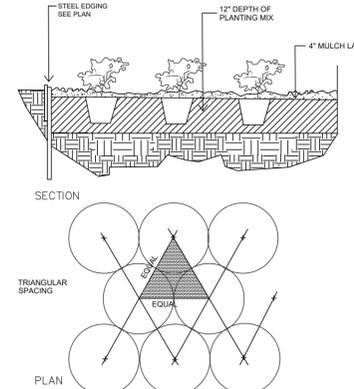
1 CANOPY TREE PLANTING
SCALE: NONE



2 MULTI-TRUNK PLANTING
SCALE: NONE



3 SHRUB PLANTING
SCALE: NONE



4 GROUNDCOVER PLANTING
SCALE: NONE

site integration studio
Landscape Architecture - Sustainable Site Planning - Natural Resource Design
John F. Murphy, ASLA
7529 Cross Gate Way
Tyler, TX 75703
John@siteint.com
scott@siteint.com

512.632.3822 - Tyler
512.589.9594 - Austin
www.siteint.com

TEXAS REGISTRATION #14199
GLAY MOORE ENGINEERING
PHONE: 017.28.0832
WWW.GLMENGINEERING.COM
1105 CREEK SPARGER RD. SUITE #1
COLLEGEVILLE, TX 76834



RANCH TRAIL OFFICE PARK
405 RANCH TRAIL
ROCKWALL, TEXAS 75032

LANDSCAPE DETAILS

RANCH TRAIL OFFICE PARK
405 RANCH TRAIL
ROCKWALL, TX 75087

LEGAL DESCRIPTION AND OR ADDRESS:
RAINBOW ACRES,
LOT 18 & S PT OF 19,
ACRES 9.52

OWNER:
JT ALLIANCE, INC.
16 MEADOWLAKE DRIVE
HEATH, TX 75032

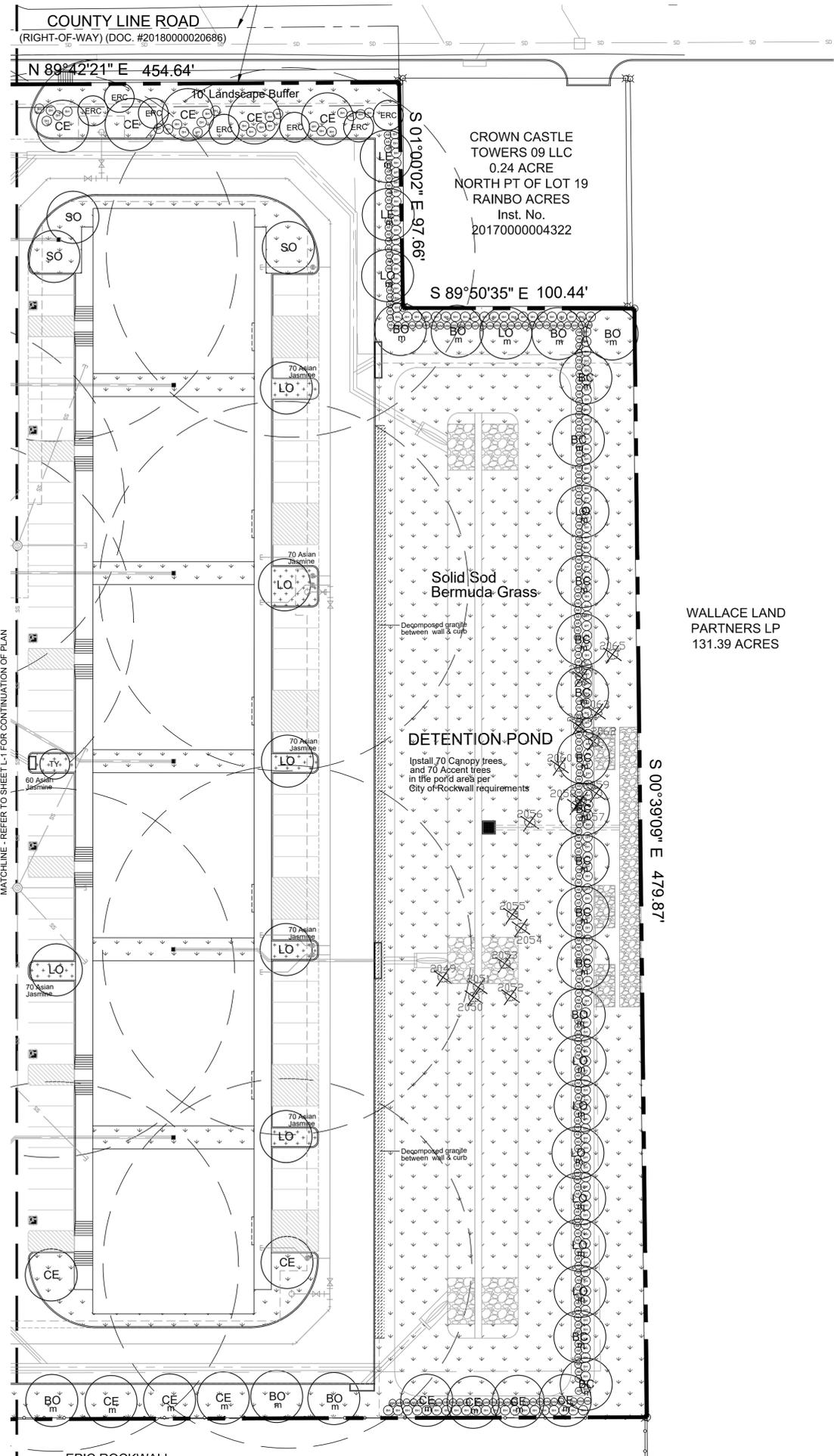
APPLICANT:
CLAYMOORE ENGINEERING, INC.
1903 CENTRAL DRIVE, SUITE #406
BEDFORD, TX 76021
PH: 817.281.0572

CASE NUMBER
SP2019-043

DESIGN:	CLC
DRAWN:	LRR
CHECKED:	CLC
DATE:	01/03/2020
SHEET	
L-3	
File No.	2019-001

PLOTTED BY: SCOTT MILLER
 PLOT DATE: 1/3/2020 5:10 PM
 LOCATION: C:\USERS\SCOTT\MILLER\DOCUMENTS\AUTOCAD_LRD\RANCH TRAIL\ANCH TRAIL_L15.DWG
 LAST SAVED: 1/3/2020 4:56 PM

PLOTTED BY: SCOTT FULLMILLER
 PLOT DATE: 1/3/2020 5:12 PM
 LOCATION: C:\USERS\SCOTT FULLMILLER\DOCUMENTS\AUTOCAD_LRD\RANCH TRAIL\RANCH TRAIL_L15.DWG
 LAST SAVED: 1/3/2020 4:56 PM



TREE LEGEND

- Canopy Trees**
- SO Shumard Oak
 - BO Bur Oak
 - LE Bosque Elm
 - CO Chinquapin Oak
 - LO Live Oak
 - CE Cedar Elm
 - BC Bald Cypress
 - + Mitigation trees
 - X Existing trees to be removed

Ornamental Trees

- CR Crapemyrtle
- TY Tree Yaupon
- DW Desert Willow
- ERC Eastern Red Cedar

SHRUB LEGEND

- BH Burford Holly
- WM Dwarf Wax Myrtle
- AB Abelia
- AJ Asian Jasmine
- BBL Big Blue Liriope

HATCH LEGEND

- Asian Jasmine
- Big Blue Liriope
- Solid Sod Bermuda Grass

LANDSCAPE NOTES

- The project will have an underground automatic irrigation system to water all new plantings.
- Install 4" layer of shredded hardwood mulch to all planting beds.
- Install 4" steel edging between all shrub beds and grass areas.
- Shrub beds to have 12 inches of prepared planting mix (75% import topsoil, 15% composted amendment, 10% washed sand)
- Shredded hardwood mulch must contain long strands along with double shred finer material obtained from a local source.
- Install 4 inches of clean topsoil in all areas of the site disturbed by grading and construction operations. Topsoil shall be free from sticks, debris and rocks larger than 2 inches in diameter and have an organic matter level of 3 percent minimum and a pH range between 5.5 and 7.4 percent. Provide soil test analysis from a soil test laboratory showing soil makeup and organic percentage.
- Solid sod all areas disturbed by construction activities. City requires solid sod on this project.
- No trees within 5' of utilities.
- No parking space shall be more than 80 feet from a tree.

SPECIAL NOTE

No trees are to be planted within 5 feet of any utility line.
 All R.O.W. to be sodded.
 75 - 80% of all disturbed areas must have a 1" stand of grass, not weeds or winter rye, prior to City acceptance or C.O. / T.C.O.

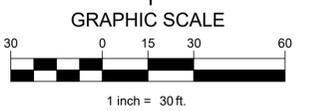

site integration studio
 Landscape Architecture - Sustainable Site Planning - Natural Resource Design
John F. Murphy, ASLA
 7529 Cross Gate Way
 Tyler, TX 75703
 john@siteint.com
 scout@siteint.com

TEXAS REGISTRATION #14199

 PHONE: 817.281.0572
 WWW.GLAYMOORE.COM
 1705 CREEK SPARGER RD. SUITE #1
 COLLEVILLE, TX 75848



RANCH TRAIL OFFICE PARK
 405 RANCH TRAIL
 ROCKWALL, TEXAS 75032



RANCH TRAIL OFFICE PARK 405 RANCH TRAIL ROCKWALL, TX 75087	
LEGAL DESCRIPTION AND OR ADDRESS: RAINBOW ACRES, LOT 18 & S PT OF 19, ACRES 9.52	
OWNER: JT ALLIANCE, INC. 16 MEADOWLAKE DRIVE HEATH, TX 75032	
APPLICANT: CLAYMOORE ENGINEERING, INC. 1903 CENTRAL DRIVE, SUITE #406 BEDFORD, TX 76021 PH: 817.281.0572	
CASE NUMBER SP2019-043	

LANDSCAPE PLAN

DESIGN:	CLC
DRAWN:	LRR
CHECKED:	CLC
DATE:	01/03/2020
SHEET	
L-2	
File No.	2019-001

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: January 21, 2020
APPLICANT: Tony Austin; *Rockwall Downtown Lofts, LTD*
CASE NUMBER: P2019-049; *Lot 1, Block A TAC Rockwall Addition*

SUMMARY

Consider a request by Tony Austin of Rockwall Downtown Lofts, LTD on behalf of Doug Kaufmann of Myreli, LLC, Linda Peoples Morris of the Billy Peoples Estate, and the City of Rockwall for the approval of a conveyance plat for Lot 1, Block A, TAC Rockwall Addition being a 3.338-acre tract of land identified as existing City right-of-way for West Street & Houston Street; Lots 1-8, Block P & Lots 1 & 2, Block AB, Rockwall OT Addition; and Lots 4-5, Block A, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, generally located at the southwest corner of the intersection of S. Alamo Road (*i.e. SH-205*) and W. Washington Street (*i.e. SH-66*), and take any action necessary.

PLAT INFORMATION

- The applicant is requesting to final plat a 3.338-acre tract of land (*i.e. Lots 1-8, Block P, Lots 1 & 2, Block AB, Rockwall OT Addition; and Lots 4-5 Block A, Lowe & Allen Addition*) into one (1) lot (*i.e. Lot 1, Block A, TAC Rockwall Addition*) for the purpose of assembling the properties into one (1) parcel of land, and to abandon and convey the rights-of-way for West Street and Houston Street from the City to the developer. This is being done in accordance with a Chapter 380 Economic Development Agreement that was executed and signed on November 5, 2019.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat - *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the final plat for *Lot 1, Block A, TAC Rockwall Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall

Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On December 30, 2019, the Planning and Zoning Commission's motion to recommend approval of the applicant's request with staff's conditions of approval passed by a vote of 4-0 with Commissioners Fishman, Moeller, and Womble absent.

0 20 40 80 120 160 Feet

P2019-049 - LOT 1, BLOCK A, TAC ROCKWALL ADDITION
LOCATION MAP = 



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO.

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre) [±]
- Preliminary Plat (\$200.00 + \$15.00 Acre) [±]
- Final Plat (\$300.00 + \$20.00 Acre) [±]
- Replat (\$300.00 + \$20.00 Acre) [±]
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre) [±]
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre) [±]
- Specific Use Permit (\$200.00 + \$15.00 Acre) [±]
- PD Development Plans (\$200.00 + \$15.00 Acre) [±]

Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

Notes:

[±]: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address **SWC Washington St and Alamo Rd(SH 205)**

Subdivision **B.F. Boydston Survey, Abstract #14**

Lot **1**

Block **AB**

General Location **Downtown-Washington/Alamo**

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning **DT**

Current Use **Vacant - Rockwall PD parking**

Proposed Zoning **DT**

Proposed Use **Multi family development**

Acreage **3.224**

Lots [Current] **Multiple**

Lots [Proposed] **1**

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner **Rockwall, Myrelli, Peoples Estate**

Applicant **Rockwall Downtown Lofts, LTD.**

Contact Person

Contact Person **Tony Austin**

Address

Address **102 S. Goliad, Suite 205**

City, State & Zip

City, State & Zip **Rockwall, TX 75032**

Phone

Phone **214.507.9055**

E-Mail

E-Mail **tsaustin@tac-inc.net**

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Tony Austin [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the 13th day of December, 20 20. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 13th day of December, 2020.

Owner's Signature

Notary Public in and for the State of Texas



DEVELOPMENT APPLICATION

Kathryn Diane English
Rockwall Downtown Lofts, LTD.
Tony Austin, Pres of GP



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO.

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)²
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address

Subdivision

Lot

Block

General Location

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning

Current Use

Proposed Zoning

Proposed Use

Acreage

Lots [Current]

Lots [Proposed]

- SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner

Myra LLC

Applicant

Contact Person

DOUG KAUFMAN

Contact Person

Address

Address

City, State & Zip

SIGNATURE PAGE ONLY

City, State & Zip

Phone

Phone

E-Mail

E-Mail

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Doug Kaufmann [Owner] the undersigned, who stated the information on this application to be true and certified the following:

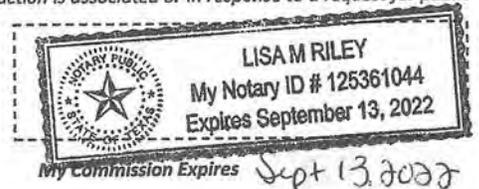
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the 13 day of December, 2019. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 13 day of December, 2019.

Owner's Signature

[Handwritten Signature]

Notary Public in and for the State of Texas





DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
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- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

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- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address _____

Subdivision _____

Lot _____

Block _____

General Location _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning _____

Current Use _____

Proposed Zoning _____

Proposed Use _____

Acreage _____

Lots [Current] _____

Lots [Proposed] _____

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner

Billy Peoples

Applicant

Contact Person

LYNDA MORRIS

Contact Person

Address _____

Address _____

City, State & Zip _____

SIGNATURE PAGE

City, State & Zip _____

Phone _____

Phone _____

E-Mail _____

ONLY

E-Mail _____

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Lynda Peoples Morris [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the 13th day of December, 2020. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

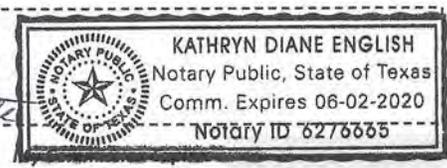
Given under my hand and seal of office on this the 13th day of December, 2020.

Owner's Signature

Lynda Peoples Morris

Notary Public in and for the State of Texas

Kathryn Diane English



SURVEY BOUNDARY CLOSURE REPORT

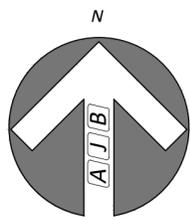
Polyline Report

Fri Dec 13 11:56:53 2019

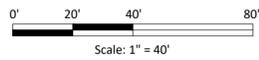
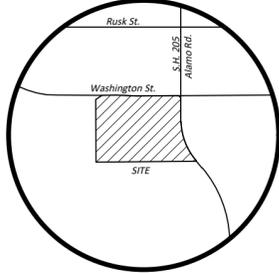
Northing	Easting	Bearing	Distance
6988126.31	2697317.89	S 89°23'01" W	500.74
6988120.92	2696817.18	N 00°20'14" W	313.44
6988434.35	2696815.33	N 54°55'29" E	38.45
6988456.44	2696846.80	N 89°01'44" E	67.71
6988457.59	2696914.50	S 87°27'16" E	102.01
6988453.06	2697016.42	N 89°38'14" E	213.27
6988454.41	2697229.68	S 45°11'50" E	15.56
6988443.45	2697240.73	S 00°01'53" E	120.15

6988323.29 2697240.79
 Radius: 309.74 Chord: 211.54 Degree: 18°29'54" Dir: Left
 Length: 215.88 Delta: 39°56'02" Tangent: 112.53
 Chord BRG: S 21°22'25" E Rad-In: N 88°35'36" E Rad-Out: N 48°39'33" E
 Radius Point: 6988330.90, 2697550.43
 6988126.31 2697317.89

Closure Error Distance> 0.0000 Error Bearing> N 90°00'00" E
 Closure Precision> 1 in 3408534989616.9 Total Distance> 1587.22
 Polyline Area: 145394.788 sq ft, 3.338 acres



Vicinity Map
(Not to Scale)

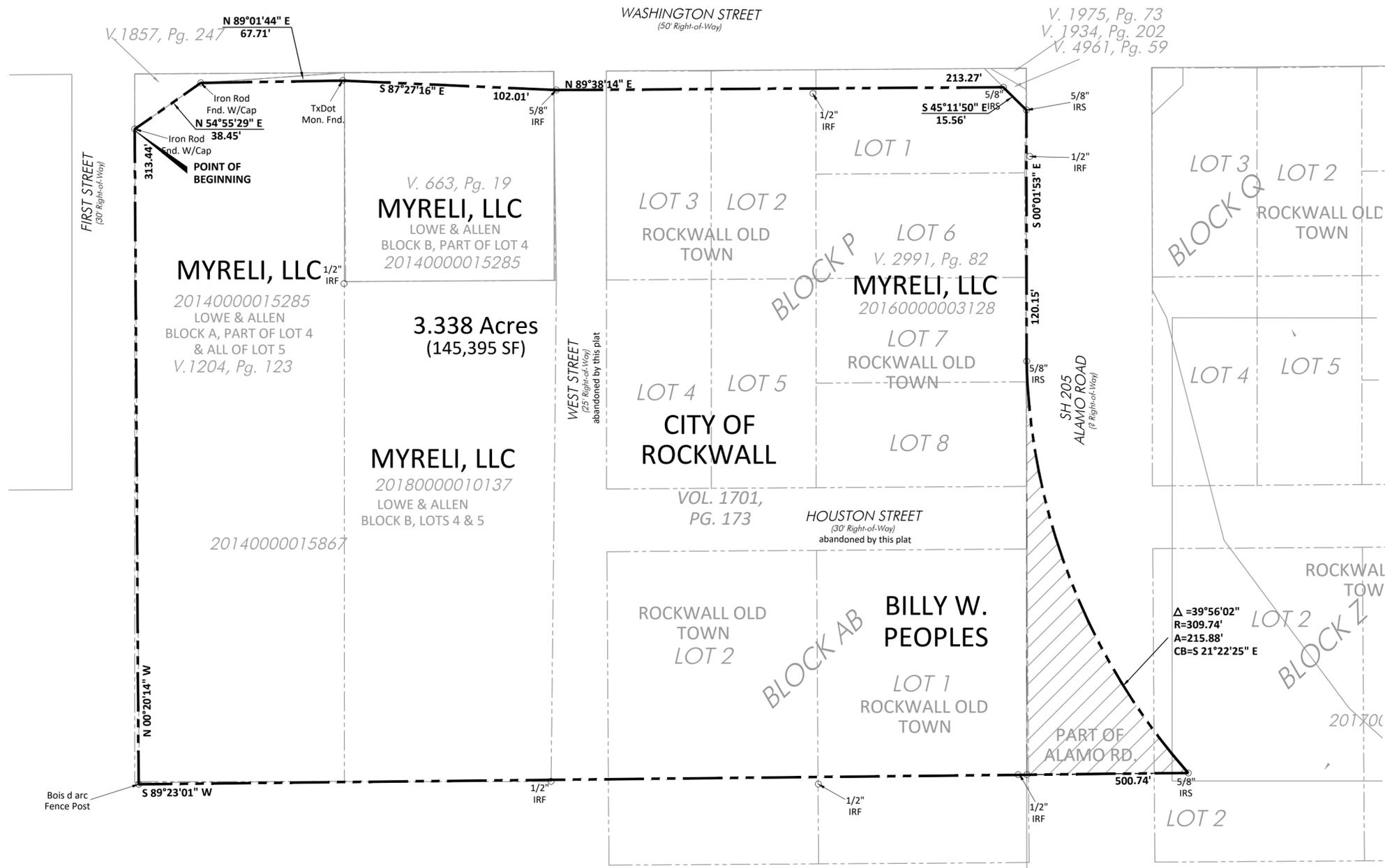


LEGEND

IRF	Iron Rod Found
IRS	Iron Rod Set
DRRCT	Deed Records Rockwall County, Texas
PRRCT	Plat Records Rockwall County, Texas
RPRRCT	Real Property Records Rockwall County, Texas
OPRCT	Official Public Records Rockwall County, Texas

GENERAL NOTES:

- A. This Final Plat is for conveyance purposes only and not for the development of the survey property.
- B. A conveyance plat is a record of property approved by the City of Rockwall for the purpose of sale or conveyance in its entirety or interests thereon defined. No building permit shall be issued nor permanent public utility service provided until a final plat is approved, filed of record, and public improvements accepted in accordance with the provisions of the Subdivision Ordinance of the City of Rockwall. Selling a portion of this property by metes and bounds, except as shown on an approved, filed, and accepted conveyance plat, final plat, or replat is a violation of the city ordinance and State law.



Case No.: P _____
FINAL PLAT
BEING A CONVEYANCE PLAT
ESTABLISHING ONE LOT
TAC ROCKWALL ADDITION, LOT 1, BLOCK A

BEING A REPLAT OF
 LOWE & ALLEN, BLOCK A, LOTS 4 & 5, BLOCK B, LOTS 4 & 5, ROCKWALL OLD TOWN, BLOCK P, LOTS 1, 2, 3, 4, 5, 6, 7, 8, BLOCK AB LOTS 1 & 2, WEST STREET, HOUSTON STREET & PART OF ALAMO ROAD
 B. F. BOYDSTUN SURVEY, ABSTRACT NO. 14
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner: MYRELI, LLC 627 Santa Cirle Heath, Texas 75032	Owner: ROCKWALL DOWNTOWN LOFTS, LTD 2300 Versailles Ct. Rockwall, Texas 75087	Owner: CITY OF ROCKWALL 385 S. Colliad Rockwall, Texas 75087	Owner: BILLY W. PEOPLES P.O. Box 35 Rockwall, Texas 75087
--	--	---	--

Scale: 1" = 40'	Checked By: Frank R. Owens
Date: December 9, 2019	P.C.: Cryer/Spradling
Technician: Spradling/Bedford	File: CLAYROCK 2019-12-06 CP
Drawn By: Spradling/Bedford	Job No. 552-176
	GF No.

301 N. Alamo Rd. * Rockwall, Texas 75087
 (972) 722-0225, www.ajbedfordgroup.com, ajb@ajbedfordgroup.com

Sheet:
1
of: 2



Engineer:
CLAYMOORE ENGINEERING
1903 CENTRAL DRIVE, SUITE 406
BEDFORD, TEXAS 76021

TBPLS REG#10118200

N:\ALL FILES\552-CLAYMOORE ENGINEERING\ROCKWALL\WASHINGTON ST & HWY 205\CLAYROCK 2019-12-09 CP.dwg, CONVEYANCE PLAT, 12/12/2019 12:00:19 PM

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

BEING a 3.338 acre tract of land situated in the B.F. BOYDSTUN SURVEY, ABSTRACT #14 in the City of Rockwall, Rockwall County, Texas and being part of the same property described to MYRELI, LLC recorded in Clerk File # 20140000015285, Clerk File # 20140000015867, Clerk File # 20180000010137, Clerk File # 20160000003128, Official Public Records, Rockwall County, Texas, and being part of a tract of land to the City of Rockwall recorded in Volume 1701, Page. 173, Deed Records, Rockwall County, Texas and being a part of Lot 1, Block AB (no recording information), Official Public Records, Rockwall County, Texas and being part of "WEST STREET" (apparent 25' in width) to Billy W. Peoples, Houston Street (apparent 30' in width) and part of Alamo Road and being more particularly described as follows:

BEGINNING at an iron rod with cap found for the southerly corner of a corner cut-off line at the intersection of the east line of said FIRST STREET (apparent 30' in width) with the south line of WASHINGTON STREET (apparent 50' in width);

THENCE with the south line of said Washington Street with said corner cut-off line, NORTH 54°55'29" EAST a distance of 38.45 feet to an iron rod with cap found for corner;

THENCE with the south line of said Washington Street, NORTH 89°01'44" EAST a distance of 67.71 feet to a TxDot Monument found for corner;

THENCE continuing with the south line of said Washington Street, SOUTH 87°27'16" EAST a distance of 102.01 feet to a 5/8 inch iron rod found for corner and being located near the west line of said WEST STREET;

THENCE continuing with the south line of said Washington Street, NORTH 89°38'14" EAST a distance of 213.27 feet to a 5/8 inch iron rod set for the northerly corner of a corner cut-off line located at the intersection of the west line of State Highway 205 (ALAMO ROAD)(variable width);

THENCE with the west line of State Highway 205 (ALAMO ROAD), SOUTH 45°11'50" EAST a distance of 15.56 feet to a 5/8 inch iron rod set for corner;

THENCE continuing with the west line of said State Highway 205 (ALAMO ROAD), SOUTH 00°01'53" EAST a distance of 120.15 feet to a 5/8 inch iron rod set for the beginning of a curve to the left having a radius of 309.74 feet and a chord bearing of South 21°22'25" East;

THENCE continuing with the west line of said State Highway 205 (ALAMO ROAD) with said curve to the left through a central angle of 39°56'02" for an arc length of 215.88 feet to a 5/8 inch iron rod set for the southeast corner of the herein described tract of land;

THENCE departing the west line of said State Highway 205 (ALAMO ROAD), SOUTH 89°23'01" WEST a distance of 500.74 feet to a Bois-d-arc fence post found for the southwest corner of herein described tract of land and being located in the east line of said FIRST STREET;

THENCE with the east line of said FIRST STREET, NORTH 00°20'14" WEST a distance of 313.44 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 3.338 acres or 145,395 square feet of land more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We, ROCKWALL DOWNTOWN LOFTS, LTD., MYRELI, LLC, CITY OF ROCKWALL & BILLY W. PEOPLES, the undersigned owners of the land shown on this plat, and designated herein as the TAC ROCKWALL ADDITION subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the LOWE & ALLEN, BLOCK A, LOTS 4 & 5, BLOCK B, LOTS 4 & 5, ROCKWALL OLD TOWN, BLOCK P LOTS 1, 2, 3, 4, 5, 6, 7, 8, BLOCK AB LOTS 1 & 2, WEST STREET, HOUSTON STREET, & PART OF ALAMO ROAD subdivision have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following:

- 1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall;
7. Property owner is responsible for maintenance, repair, and replacement of all detention/drainage facilities in easements;
8. Abandonment and Conveyance: Notwithstanding anything to the contrary contained herein: (i) the purpose of this plat is to be filed in connection with the conveyance of all of the property shown hereon to Rockwall Downtown Lofts, Ltd., a Texas limited partnership, (ii) this plat constitutes and describes the abandonment of those certain right-of-ways know as West Street and Houston Street, as indicated and shown hereon, and West Street and Houston Street, as shown hereon, are hereby conveyed and abandoned by the City of Rockwall to and for the benefit of Rockwall Downtown Lofts, Ltd., a Texas limited partnership and (iii) all parties hereto agree to execute and deliver all such further documents and instruments necessary to effectuate such conveyance and abandonment of West Street and Houston Street to Rockwall Downtown Lofts, Ltd., a Texas limited partnership.

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, my (our) successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

ROCKWALL DOWNTOWN LOFTS, LTD:

By: Tony Austin Company, Inc., a Texas corporation

By: Tony Austin, President

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Tony Austin, President, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ___ day of ___, 2020

Notary Public in and for the State of Texas

MYRELI, LLC, a Texas limited liability company

By: DRK Family Partners, Ltd, a Texas limited partnership
Its: Sole Member

By: Dreek, LLC, a Texas limited liability company
Its: General Partner

By: Ruth R. Kaufmann
Its: Managing Member

By: Douglas A. Kaufmann
Its: Managing Member

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Ruth R. Kaufmann, Managing Member, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ___ day of ___, 2020

Notary Public in and for the State of Texas

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Douglas A. Kaufmann, Managing Member, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ___ day of ___, 2020

Notary Public in and for the State of Texas

CITY OF ROCKWALL
a Texas municipal corporation

By: _____

Name: _____

Title: _____

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ___ day of ___, 2020

Notary Public in and for the State of Texas

Lynda Morris, Independent Executrix of the Estate of Billy W. Peoples, Deceased

BILLY W. PEOPLES

Name: Lynda Morris
Title: Independent Executrix of the Estate of Billy W. Peoples, Deceased

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ___ day of ___, 2020

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Frank R. Owens, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document"

Frank R. Owen
Registered Professional Land Surveyor No. 5387
frank@ajbedfordgroup.com
A.J. Bedford Group, Inc.
301 North Alamo Road
Rockwall, Texas 75087

GENERAL NOTES:

It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

The use of the word "certify or certificate" used hereon constitutes an expression of professional opinion regarding those facts of findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.

Basis of Bearings: Bearings are based on deeds recorded in Vol. 1204, Pg. 123; 20140000015285; 20180000010137; 20140000015867; 20160000003128; Vol. 2991, Pg. 82; Vol. 1701, Pg. 173; 20170000005610.

FLOOD STATEMENT: According to Community Panel No. 48397C0040L, dated September 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "X", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of ___, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ___ day of ___, 2019.

Mayor, City of Rockwall City Secretary City Engineer

Case No.: P _____

FINAL PLAT
BEING A CONVEYANCE PLAT
ESTABLISHING ONE LOT
TAC ROCKWALL ADDITION, LOT 1, BLOCK A

BEING A REPLAT OF
LOWE & ALLEN, BLOCK A, LOTS 4 & 5, BLOCK B, LOTS 4 & 5, ROCKWALL OLD TOWN, BLOCK P, LOTS 1, 2, 3, 4, 5, 6, 7, 8, BLOCK AB LOTS 1 & 2, WEST STREET, HOUSTON STREET & PART OF ALAMO ROAD
B. F. BOYDSTUN SURVEY, ABSTRACT NO. 14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner: MYRELI, LLC, 627 Santa Circle, Heath, Texas 75032
Owner: ROCKWALL DOWNTOWN LOFTS, LTD, 2300 Versailles Ct, Heath, TX, 75032
Owner: CITY OF ROCKWALL, 385 S. Golind, Rockwall, Texas 75087
Owner: BILLY W. PEOPLES, P.O. Box 35, Rockwall, Texas 75087

Engineer: CLAYMOORE ENGINEERING, 1903 CENTRAL DRIVE, SUITE 406, BEDFORD, TEXAS 76021
Scale: 1" = 40'
Date: December 9, 2019
Technician: Spradling/Bedford
Drawn By: Spradling/Bedford
Checked By: Frank R. Owens
P.C.: Cryer/Spradling
File: CLAYROCK 2019-12-06 CP
Job No. 552-176
GF No.

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225, www.ajbedfordgroup.com

Sheet: 2
Of: 2



TBPLS REG#10118200

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Kristy Cole, City Secretary / Assistant to the City Manager
DATE: January 17, 2020
SUBJECT: Appt. with Friends of the Library

Eddie Zehr with “Friends of the Library” reached out to Joey and me last week to request to appear before Council at the Jan. 21st meeting. Representatives from “Friends of the Library” would like to request a waiver of fees associated with renting The Center for an upcoming play that will serve as a fundraiser for that organization.

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: January 21, 2020
APPLICANT: Timothy Bates; *Plano Marine*
CASE NUMBER: Z2019-026; *SUP for Freestanding Commercial Antenna*

SUMMARY

Hold a public hearing to discuss and consider a request by Timothy Bates of Plano Marine on behalf of Jason Breland of Suntex Marina Investors, LLC for the approval of a Specific Use Permit (SUP) for an existing marina with boat sales, storage and repair on a 6.282-acre tract of land identified as Tracts 134, 134-14 & 134-15 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Lake Ray Hubbard Takeline Overlay (TL OV) District, located at the western terminus of Henry M. Chandlers Drive, and take any action necessary.

BACKGROUND

The subject property, known as Chandlers Landing Marina, is within the city limits of the City of Dallas, but -- *per the interlocal agreement with the City of Dallas for regulation of the takeline* -- the City of Rockwall is responsible for zoning and enforcement actions in this area. On October 29, 1973, the Chandlers Landing Subdivision was annexed into the City of Rockwall [*Ordinance No. 73-43*]. Additionally, on November 12, 1973, the City Council adopted an ordinance [*i.e. Ordinance No. 73-48*], which created Planned Development District 8 (PD-8) for a single-family, multi-family, and non-residential land uses for the Chandlers Landing Subdivision. The Chandlers Landing Marina was included in Planned Development District 8 (PD-8) at the time of adoption. The City's historic zoning map from 1983 indicates this; however, according to the historic zoning map from 1993, the zoning of the subject property was changed from Planned Development District 8 (PD-8) to Agricultural (AG) District. Staff has been unable to locate the ordinance making this change, but based on the City's current zoning map this designation has not changed. It should be noted that the Agricultural (AG) District is one of the most restrictive zoning districts with regard to development requirements, and is typically used as an interim designation for properties that are newly annexed into the City until they can be zoned to conform to the Future Land Use Map. In this case, since the subject property is located within the takeline there is no future land use designation other than *Parks and Open Space* for properties in the takeline.

On April 2, 1984, the City Council amended *Ordinance No. 73-48* [*i.e. Planned Development District No. 8 (PD-8)*] and granted a Conditional Use Permit (CUP) [*i.e. Ordinance No. 84-19*] that would allow for a dry storage and parking areas for the marina. On December 21, 1998, the City Council approved a motion for the approval of an Interlocal Agreement with the City of Dallas for the Chandlers Landing Marina. This agreement was executed on January 22, 2001. The term of the agreement is for 40 years from the date of execution and is scheduled to expire on January 21, 2041 unless extended by both municipalities. On November 4, 2002, the City Council amended the Conditional Use Permit (CUP) [*Ordinance No. 84-19*] for the marina to limit the dry storage area, boat sales area, parking of boats awaiting repair, and for the parking of vehicles on the subject property. Additionally, the amendment allowed for 72 hour parking of Recreational Vehicles (RV's), and the storage of RV's within the dry storage area. In August of 2019, residents of the Chandlers Landing Subdivision reported to the Neighborhood Improvement Services (NIS) Department that the wood fence enclosing the outside storage area for boats awaiting repair had been removed from the property. This fence is required to

be in place to screen the activities associated with the repair facility. Staff contacted the applicant to discuss the violation and the remedies associated with the screening of the repair area. In response to this conversation, the applicant is proposing to supersede the Conditional Use Permit (CUP) and request a Specific Use Permit (SUP) to bring the proposed activities into compliance with the City's codes.

PURPOSE

The applicant is requesting approval of a Specific Use Permit (SUP) that would supersede the existing Conditional Use Permit [*i.e. Ordinance No. 02-50*], and would re-establish a screening fence for the repair facility as depicted on the concept plan in the attached SUP draft ordinance under *Exhibit 'B'*. Additionally, the SUP is removing the provisions contained in the current CUP with regard to parking and/or storage of recreational vehicles (RV's) on the subject property, and establishing defined area's for boat sales and dry storage.

ADJACENT LAND USES AND ACCESS

The subject property is located within the city limits of the City of Dallas and is situated at the western terminus of Henry M. Chandlers Drive, adjacent the Chandlers Landing Subdivision. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the Chandlers Landing Subdivision. The subdivision is primarily a multi-phase residential development containing single-family and multi-family land uses and zoned Planned Development 8 District (PD-8).

South: Directly south of the subject property is the Chandlers Landing Subdivision, which is primarily a multi-phase residential development containing single-family and multi-family land uses. This area contains the bulk of the multi-family residential housing known as the Spyglass Hill Addition. Additionally, there are two (2) vacant tracts of land totaling 6.88-acres (*i.e. Lot 4, Block A, Spyglass Hill #4 Addition & Tract 134-12, of the E. Teal Survey, Abstract No. 207*) that are zoned Planned Development 8 District (PD-8) for single-family zero-lot-line land uses.

East: Directly east of the subject property is the Chandlers Landing Subdivision. The subdivision is primarily a multi-phase residential development containing single-family and multi-family land uses and zoned Planned Development 8 District (PD-8).

West: Directly west of the subject property is Lake Ray Hubbard, a recreational lake that is within the city limits of the City of Dallas.

CHARACTERISTICS OF THE REQUEST

The current Conditional Use Permit (CUP) allows for dry storage and boat sales, and limits these to the paved area as depicted in *Exhibit 'B'* of the CUP, which defines the dry storage area, parking area, covered boat dock areas, and the parking of boats waiting repair. The exhibit does not clearly define the area for boat sales, the parking of boats and vehicles awaiting repair, and the parking of Recreation Vehicles (RV's) within the marina; rather, these areas are limited to the paved areas defined in the exhibit. The proposed operational conditions of the draft SUP ordinance will define the areas for storage, vehicle repair, and boat sales. The draft SUP ordinance will also prohibit the working, repairing, or maintenance of boats and vehicles within the marina. Additionally, the draft SUP ordinance will prohibit the parking and/or storage of RV's on the subject property.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 5.01(B)(2), *Abutting Residential*, of Section 5, *Landscape Standards*, of Article VIII, *Landscape and Fence Standards*, of the Unified Development Code (UDC), "(a) minimum of a 20-foot wide landscape buffer shall be required along the entire length of any non-residential lot that abuts a residentially zoned or used property." This section goes on to say that "(a)ny non-residential parking area that has a side or rear contiguous to any residentially zoned or used property shall be screened with a masonry fence a minimum of six (6) feet in height with canopy trees planted on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates a wrought iron fence and three (3) tiered screening (*i.e.* [1] *small to mid-sized shrubs, large shrubs or accent trees, and canopy trees* or [2] *evergreen trees and canopy trees*) along the entire length of the adjacency." In this case, the applicant is proposing a six (6) foot masonry screening wall for the existing overnight storage area associated with the repair facility. This masonry screening wall is in replacement of the existing wood fence that was removed from the property by the applicant. It should be noted that a portion of the screening fence will be constructed of a decorative wrought iron fence with these areas being screened by the area dedicated for boat sales and display; however, the applicant has stated that the outside sale/display boats will be moved into the storage area at night. The applicant has indicated to staff that outside sales/display of boats is not currently being done on the property, but they would like the ability to do this in the future. Staff should also point out that landscaping is not proposed in conjunction with the proposed screening wall due to the existing concrete on the property. Originally, staff had suggested that landscape screening could be added along the eastern property boundary that abuts the residentially zoned properties, but representatives from the Chandlers Landing Community indicated to staff that this was not a favorable solution. The representatives indicated that the properties that share a common boundary with the marina preferred that landscape screening not be provided. Although this request appears not to conform to the requirements of the Unified Development Code (UDC), the Specific Use Permit allows the City Council the discretion to approve this condition, pending a recommendation from the Planning and Zoning Commission.

STAFF ANALYSIS

Staff should note that the applicant's request does not change the activities that are currently being performed on the site; however, it does [1] remove the recreational vehicle parking from the permitted uses on the property, [2] allow for future boat sales/display, and [3] upgrade the screening of the boat storage area from a wood fence to a masonry fence. It should be noted that the applicant has stated to staff an intent to cover the boat storage area with a canopy and currently has a building permit submitted to do so, but that this would be permitted under the current set of requirements that regulate the property. In reviewing this request, the Planning and Zoning Commission and City Council retain discretion with regard to the proposed land uses, screening, and arrangement of land uses on the site; however, the approval (or denial of this ordinance) would only have a minimal impact of current activities due to the current Conditional Use Permit (CUP).

NOTIFICATIONS

On December 27, 2019, staff notified 173 property owners and occupants within 500-feet of the subject property. Staff also notified the Chandler's Landing, the Cabana's at Chandler's Landing, Match Point Townhomes, and the Spyglass Homeowners Association (HOA's), which are the only HOA/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was written, staff had received a signed protest with 148 signatures, three (3) notices and, six (6) emails in opposition. Additionally, staff had received one (1) notice in favor of the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve of the applicant's request, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
 - (a) The subject property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the draft ordinance; and,
 - (b) The operation of boat sales and display shall be limited to the areas identified for boat sales as depicted on the *Concept Plan* in *Exhibit 'B'* of the draft ordinance; and,
 - (c) Storage shall generally be limited to the areas depicted as *Overnight Storage* and *Overflow Overnight Storage* on the *Concept Plan* in *Exhibit 'B'* of the draft ordinance; and,
 - (d) The *Prep Area* depicted in the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance shall be limited to being used as a staging area for the repair or maintenance of boats, and storage in these areas shall be limited to a maximum of 72-hours. The working, repairing, or maintenance of any boat or vehicle shall be prohibited outside of this area; and,
 - (e) The outside storage of equipment, parts and/or inventory is prohibited within the *subject property* unless specifically permitted in the above operational conditions; and,
 - (f) The parking and/or storage of Recreational Vehicles (RV) within the *subject property* shall be prohibited.
- (2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 14, 2020, the Planning and Zoning Commission made a motion to recommend denial of the applicant's request for the Specific Use Permit (SUP). The motion to deny was approved by a vote of 6-0, with Commissioner Logan absent. According to *Subsection 2.03(G), Protest of Zoning Change, of Article XI, of the Unified Development Code (UDC)*, if a recommendation for denial is made by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

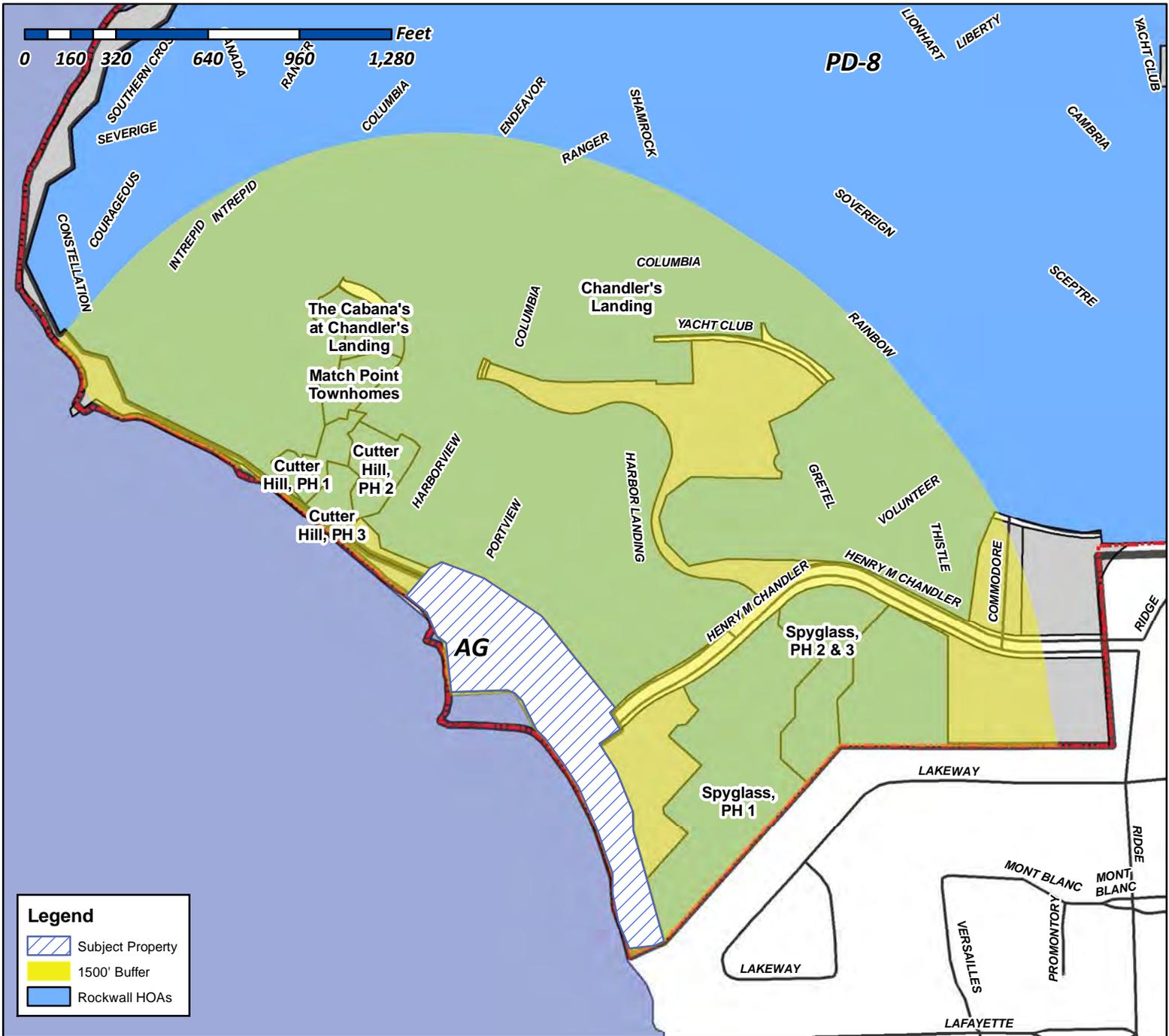




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Case Number: Z2019--26
Case Name: Chandler's Landing Marina
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: Chandler's Landing Marina

Date Created: 12/17/2019
 For Questions on this Case Call (972) 771-7745

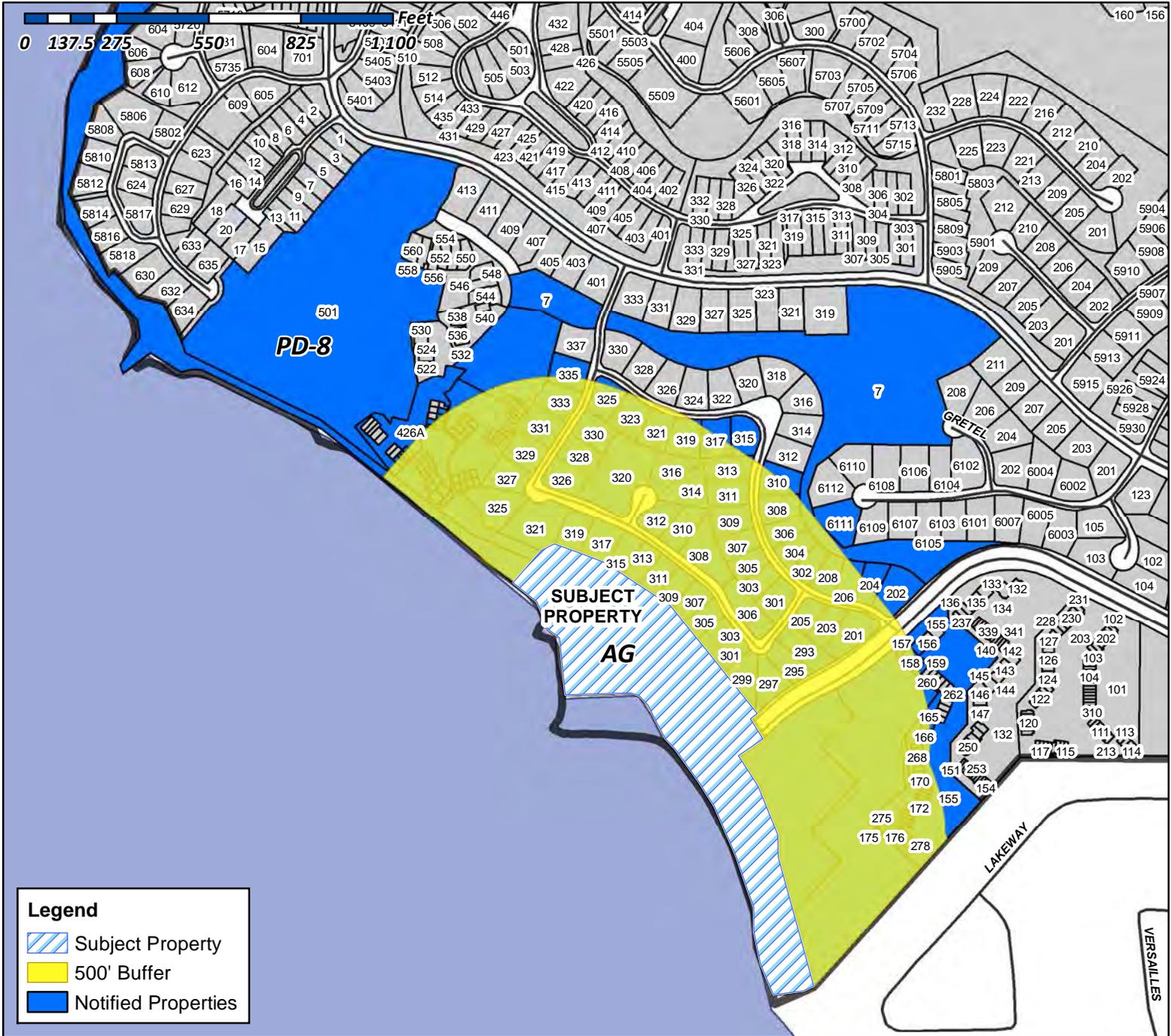
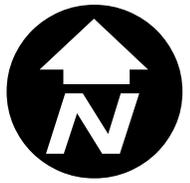




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Planning & Zoning Department
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Case Number: Z2019-26
Case Name: Chandler's Landing Marina
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: Chandler's Landing Marina

Date Created: 12/17/2019

For Questions on this Case Call (972) 771-7745



VOLKMAN DOLORES 10057 SURREY OAKS DR DALLAS, TX 75229	GARDNER DAVID L REV LIV TR 1105 51ST ST W BRADENTON, FL 34209	WEBSTER PROPERTIES LTD 115 DEFENDER C ROCKWALL, TX 75032
CROUCH FAMILY LIVING TRUST JERROLD F AND KATHLEEN A CROUCH TRUSTEES 134 HENRY M. CHANDLER DR. ROCKWALL, TX 75032	BOHORQUEZ DAVID 1397 GLENWICK DRIVE ROCKWALL, TX 75032	SOON HERALD 14300 CERVANTES AVE GERMANTOWN, MD 20874
THE POTTS-REAGIN HOUSE LLC 1460 E MAIN ST BARTOW, FL 33830	PARNES ALEXANDRA 15 KESTREL CT ROCKWALL, TX 75032	CURRENT RESIDENT 155 HENRY M CHANDLER DR ROCKWALL, TX 75032
CURRENT RESIDENT 157 HENRY M CHANDLER ROCKWALL, TX 75032	CURRENT RESIDENT 158 HENRY M CHANDLER ROCKWALL, TX 75032	RICKLEFS MARY E 159 HENRY M CHANDLER DR ROCKWALL, TX 75032
LASHLEE MARJORIE M 165 HENRY M CHANDLER DR ROCKWALL, TX 75032	CURRENT RESIDENT 166 HENRY M CHANDLER ROCKWALL, TX 75032	MCHALE JOHN D JR 167 HENRY M CHANDLER ROCKWALL, TX 75032
CURRENT RESIDENT 168 HENRY M CHANDLER ROCKWALL, TX 75032	SKR INVESTMENTS 1682 CHOTEAU CIR GRAPEVINE, TX 76051	CURRENT RESIDENT 169 HENRY M CHANDLER ROCKWALL, TX 75032
CURRENT RESIDENT 170 HENRY M CHANDLER ROCKWALL, TX 75032	D'ALISO CHRISTOPHER J 1701 HICKORY CHASE CIR KELLER, TX 76248	CURRENT RESIDENT 171 HENRY M CHANDLER ROCKWALL, TX 75032
CURRENT RESIDENT 172 HENRY M CHANDLER ROCKWALL, TX 75032	CLARK JASON 173 HENRY M CHANDLER DRIVE ROCKWALL, TX 75032	RAY HUBBARD SMI JV LLC 17330 PRESTON ROAD SUITE 220A DALLAS, TX 75252
CURRENT RESIDENT 174 HENRY M CHANDLER ROCKWALL, TX 75032	CURRENT RESIDENT 175 HENRY M CHANDLER ROCKWALL, TX 75032	CURRENT RESIDENT 176 HENRY M CHANDLER ROCKWALL, TX 75032
CURRENT RESIDENT 177 HENRY M CHANDLER ROCKWALL, TX 75032	CURRENT RESIDENT 178 HENRY M CHANDLER ROCKWALL, TX 75032	SLATE CRAIG M & TANYA 185 S AVENIDA DEL SEMBRADOR TUSCON, AZ 85745

SLATE CRAIG AND TANYA 185 S AVENIDA DEL SEMBRADOR TUSCAN, AZ 85745	PONDER KENNETH & ELMA 1850 ASHBOURNE DR ROCKWALL, TX 75087	BALLARD CARLEY E JR & CHLOE 1907 LAKEVIEW DR ROCKWALL, TX 75087
DINKLANG ARTURO A 1923 NORTH FLOYD RD RICHARDSON, TX 75080	SIDDIQI NAVEED & TAMARA ABDUL WAHAB 194 BURNS ST FOREST HILLS, NY 11375	MCKNIGHT MARY D 201 HARBOR LANDING DR ROCKWALL, TX 75032
WILSON SEAN 202 HARBOR LANDING DR ROCKWALL, TX 75032	LAZYDALE PARTNERS LLP 202 N SAN JACINTO ROCKWALL, TX 75087	PETERSON LELAND D & JANET 203 HARBOR LANDING DR ROCKWALL, TX 75032
BERNAL LIBIA AMAYA AND CARLOS AUGUSTO MOSQUERA 204 HARBOR LANDING ROCKWALL, TX 75032	CURRENT RESIDENT 205 HARBOR LANDING ROCKWALL, TX 75032	D'AMBROSIA DEAN AND MUSTAFA OMAR 206 HARBOR LANDING DR ROCKWALL, TX 75032
MORRISON CAMERON AND DANIELLE 208 HARBOR LANDING DRIVE ROCKWALL, TX 75032	SARA M FRANKEL TRUST SARA M FRANKEL - TRUSTEE 2366 FAYETTEVILLE AVE HENDERSON, NV 89052	KIM SEOK H 2516 WOODHAVEN DR FLOWER MOUND, TX 75028
CURRENT RESIDENT 259 HENRY M CHANDLER ROCKWALL, TX 75032	CURRENT RESIDENT 267 HENRY M CHANDLER ROCKWALL, TX 75032	CURRENT RESIDENT 268 HENRY M CHANDLER ROCKWALL, TX 75032
CURRENT RESIDENT 269 HENRY M CHANDLER ROCKWALL, TX 75032	CURRENT RESIDENT 270 HENRY M CHANDLER ROCKWALL, TX 75032	CURRENT RESIDENT 271 HENRY M CHANDLER ROCKWALL, TX 75032
CURRENT RESIDENT 272 HENRY M CHANDLER ROCKWALL, TX 75032	CROMEENS SHAN 2720 EGANRIDGE LN ROCKWALL, TX 75087	CURRENT RESIDENT 273 HENRY M CHANDLER ROCKWALL, TX 75032
CURRENT RESIDENT 274 HENRY M CHANDLER ROCKWALL, TX 75032	MASON JANIS E 275 HENRY M CHANDLER DR UNIT 3 ROCKWALL, TX 75032	CURRENT RESIDENT 276 HENRY M CHANDLER ROCKWALL, TX 75032
CURRENT RESIDENT 277 HENRY M CHANDLER ROCKWALL, TX 75032	CURRENT RESIDENT 278 HENRY M CHANDLER ROCKWALL, TX 75032	AMERICAN CONDO CORP OF HOUSTON 2807 EASTGROVE LN HOUSTON, TX 77027

BALLARD M WEST & AMANDA B 28106 WHISPERING MAPLE WAY SPRING, TX 77386	AMERSON GARY W AND DEBRA J 293 HARBORVIEW DR ROCKWALL, TX 75032	CURRENT RESIDENT 295 HARBORVIEW ROCKWALL, TX 75032
CURRENT RESIDENT 297 HARBORVIEW ROCKWALL, TX 75032	CURRENT RESIDENT 299 HARBORVIEW ROCKWALL, TX 75032	YANES DAVID AND CHRISTIE MARIE SCRIBNER 301 HARBOR LANDING DR ROCKWALL, TX 75032
CURRENT RESIDENT 301 HARBORVIEW ROCKWALL, TX 75032	KEITH BENJAMIN AND SHERYL KEITH 3011 BAYSIDE ROCKWALL, TX 75087	GENTLE BILL 302 HARBOR LANDING DR ROCKWALL, TX 75032
MUSSER CRAIG AND SHEILA 303 HARBOR LANDING DR ROCKWALL, TX 75032	CURRENT RESIDENT 303 HARBORVIEW ROCKWALL, TX 75032	CRIDER MICHAEL & LINDA C 304 HARBOR LANDING DR ROCKWALL, TX 75032
VINES KENT C AND LINA ZHU 305 HARBOR LANDING DR ROCKWALL, TX 75032	CONFIDENTIAL 305 HARBORVIEW DR ROCKWALL, TX 75032	CLEATON JERRY LEE 306 HARBOR LANDING DRIVE ROCKWALL, TX 75032
CURRENT RESIDENT 306 HARBORVIEW ROCKWALL, TX 75032	CARRINGTON BRADLEY T AND KARI 307 HARBOR LANDING DR ROCKWALL, TX 75032	CURRENT RESIDENT 307 HARBORVIEW ROCKWALL, TX 75032
DE LA GARZA DOLLY ANNE 308 HARBOR LANDING DR ROCKWALL, TX 75032	CURRENT RESIDENT 308 HARBORVIEW ROCKWALL, TX 75032	GRIFFIN DAVID L ET UX 309 HARBOR LANDING DR ROCKWALL, TX 75032
RENTFROW CHRISTOPHER 309 HARBORVIEW DRIVE ROCKWALL, TX 75032	LEWIS DENNIS & CLARISSA 310 HARBOR LANDING DR ROCKWALL, TX 75032	CURRENT RESIDENT 310 HARBORVIEW ROCKWALL, TX 75032
JONES SHERIDAN S 311 COLUMBIA DR ROCKWALL, TX 75032	WIZMANN ERIC & DALE 311 HARBOR LANDING ROCKWALL, TX 75032	RECINOS ARNOLDO AND RUTH LIMA 311 HARBORVIEW DR ROCKWALL, TX 75032
BARHAM ARTHUR LLOYD JR AND ANITA L 312 PORTVIEW PL ROCKWALL, TX 75032	TCHAKAROV SVETLIN G AND ROSSITZA I POPOVA 313 HARBOR LANDING DRIVE ROCKWALL, TX 75032	MASSEY MICHAEL J AND CHERYL R 313 HARBORVIEW DR HEATH, TX 75032

PENCE DENNIS AND DIANNA 314 PORTVIEW PL ROCKWALL, TX 75032	THOMPSON JIM B AND LEIGH A 315 HARBOR LANDING DRIVE ROCKWALL, TX 75032	ROSS THOMAS AND VICKIE 315 HARBORVIEW DR ROCKWALL, TX 75032
COFFEY JAMES & DEBORAH 316 PORTVIEW PL ROCKWALL, TX 75032	COFFEY JAMES & DEBORAH 316 PORTVIEW PL ROCKWALL, TX 75032	HENDRICKSON PATSY A 317 HARBOR LANDING DR ROCKWALL, TX 75032
CURRENT RESIDENT 317 HARBORVIEW ROCKWALL, TX 75032	REYNOLDS MARVIN C JR & CLARE D 319 HARBOR LANDING DR ROCKWALL, TX 75032	SELF SCOTT & JANET 319 HARBORVIEW DR ROCKWALL, TX 75032
POTTS JASON AND ANNA 320 PORTVIEW PLACE ROCKWALL, TX 75032	LINNSTAEDTER RANDALL AND KIMBERLY 321 HARBOR LANDING DR ROCKWALL, TX 75032	CURRENT RESIDENT 321 HARBORVIEW ROCKWALL, TX 75032
IMRIE DONALD M & CHERYL K 323 HARBOR LANDING DR ROCKWALL, TX 75032	GRAY RUSSELL LEE 325 HARBOR LANDING DR ROCKWALL, TX 75032	CULLEN GREGORY L & JEAN C 325 HARBORVIEW DR ROCKWALL, TX 75032
SIVILS LINDA LUDDEN 325 YACHT CLUB DR ROCKWALL, TX 75032	CURRENT RESIDENT 326 HARBORVIEW ROCKWALL, TX 75032	WAGONER SHANNON AND JAMES 327 HARBORVIEW DR ROCKWALL, TX 75032
CURRENT RESIDENT 328 HARBORVIEW ROCKWALL, TX 75032	CURRENT RESIDENT 329 HARBORVIEW ROCKWALL, TX 75032	BOOKHOUT KATHRYN COURTS 329 YACHT CLUB DR ROCKWALL, TX 75032
MARTIN SERGIO ROBLEDO AND ANDRESSA HENDLER 330 HARBORVIEW DR ROCKWALL, TX 75032	MERCKLING BRYAN S AND STACY D 331 HARBORVIEW DR ROCKWALL, TX 75032	VOSPER ALAN AND SHIRLEY 333 HARBORVIEW ROCKWALL, TX 75032
MANASCO MARTIN E AND LISA M 335 HARBORVIEW DR ROCKWALL, TX 75032	CAMACHO MARC AND JARITA 3409 BERMUDA DR ROWLETT, TX 75088	MOHAN KENNETH 3415 WATERVIEW TRL ROCKWALL, TX 75087
KLINE LINDA ANN MULLANE 3543 VANCOUVER DRIVE DALLAS, TX 75229	CURRENT RESIDENT 371 HENRY M CHANDLER ROCKWALL, TX 75032	CURRENT RESIDENT 372 HENRY M CHANDLER ROCKWALL, TX 75032

CURRENT RESIDENT 373 HENRY M CHANDLER ROCKWALL, TX 75032	CURRENT RESIDENT 374 HENRY M CHANDLER ROCKWALL, TX 75032	CENSULLO TERESA ANN 405 COLUMBIA DR ROCKWALL, TX 75032
MALLARD DAVID S & SHERRY A 407 COLUMBIA DR ROCKWALL, TX 75032	MCKAY WILLIAM R & LINDA S 4109 DESERT GARDEN DR PLANO, TX 75093	STENBERG BARBARA JANE 426 YACHT CLUB DR APT C ROCKWALL, TX 75032
CONINE CHRISTOPHER T 426 YACHT CLUB DR UNIT B ROCKWALL, TX 75032	FORSYTHE LESLEY K AND PETER J HOLLY 426 YACHT CLUB DRIVE #H ROCKWALL, TX 75032	CURRENT RESIDENT 426A YACHT CLUB DR ROCKWALL, TX 75032
WRIGHT RHONDA 428C YACHT CLUB DR ROCKWALL, TX 75032	BECK JOAN K 436 YACHT CLUB DR APT A ROCKWALL, TX 75032	DAVIS KERRI 436 YACHT CLUB DR #G ROCKWALL, TX 75032
HALL DEREK 436C YACHT CLUB DRIVE ROCKWALL, TX 75032	JOHNSTON CAROL RUTH 438 YACHT CLUB #E ROCKWALL, TX 75032	PATRICK ASHLEY NICOLE 438 YACHT CLUB DR #G ROCKWALL, TX 75032
BRUNS BEVERLY LYNN 440B YACHT CLUB DR ROCKWALL, TX 75032	VREELAND DENISE AND DAN CALNON 442 YACHT CLUB DRIVE #B ROCKWALL, TX 75032	CARRIGAN DOROTHY 450 YACHT CLUB DR APT B ROCKWALL, TX 75032
RUNYON FLOYD D AND DANA 450 YACHT CLUB DRIVE UNIT # A ROCKWALL, TX 75032	HARRIS CHAD M 452 YACHT CLUB DRIVE A ROCKWALL, TX 75032	POWELL COQUEACE 454 S YACHT CLUB DRIVE A ROCKWALL, TX 75032
POWELL COQUEACE 454 S YACHT CLUB DRIVE A ROCKWALL, TX 75032	MCCALISTER SHAWN D & RUSS W WILLIAMSON & ELIZABETH R WILLIAMSON 456A YACHT CLUB DR ROCKWALL, TX 75032	KNEEDLER BRADLEY HARRISON 456C YACHT CLUB DRIVE UNIT 302 ROCKWALL, TX 75032
GREEN JOHN W JR 458 YACHT CLUB DR APT A ROCKWALL, TX 75032	ROCKWALL MARINA DEVELOPMENT LLC 4701 COPPER MOUNTAIN LANE RICHARDSON, TX 75082	TUCKER JOHN 4748 SECRET CV ROCKWALL, TX 75032
CURRENT RESIDENT 501 YACHT CLUB ROCKWALL, TX 75032	BARBEE NATHAN DAVID 517 SKELTON ST ROYSE CITY, TX 75189	HAMMOND HUDDLE LIVING TRUST EUGENE WESLEY HUDDLE AND JANE HAMMOND TRUSTEES 519 E I-30 #704 ROCKWALL, TX 75087

HAMMOND JANE AND EUGENE WESLEY HUDDLE 519 E INTERSTATE 30 #704 ROCKWALL, TX 75087	HARMON H VICTOR ETUX 519 E INTERSTATE 30 PMB 212 ROCKWALL, TX 75087	COWAN AMY DAVID SPOENEMAN 5203 SCARBOROUGH LN DALLAS, TX 75287
DONNELLY PAUL F AND KRISTIN KOPPS 54 SHADY DALE LANE ROCKWALL, TX 75032	GILL ATLANTA PROPERTIES LLC 545 KIRNWOOD DRIVE DALLAS, TX 75232	MCCLOY STEPHANIE JOAN 5575 CANADA CT ROCKWALL, TX 75032
MARTIN LAKESHORE PROPERTIES LLC 5601 RANGER DR ROCKWALL, TX 75032	MOVE IN & ON LLC 609 BELHAVEN DR ALLEN, TX 75013	BROWN BRYAN K 6111 VOLUNTEER PL ROCKWALL, TX 75032
MEYERS GARY J 617 DOVE HILL CIRCLE HEATH, TX 75032	CONSOLIDATED SYSTEMS INC 6220 GASTON AVE STE 700 DALLAS, TX 75214	CURRENT RESIDENT 7 GREENBELT ROCKWALL, TX 75032
VELASCO ALEJANDRO PORTOCARRERO AND STEPHANIE G ARAMAYO 7205 STONE MEADOW CIR ROWLETT, TX 75088	OYHARCABAL HENRY A 783 17TH AVE SAN FRANCISCO, CA 94121	PROSEK SHERI 803 VILLAGE GREEN DR ROCKWALL, TX 75087
ARMSTRONG JOHN D 804 EAGLE PASS HEATH, TX 75032	SRP SUB LLC 8665 EAST HARTFORD DRIVE SUITE 200 SCOTTSDALE, AZ 85255	KAPRANTZAS ENTERPRISES LLC 904 E DAVIS ST. 400 MESQUITE, TX 75149
ROCKWALL HOMES LLC C/O SAUNDRA HOLLAND 909 CULLINS RD ROCKWALL, TX 75032	SELF BILLY & KATIE C/O PRO SOAP 1830 E I30 ROCKWALL, TX 75087	VIERLING DENNIS A & LISA F PO BOX 1506 ROCKWALL, TX 75087
LUCIA LODEMA S TRUSTEE LUCIA REVOCABLE INTER-VIVOS TRUST PO BOX 1600 ROCKWALL, TX 75087	CHANDLERS LANDING COMMUNITY ASSOC PO BOX 638 ROCKWALL, TX 75087	,

Gonzales, David

From: Mike Owens [REDACTED]
Sent: Wednesday, January 8, 2020 8:06 PM
To: Gonzales, David
Subject: Zoning change

I am strongly opposed to the zoning change at Chandler's Marina. I believe it would an increase in traffic and obscure the view of the lake. Please do not go through with this change.

Thank You
Michael Owens
323 Valiant Dr. Chandler's Landing
214-649-8743

Sent from my iPhone

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



NOTICE OF PUBLIC HEARING CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2019-026: Chandler's Landing Marina

Hold a public hearing to discuss and consider a request by Timothy Batis of Plano Marine on behalf of Jason Breland of Suntex Marina Investors, LLC for the approval of a Specific Use Permit (SUP) for an existing marina with boat sales, storage and repair on a 6.282-acre tract of land identified as Tracts 134, 134-14 & 134-15 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Lake Ray Hubbard Takeline Overlay (TL OV) District, located at the western terminus of Henry M. Chandlers Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/14/2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Tuesday, 1/21/2020 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **1/21/2020** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases)

----- PLEASE RETURN THE BELOW FORM -----

Case No. Z2019-026: Chandler's Landing Marina

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

As we sit here now, the many huge boats that Plano Marine has parked in the lot have blocked our lake views. We all paid a premium for lots to have a lake view, not to look at a boat sales yard. Plus, increased traffic, lights in the parking lot, & all that comes with retail. Please vote NO!!!

Name: GARY & TERESA AMERSON
Address: 293 HARBORVIEW DR. ROCKWALL, TX

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

Case No. Z2019-026: Chandler's Landing Marina

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

We bought our homes for the view. The marina repair shop has violated City ordinance since they have been operating. Please enforce the codes and dictate them build the fence and put all boats & equipment behind themselves

Name: Trey & Jane Chaney

Address: 305 Harborview Drive Rockwall TX 75087

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Case No. Z2019-026: Chandler's Landing Marina

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

NO LANDSCAPING

NO STORAGE STRUCTURES

Name:

Billy Self

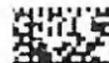
Address:

3211 HARBORVIEW DR.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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NOTICE OF PUBLIC HEARING CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

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David Gonzales
Rockwall Planning and Zoning Dept.
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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases)

----- PLEASE RETURN THE BELOW FORM -----

Case No. Z2019-026: Chandler's Landing Marina

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

I am a person who lives in 301 harborview Dr.

I am a person who lives in 301 harborview Dr.

I am absolutely opposed.
Because this is the place where I want to rest quietly.
This is not a commercial area.
I bought the land here, imagining a comfortable scene while building a house.
I object to doing this for commercial purposes.
Also, if they do what they do now, the boat landing area will be very narrow.
It will certainly hurt the people who come to enjoy this place and its purpose.
I still want to ask the city if they allow the boat to be displayed high.
Even now, they are blocking the view from my house by advancing the boat high.
I would like to express my dissatisfaction with the city and hope you will stop it.

Name:

Address:

But I can't imagine that the city allows us to do business here and build walls to block more landscape.
**SEOK H KIM 301 Harborview RD
Rockwall, TX 75082**

I'm absolutely against it.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

Gonzales, David

From: betty hoaglund [REDACTED]
Sent: Monday, January 13, 2020 10:49 PM
To: Gonzales, David
Subject: Rezoning Chandlers Marina

As residents of Chandlers my husband and I feel a boat yard selling boats in the parking lot would destroy the views of many homeowners and disrupt the lifestyle. We vote no.

Betty Jean Hoaglund
Richard A Hoaglund
203 Yacht Club Drive

--

Betty Jean Hoaglund

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Gonzales, David

From: Cheryl McMahon [REDACTED]
Sent: Tuesday, January 14, 2020 1:39 PM
To: Gonzales, David
Subject: Zoning change to Chandlers marina

My husband & I, owners of 105 Sceptre Dr, are against the zoning change. We have several friends that live outside of Chandlers and have slips at the marina. It is hard to find a parking spot now & having boats that will take up more parking places will only make it more difficult to find a place to park. All the boats and cars in the parking lot also causes a fire hazard. It would be very difficult for fire truck to maneuver through all the cars and boats should there be a need for one. We don't want a "boat lot" with added traffic in our back yard. The street is bad enough Without adding extra traffic.

Thank you,
Patrick & Cheryl McMahon

[Sent from AT&T Yahoo Mail for iPhone](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Gonzales, David

From: Jeff Cassar [REDACTED]
Sent: Tuesday, January 14, 2020 10:58 AM
To: Gonzales, David
Subject: Zoning change

I have two homes and a boat at the marina in chandlers and I want to vote no on zoning change. Fire trucks would have trouble getting down during events, lack of spaces to park. 5604 yacht club 6097 volunteer place

Sent from my iPhone

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Gonzales, David

From: Lori Devine [REDACTED]
Sent: Monday, January 13, 2020 4:42 PM
To: Gonzales, David
Subject: Chandlers Landing Marina

To Whom it May Concern,

I am writing this email to voice my concern over the proposed change in zoning for the Chandlers Landing Marina. I am out of town at the moment and will not be able to attend the meeting, but would like my voice to be heard!

I do not feel the area can handle the increase in traffic, nor can the road leading to the marina! It is already extremely busy during the weekends and the increase in traffic and noise would only increase if this change goes through.

I can write other reasons as to why I am against this proposed change but I think you get the gist of it!

Sincerely,
Lori Devine

Sent from my iPad

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Gonzales, David

From: [REDACTED]
Sent: Tuesday, January 14, 2020 1:37 PM
To: Gonzales, David

David,

I live in Chandlers Landing and I don't think that bringing a new marina to the community would be in the best interest of those of us who live here. We live in a gated community because we want control over who comes and goes within the community. It doesn't make sense to control access at the gates if we have an open door policy on the lake side!

Further, depending upon whether the new marina patrons would have access to Chandler's facilities lakeside, that could become an additional negative factor.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

December 31, 2019

To: Rockwall Planning and Zoning Commission
Rockwall City Council

Re: Chandlers Landing Marina construction and requested Zoning change

The purpose of this correspondence is to state the concerns and to make clear the position of certain residents of the Chandlers Landing subdivision concerning proposed zoning changes and additions to buildings at the Chandlers Landing Marina.

We have received notice that the Marina has requested a zoning change to allow boat sales from the existing parking lot. It is also our understanding that the Marina intends to construct a permanent covering, to be attached to the existing repair facility, which will extend into the parking lot and will be used to perform boat maintenance outside of existing building. We have not seen any drawings or dimensions of this proposed structure (awning), but understand it to be approximately the same height as the existing building, which is in excess of 20 feet.

We are not opposed to maintenance being done outside, as long as noise levels are not excessive. However, we are strongly opposed to the addition of any structure, awning, or covering which will further block lake views from the homeowners who are adjacent to the Marina.

In addition, currently there are numerous large new boats which have been positioned in the parking lot, effectively making that an outside "sales floor". These boats are blocking and obstructing the views and vista's of the homeowners in Chandlers Landing. The Marina has requested a zoning change in order to make this a permanent situation, turning their parking lot into a boat sales lot. The concerned homeowners represented by this letter have all paid a premium for lots and have built homes in a way to maximize and enjoy the views of Lake Ray Hubbard. We also have complied with the long standing court-ordered height restrictions on our homes in order to preserve those views for our surrounding neighbors. Chandlers Landing is a community that has held to strict building requirements and restrictions for several decades, which has resulted in a well-developed neighborhood and great lake vista's and enjoyment of the lake. The proposed changes requested by the Marina will, for many homeowners, negate these years of planning and compliance.

We would ask P&Z and Council to restrict any Marina construction or development, and deny the requested zoning change, which would take away from the views and vista's of the lake that we currently have and enjoy.

Sincerely,

Residents of Chandler's Landing

<u>Name</u>	<u>Address</u>	<u>Signature</u>
Anita Barham	312 Portview Pl Rockwall, Tx	Anita L Barham
ARTHUR BARHAM	312 Portview Place	
Donald "Chip" Imers	323 Harbor Landing Dr.	
Even Matteson	202 Gretel Place	
KERRI CUNNINGHAM	305 COLUMBIA	Keri Cuff
Carol Inman	5806 Constellation	Carol Inman
Danny Inman	5806 Constellation	
JEFF STOUT	5927 Volunteer Pl	Jeff Stout
Dale Kerr	414 Columbia Dr.	
Jon Brooks	5808 Yacht Club Dr.	Jon Brooks
Jeanie Cullen	315 Harborview Dr.	
BOB SHELTON	5528 CHALLENGER CT.	
Jimmy Seay	5516 Canadale Ct.	Jimmy Seay

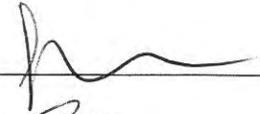
Name

Address

Signature

JAMIE SHIVERS

458 YACHT CLUB #C



ANDRÉ HATCHER

458 YACHT CLUB DR #C



Victor Hammond

436 H YACHT CLUB

Victor Hammond

Victor Hammond

436 E YACHT CLUB

Victor Hammond

Victor Hammond

337 VALIANT

Victor Hammond

/

Name

Address

Signature

Shelley Arnold 5700 Ranger Shelley Arnold

~~Tim Arnold~~ 5700 Ranger ~~Tim Arnold~~

Jerry Nelson 410 Columbia DR Jerry Nelson

MARIBETH Nelson 410 Columbia DR Maribeth Nelson

Sherry Tolk 408 Columbia Dr Sherry Tolk

Sherry Tolk 329 Hmc Sherry Tolk

Name	Address	Signature
Haley Ditz	331 Harborview Dr.	Haley Ditz
Linda Johnson	337 Harborview Dr.	Linda Johnson
Leo Johnson	" "	Leo Johnson
Nathaniala Wattampant	5421 Ranger Dr	Nathaniala
David Johnson	5421 Ranger Dr	David Johnson
Craig Musser	303 Harbor Landing Dr	Craig Musser
Cheryl McMahon	105 Sceptre Dr.	Cheryl McMahon
Jason Hiler	284 Victory Ln.	Jason Hiler
Cory Hall	284 Victory Ln	Cory Hall
JEFF JONES	311 Columbia Dr	Jeff Jones
JEFF JONES	442 D YACHT CLUB Dr	Jeff Jones
Alex Dwyer	6181 Volunteer	Alex Dwyer
Russ Martin	5601 Ranger	Russ Martin

1

Name	Address	Signature
Al Vosper	333 Harborview	Al Vosper
Shirley Vosper	333 Harborview	Shirley Vosper
Sharon L. Bruckner	325 Harbor Landing	Sharon L. Bruckner
Jimmie M	325 Harbor Landing	Jimmie M
Jason Potts	320 Portview Pl	Jason Potts
Anna Potts	320 Portview Pl	Anna Potts
Cathy Genelle	302 Harbor Landing	Cathy Genelle
Bill Genelle	302 Harbor Landing	Bill Genelle
Kim Linnstaedt	321 Harbor Landing	Kim Linnstaedt
Betty Whetsell	328 Harbor Landing	BETTY WHETSELL
JOHN MATTES	330 Harbor Landing	John Mattes
ALEXANDRO PORTOCARRERO	328 Harborview Dr	Alexandro Portocarrero
Bryan Merckling	331 Harborview Dr	Bryan Merckling

Name

Address

Signature

Vickie Ross

315 Harborview Dr.

Vickie Ross

Tom Ross

315 Harborview Dr

Tom Ross

Mike Massey

313 Harborview Dr

Mike Massey

Rence Massey

313 Harborview Dr.

Rence Massey

Trey Chaney

305 Harborview Dr.

Trey Chaney

Jamie Chaney

305 Harborview Dr.

Jamie Chaney

Rachel West

5701 Yacht Club Dr

Rachel West

Sarah West

5701 Yacht Club Dr.

Sarah West

Joe Ly

5703 Yacht Club Dr

Joe Ly

James Wagoner

327 Harborview

JAMES WAGONER

Brad Lambert

435 Columbia

BRAD LAMBERT

RANDALL WEE

315 Columbia

RANDALL WEE

Randy Perreco

Yacht Club Dr

Randy Perreco

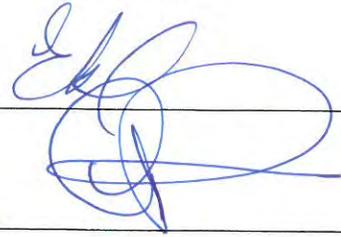
Name

Address

Signature

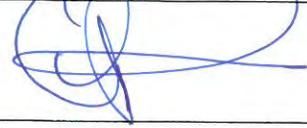
Elizabeth Koski

316 Columbia Dr.



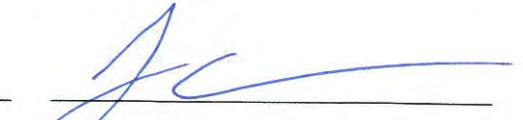
Annie Phillips

314 Columbia Dr.



Judd Esch

212 Sovereign Ct

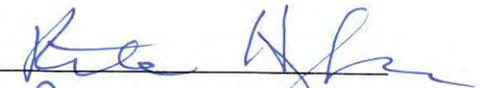


322 Columbia Dr



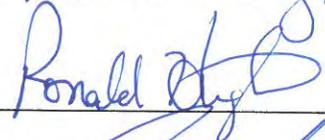
Rita Hughes

326 Columbia



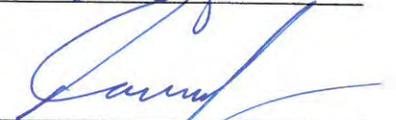
Ronald Hughes

326 Columbia



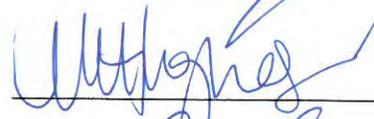
DAVE GREEN

309 HARBOR LANDING DR



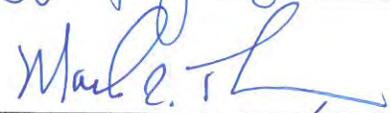
Madison Hughes

406 Columbia Dr.



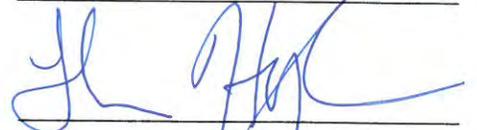
Mark Thom

319 YACHT CLUB



Thomas Hughes

406 Columbia Dr.



John F Dudek

432 Columbia DR



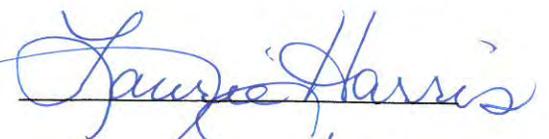
M. YAWGER

427 Columbia Dr



Laurie Harris

9 Intrepid Dr



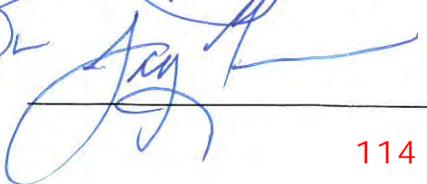
Pete Seibert

9 Intrepid Dr.



Jay Gumm

123 Yacht Club Dr



Name

Address

Signature

RICHARD MALAK 5704 YACHT CLUB

Richard Malak

Barbara Malak 5704 Yacht Club

Barbara Malak

Michael Bridges 310 # Columbia

MB

Jo Youngblood 204 Rainbow Cr

Jo

Jerry Youngblood 204 RAINBOW CIR Jerry Youngblood

James Lohr 320 HARBOR LANDING

James A Lohr

PON WATKINS 5572 CANADA CUTE

Pon

Michael Sambogna 5572 Canada Ct.

Michael Sambogna

Pat Petish 124 Puridon

Pat

Ardee Petish 305 Sherbee Ave

Ardee

Lois Hinkle 139 Freedom Court

Lois Hinkle

Logan Sharon 139 Freedom Court

Logan Sharon

Lise Lang 5703 Yacht Club

Lise Lang

Court Bokhart 331 Columbia V. Co

Court Bokhart

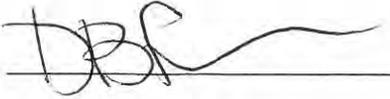
ANDREA BISSIA 305 HARBOR LANDING

Andrea Bissia

Name

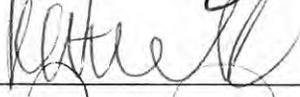
Address

Signature

Debbie French 5803 Ranger Dr. 

Dina Beavers 604 Courageous D Beavers

Billy Self 321 Harborview Dr 

Katie Beavers 604 Courageous Dr 

Ray Pawley 637 Courageous Ray Pawley

Sara Blakely 508 Columbia 

Manuel Poyel 5504 HTH Club Dr Manuel Poyel

Sandy Peters 5514 Canada Ct Sandy Peters

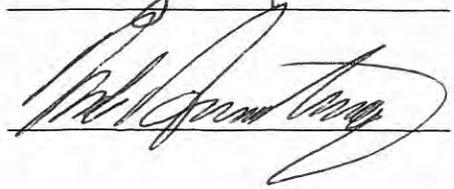
Leonard Peters 5514 Canada Ct Leonard Peters

Suzanne Kay 430 Yacht Club Apt E Suzanne Kay

DANIEL Malak 5910 SCEPTRE DR Daniel Malak

Don Owa 5702 Southern Cross Dr Don Owa

George Fiala 5903 Sceptre Dr. George Fiala

MARK ARMSTRONG 450C YACHT CLUB DR 

Voting "No"!

<u>Name</u>	<u>Address</u>	<u>Signature</u>
<u>Larry Like</u>	<u>324 Columbia Dr</u>	<u>Larry Like</u>
<u>Melisa Like</u>	<u>324 Columbia Dr.</u>	<u>Melisa Like</u>
<u>Thomas Holder</u>	<u>122 PURITAN Ct.</u>	
<u>Richard M. Selzer</u>	<u>202 Rainbow Cir.</u>	<u>Richard M Selz</u>
<u>Deanna Selzer</u>	<u>202 Rainbow Cir</u>	<u>Deanna Selzer</u>
<u>Beverly Boyce</u>	<u>5913 Volunteer</u>	<u>Beverly & Boyce</u>
<u>Sheridan Jones</u>	<u>311 Columbia</u>	<u>Sheridan Jones</u>
<u>Sheridan Jones</u>	<u>442-D Yacht Club</u>	<u>Sheridan Jones</u>
<u>Deanna Selzer</u>	<u>105 Henry M Chandler</u>	<u>Deanna Selzer</u>
<u>Deanna Selzer</u>	<u>528 Yacht Club</u>	<u>Deanna Selzer</u>
<u>Greg Cella</u>	<u>375 Harbor View</u>	
<u>Shirley Stout</u>	<u>5927 Volunteer</u>	<u>Shirley Stout</u>
<u>Philip Gang</u>	<u>228 Sovereign Ct.</u>	

Name

Address

Signature

Cynthia Deay 5516 Canadale Cynthia Deay

Victoria Williams 5304 Yacht Club Victoria Williams

Diane Whately 312 Columbia Dr. Diane Whately

Todd Wings 430 Yacht Club Todd Wings

Wendy Sunland 5909 Sceptre Dr Wendy Sunland

Mrs Sunland 5909 Sceptre Dr Mrs Sunland

Aly Morris 104 Freedom G Aly Morris

KATIE SELF 321 HARBORVIEW DR Katie Self

Lloyd Michael Rose 205 Sovereign Ct Lloyd Michael Rose

Gabrielle Cullen 5501 Yacht Club Gabrielle Cullen

Tyler Arnold 5700 Ranger Dr Tyler Arnold

Blank lines for additional entries

Name

Address

Signature

Stacy Dyer

228 Sovereign Ct.

Stacy Dyer

JEFF WHATLEY

312 COLUMBIA DR

Jeff Whatley

BRUCE PATON

10 INTERPID CIRCLE

Bruce R Paton

Shan Crommens

307 Harborview

Shan Co

CHIP ALLEN

204 SOVEREIGN CT

Chip Allen

Randy LINDSAEDTER

321 Harbor Landing

Randy Lindsaedter

SANDRA MORRIS
Sandra Morris

104 Freedom Ct

Sandra Morris

Jul + Anne Welch

12 x Sceptre

Jul Welch

Marena Fiala

5903 Sceptre Dr

Marena Fiala

Stephanie McCloy

128 HMC

Stephanie McCloy

Stephanie McCloy

306 HMC

Stephanie McCloy

Stephanie McCloy

310 HMC

Stephanie McCloy

Stephanie McCloy

374 HMC

Stephanie McCloy

Stephanie McCloy

5575 CANANA CT

Stephanie McCloy



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY
PLANNING & ZONING CASE NO. 22019-020
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.
DIRECTOR OF PLANNING:
CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:
 Master Plat (\$100.00 + \$15.00 Acre)¹
 Preliminary Plat (\$200.00 + \$15.00 Acre)¹
 Final Plat (\$300.00 + \$20.00 Acre)¹
 Replat (\$300.00 + \$20.00 Acre)¹
 Amending or Minor Plat (\$150.00)
 Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:
 Site Plan (\$250.00 + \$20.00 Acre)¹
 Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:
 Zoning Change (\$200.00 + \$15.00 Acre)¹
 Specific Use Permit (\$200.00 + \$15.00 Acre)¹
 PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:
 Tree Removal (\$75.00)
 Variance Request (\$100.00)

Notes:
¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address 1 Harbor View Dr
 Subdivision Chandler's Landing Lot Block
 General Location

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning Current Use
 Proposed Zoning Proposed Use
 Acreage Lots [Current] Lots [Proposed]

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input type="checkbox"/> Owner	<u>Jason Breland Sunterx Marina Investors</u>	<input type="checkbox"/> Applicant	<u>Plano Marine</u>
Contact Person	<u>Jason Breland</u>	Contact Person	<u>Timothy Bates</u>
Address	<u>1 Harbor View Dr</u>	Address	<u>1105 Ave K Plano TX 75074</u>
City, State & Zip	<u>Rockwall, TX 75082</u>	City, State & Zip	
Phone	<u>972-771-8868</u>	Phone	<u>972-423-3134</u>
E-Mail	<u>jbreland@sunterx.com</u>	E-Mail	<u>Tim.Bates@planomarine.com</u>

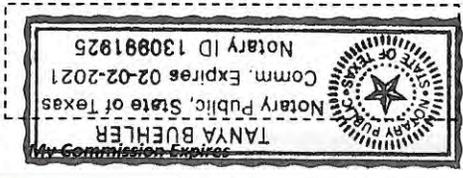
NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Jason S. Breland [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 219.30, to cover the cost of this application, has been paid to the City of Rockwall on this the 13th day of December, 2019. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 13th day of December, 2019.

Owner's Signature [Signature]
Notary Public in and for the State of Texas [Signature]



CITY OF ROCKWALL

ORDINANCE NO. 02-50

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AND AMENDING ORDINANCE NO. 84-19, AS PREVIOUSLY AMENDED, AS IT RELATES TO PLANNED DEVELOPMENT DISTRICT NO. 8, SO AS TO GRANT A CONDITIONAL USE PERMIT FOR A MARINA DRY STORAGE AND PARKING AREA IN PLANNED DEVELOPMENT DISTRICT NO. 8 AND IN AN "A", AGRICULTURAL ZONED DISTRICT ON THE PROPERTY BEING MORE FULLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners, generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Ordinance No. 84-19 and the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That Ordinance No. 84-19 of the City of Rockwall is hereby amended to allow the use of marina dry storage and parking lot as shown on Exhibit "B" attached hereto and made a part thereof.

Section 2. That the tract of land described as Exhibit "A" shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this approval shall affect only the property described in the attached Exhibit "A" and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

Section 3. That development in the area within Exhibit "A" shall be limited to uses and requirements listed in Ordinance No. 73-48 and Ordinance 84-19 and the Conditional Use Permit shall be subject to the following additional conditions:

1. That the property be subject to site plan review and all other development requirements of the City of Rockwall prior to any future development.
2. That marina dry storage and boat sales shall be limited to the paved area south of Henry M. Chandler Drive as indicated on Exhibit "B".
3. That parking of vehicles and parking of boats awaiting repair shall be limited to the paved area north of Henry M. Chandler Drive in the locations specified on Exhibit "B".
4. The storage of "RV", Recreational Vehicles, shall be limited to the marina dry storage area as indicated on Exhibit "B".
5. Parking of "RV", Recreational Vehicles, shall be limited to a maximum of seventy two (72) hours per vehicle for any period of time extending more than one day (24 hours) and shall be limited to the paved parking area north of Henry M. Chandler Drive as indicated on Exhibit "B".

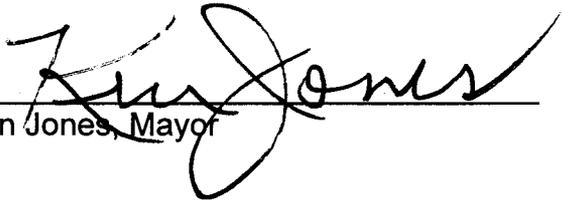
Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
ROCKWALL, TEXAS, this 4th day of November, 2002.



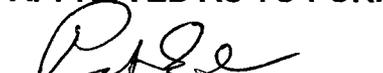
Ken Jones, Mayor

ATTEST:



Dorothy Brooks, City Secretary

APPROVED AS TO FORM:

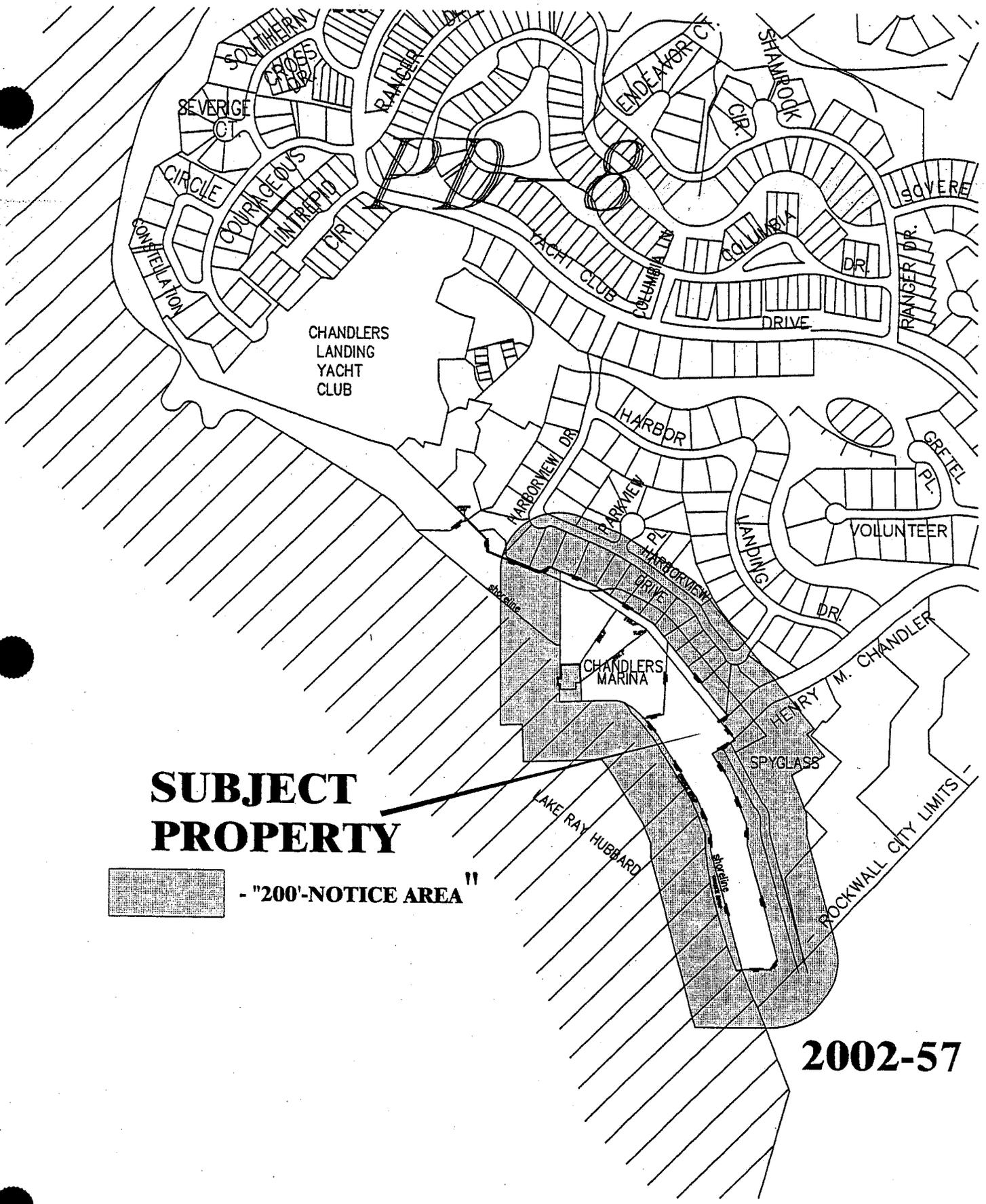


Pete Eckert, City Attorney



1st Reading: October 21, 2002

2nd Reading: November 4, 2002



**SUBJECT
PROPERTY**

 - "200'-NOTICE AREA"

2002-57

To whom it may concern,

We are proposing to extend storage from exhibit B in the original document to the entire parking lot area. Storage of RV's will be removed and no longer allowed. Storage outside of the fenced area will be for a maximum of 72hrs. We would like to add the ability to have boat sales onsite. There will be boats displayed outside the fence for sales during normal business hours only.

The fenced area will be a combination of masonry and wrought iron, please see drawings to understand proposed masonry and wrought iron locations. We would like to extend the fence 10' to the north, from the original fence line. Much of the fence will be masonry, we would like an approximate 100' corner to be wrought iron fencing, on the north east corner, 50' on both sides of the corner. The wrought iron corner is to allow better visibility for boaters leaving the ramp area to see any possible on coming traffic.

We would also like an exemption from using trees and shrubs as further screening around the fencing. This fencing is in the middle of a parking lot and planting trees and shrubs will degrade the stability of the paved parking area. Plantings will also negate the safety factor we are trying to achieve by opening the corners' visibility in the above requested wrought iron fence.

We would like to have a permanent covered area. The covered area will be approximately 125' by 90'. The proposed structure will fit within the fenced area, have a minimum of 20' roof clearance and not obstruct any public utilities. The permanent structure will have all required safety measures. Please see drawings to further understand location of the proposed covered area.

I hope this letter helps to explain what we like to do to improve the appearance, customer serviceability and the overall functions of our marina in conjunction with Plano Marine in the premier city of Rockwall.

Sincerely,

Jason S. Breland

General Manager

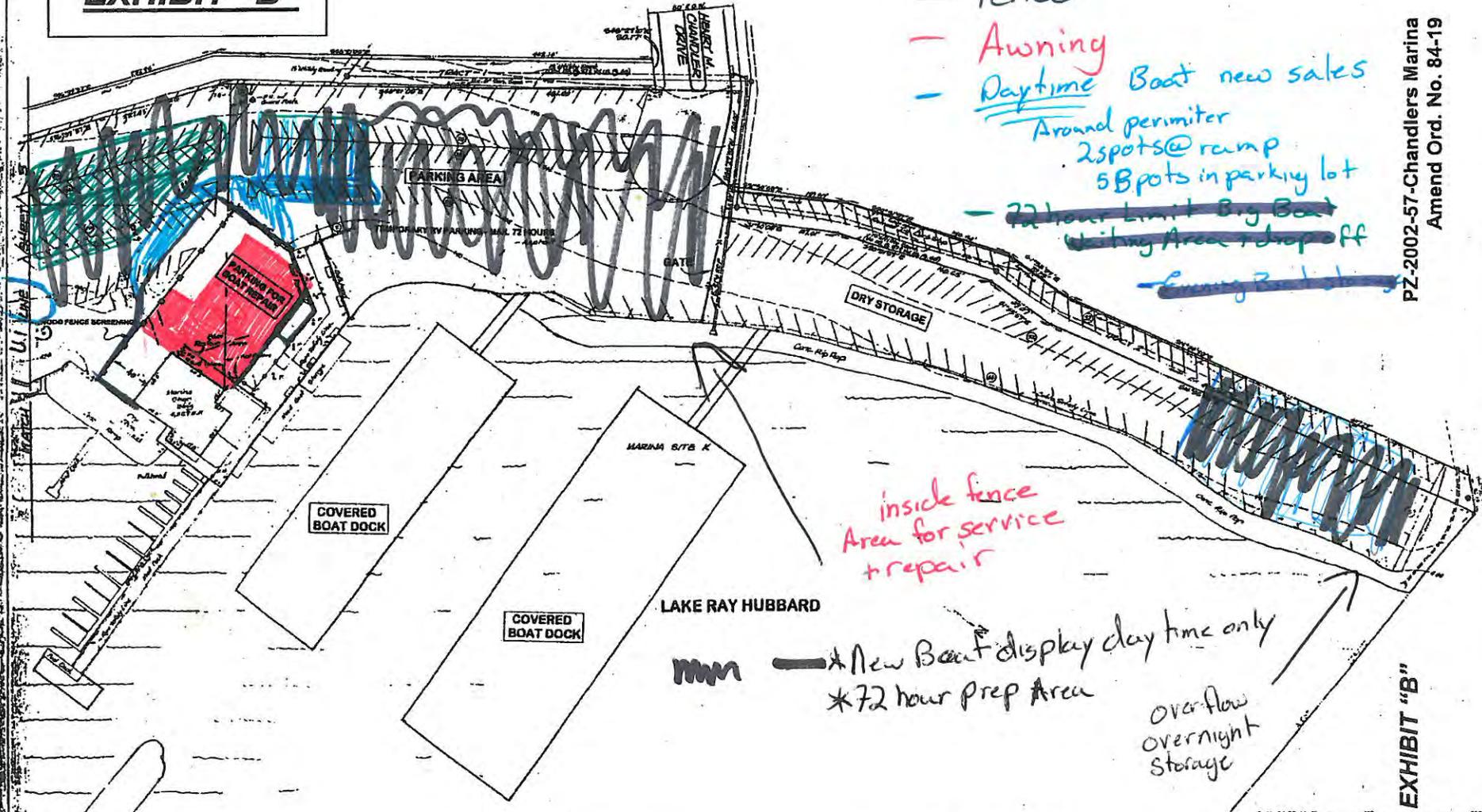
Chandler's Landing Marina



EXHIBIT "B"

- Fence
- Awning
- Daytime Boat new sales
- Around perimeter
- 2 spots @ ramp
- 5 B pots in parking lot
- 72 hour Limit Big Boat
- Working Area + drop off

PZ-2002-57-Chandlers Marina
Amend Ord. No. 84-19



inside fence
Area for service
& repair

* New Boat display day time only
* 72 hour Prep Area

overflow
overnight
storage

EXHIBIT "B"

Notes: ① Indicates Number of striped Parking Spaces

DATE	SCALE	DESIGN	DRAWN
12-1-07	1"=40'	MLL/TA	TJM

REVISION DESCRIPTION	DATE

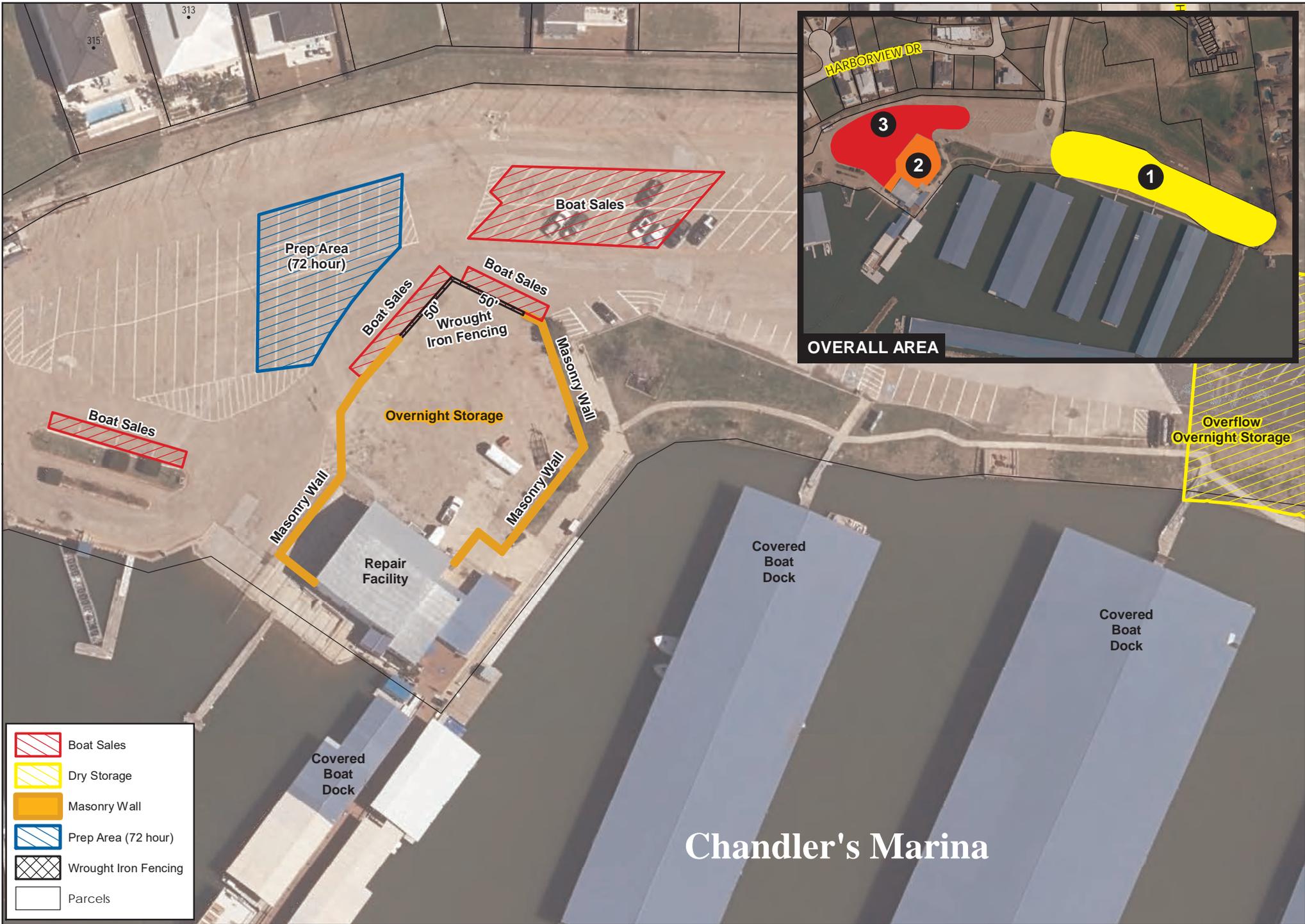
HAROLD L. SVANE & ASSOCIATES Licensed Surveyors 218 W. Chisholm Road, Suite 102 Dallas, Texas 75220 (214) 343-1111	AS-BUILT SURVEY EDWARD TEAL SURVEY, ABST. NO. 207 CITY OF ROCKWALL ROCKWALL COUNTY, TEXAS
--	---

2002-57

All over night storage
in Fenced Area

72 hour storage/Prop
+ Daytime new
Boat display





- Boat Sales
- Dry Storage
- Masonry Wall
- Prep Area (72 hour)
- Wrought Iron Fencing
- Parcels

Chandler's Marina



0 25 50 Feet
Date: 12/16/2019

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-1XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR BOAT SALES AND DISPLAY, STORAGE, AND REPAIR FOR AN EXISTING MARINA ZONED AGRICULTURAL (AG) DISTRICT, ON A 6.282-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACTS 134, 134-14 & 134-15 OF THE E. TEAL SURVEY, ABSTRACT NO. 207, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Timothy Bates of Plano Marine on behalf of Jason Breland of Suntex Marina Investors, LLC for the approval of a Specific Use Permit (SUP) to allow for boat sales and display, storage, and repair for an existing marina (*aka Chandlers Landing Marina*) on a 6.282-acre tract of land, identified as Tracts 134, 134-14 & 134-15 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally situated within the Lake Ray Hubbard Takeline Overlay (TL OV) District, located at the western terminus of Henry M. Chandler Drive, and more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the enactment of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated in *Ordinance No. 02-50*;

SECTION 2. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing boat sales and display, storage, and repair on an existing marina in accordance with the requirements of the Unified Development Code [*Ordinance No. 04-38*] and *Ordinance No. 02-50*; and

SECTION 3. That the Specific Use Permit (SUP) shall be subject to the conditions set forth in

Section 4.01, *General Commercial District Standards*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the additional following conditions:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a boat sales and display, storage, and repair facility on the *Subject Property*, and conformance to these operational conditions is required for continued operations:

- 1) The subject property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance; and,
- 2) The operation of boat sales and display shall be limited to the areas identified for boat sales as depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance; and,
- 3) Storage shall generally be limited to the areas depicted as *Overnight Storage* and *Overflow Overnight Storage* on the *Concept Plan* in *Exhibit 'B'* of this ordinance; and,
- 4) The *Prep Area* depicted in the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance shall be limited to being used as a staging area for the repair or maintenance of boats, and storage in these areas shall be limited to a maximum of 72-hours. The working, repairing, or maintenance of any boat or vehicle shall be prohibited outside of this area; and,
- 5) The outside storage of equipment, parts and/or inventory is prohibited within the *subject property* unless specifically permitted in the above operational conditions; and,
- 6) The parking and/or storage of Recreational Vehicles (RV) within the *subject property* shall be prohibited.

3.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining or maintaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(D)(3) of Article XI, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

SECTION 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and

every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 8. That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 3RD DAY OF FEBRUARY, 2020.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 21, 2020

2nd Reading: February 3, 2020

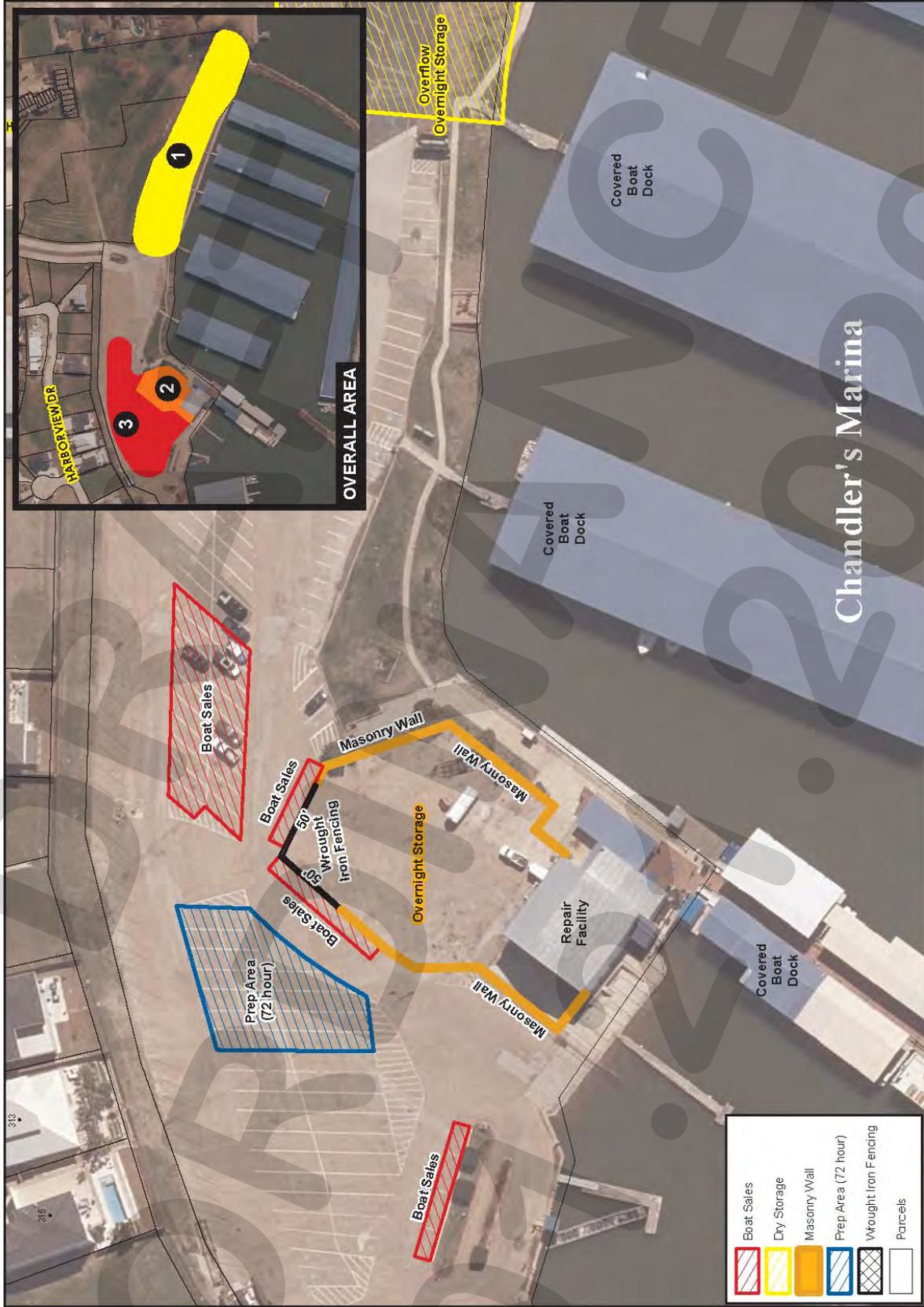
**Exhibit 'A':
Zoning Exhibit**

Location: Terminus of Henry M. Chandler Drive

Legal Description: Tracts 134, 134-14 & 134-15 of the E. Teal Survey, Abstract No. 207



Exhibit 'B':
Concept Plan



CHANDLER'S MARINA SUP

The data represented on this map was obtained with the best available information. The City of Rockwall does not warrant the accuracy or completeness of the information. The verification of accuracy and/or content lies solely with the end user. The City of Rockwall does not guarantee the use of this information for any purpose other than that intended. Use is with no warranty being made, either expressed or implied.

0 25 50 100 Feet
Date: 12/16/2019

City of Rockwall

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: January 21, 2020
APPLICANT: Raymond Jowers; *Jowers; Inc.*
CASE NUMBER: Z2019-027; *SUP for Big Tex Trailers*

SUMMARY

Hold a public hearing to discuss and consider a request by Raymond Jowers of Jowers, Inc. for the approval of an extension of Ordinance No. 17-20 (SUP No. S-164) granting a Specific Use Permit (SUP) allowing outside storage adjacent to IH-30 on a 4.4317-acre tract of land identified as Tract 22-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2260 E. IH-30, and take any action necessary.

BACKGROUND

The western portion of the subject property was annexed in 1985 [*Ordinance No. 85-69*]. Subsequently, the eastern portion of the subject property was annexed in 1997 [*Ordinance No. 97-14*]. On July 6, 1998, the City Council approved a request [*Case No. PZ1998-019; Ordinance No. 98-23*] for a change in zoning from an Agricultural (AG) District to a Highway Commercial (HWY-C) District on the subject property. On February 1, 1999, a Certificate of Occupancy (CO) was issued [*CO-1131*] to McGuire & Associates, Inc. for a truck driving school on the property. On February 22, 2001, the applicant submitted a request [*Case No. PZ2001-028*] on behalf of Mike Fredricks of Pleasant Homes for approval of a Conditional Use Permit (CUP) to allow a *manufactured home retail sales center* in a Highway Commercial (HWY-C) District; however, the request was withdrawn by the applicant on March 12, 2001. On August 6, 2001, the City Council approved a request [*Case No. PZ2001-04; Ordinance No 01-35; CUP No. 195*] for a Conditional Use Permit (CUP) to allow a *minor automotive repair facility (i.e. Heintschel Truck Tire Center)* in a Highway Commercial (HWY-C) District. On February 28, 2002 a Certificate of Occupancy (CO) was issued [*CO-1797*] to Heintschel Tire & Service. On June 7, 2004, the City Council approved a City-initiated request [*Case No. Z2004-006; Ordinance No. 04-38*], establishing the Unified Development Code (UDC), which replaced the Comprehensive Zoning Ordinance [*Ordinance No. 83-23*]. Specifically, the Unified Development Code (UDC) [*Ordinance No. 04-38*] removed the Highway Commercial (HWY-C) District from the City's zoning districts re-classified the zoning of the subject property to Light Industrial (LI) District. This ordinance also replaced Conditional Use Permits (CUP's) with Specific Use Permits (SUP's) and established the development standards for certain overlay districts (*i.e. the IH-30 Overlay [IH-30 OV] District*) within the City.

On August 4, 2008, the City Council approved a request [*Case No. Z2008-014*] for approval of a Specific Use Permit (SUP) [*Ordinance No. 08-38; SUP No. S-056*] to allow a *recreational vehicle "RV" sales and service facility* in a Light Industrial (LI) District. At that time, a condition of approval stated that the Specific Use Permit (SUP) would be valid for a period of three (3) years, commencing on the date a Certificate of Occupancy (CO) was issued for the use; however, the SUP ordinance permitted the owner to petition the City Council for an extension of the Specific Use Permit (SUP) for 90-days prior to the date of expiration. The intent was to allow the City Council to examine the status of the FM-549 overpass construction and/or development activity in the area to determine if an extension to the Specific Use Permit (SUP) is warranted.

On September 16, 2008, a Certificate of Occupancy (CO) [CO2008-0217] was issued to Walkabout RV, LLC and when the business owner changed, a new Certificate of Occupancy (CO) [CO2009-0100] was issued to Big-Tex Trailers (*i.e. the current occupant*). On April 1, 2011, the applicant submitted a request for an extension to the Specific Use Permit (SUP), which was granted by the City Council [Ordinance No. 08-38; SUP No. S-056] on April 18, 2011. Subsequently, the City Council approved the second extension of the Specific Use Permit (SUP) [Ordinance No. 08-38; SUP No. S-056] on April 7, 2014. On February 14, 2017, the applicant submitted a third request [Case No. Z2017-008] for extension of the Specific Use Permit (SUP). In response to this, the City Council requested that the applicant amend the Specific Use Permit (SUP) from *recreational vehicle (RV) sales and service facility* to *outside storage* to reflect the changes in use of the property. Subsequently, on April 17, 2017 the City Council rescinded Ordinance No. 08-38; SUP No. S-056 and approved Ordinance No. 17-20; SUP No. S-164, allowing outside storage in a Light Industrial (LI) District. A condition of approval stated that the SUP ordinance would expire three (3) years from date of approval (*i.e. April 17, 2020*) and permitted the applicant to request an extension to the Specific Use Permit (SUP) no less than 90-days prior to the date of expiration.

PURPOSE

The applicant has submitted a request for an extension to the Specific Use Permit (SUP) in accordance with Ordinance No. 17-20; SUP No. S-164. The applicant has stated that the purpose of this request is to permit the continued operation of the existing *recreational vehicle (RV) sales and service facility (i.e. Big-Tex Trailers)* on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is located at 2260 E. IH-30. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is IH-30, which is identified by a *TxDOT6D (Texas Department of Transportation, principle arterial, six [6]-lane, divided roadway)* on the City's Master Thoroughfare Plan. Beyond this, there is a large vacant tract of land that is zoned Commercial (C) District and a recreational vehicle (RV) dealership (*i.e. Happy Trails, USA RV Supercenter*) that is not located within the city limits of Rockwall.

South: Directly south of the subject property, there is a large vacant tract of land followed by a light-industrial facility (*i.e. Pratt Industries*). Adjacent to Pratt Industries, there is a light industrial facility (*i.e. Lollicup, USA*) that is currently under construction. Following this is Discovery Boulevard, which is identified as a *M4U (major collector, four [4]-lane, undivided roadway)* on the City's Master Thoroughfare Plan. Beyond this, there is a light-industrial facility (*i.e. Bimbo Bakery*). These areas are zoned Commercial and Light Industrial (LI) District.

East: Directly east of the subject property, there is a vacant tract of land and a minor automotive repair garage in conjunction with a truck rental facility (*i.e. GearHeads Hot Rod Garage/U-Haul*) that are zoned Light-Industrial (LI) District. Following this there is a single-family residential subdivision that is not located within the city limits of Rockwall.

West: Directly west of the subject property, there area several large vacant tracts of land followed by Corporate Crossing, which is identified as a *TxDOT4D (Texas Department of Transportation, principle arterial, four [4]-lane, divided roadway)* on the City's Master Thoroughfare Plan. Following this, there is a *truck stop with gasoline sales and accessory services (i.e. Love's Country Stores)*. These areas are zoned Commercial (C) and Light Industrial (LI) District.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting approval of an extension to a Specific Use Permit (SUP) [*Ordinance No. 17-20; SUP No. S-164*] to allow outside storage on a property adjacent to IH-30 and zoned Light Industrial (LI) District. Currently, the subject property is occupied with an existing *recreational vehicle (RV) sales and service facility (i.e. Big Tex Trailers)*, which has been in operation at this location since 2009 [*CO2009-0100*]. The main structure is approximately 8,080 SF, is constructed of a combination of metal and stone, and -- *according to the Rockwall County Appraisal District (RCA)* -- was constructed in 1985. The existing trailers are stored outdoors and are partially screened with a combination of a chain-link fence and shrubs. According to the applicant, there have been no operational changes since the approval of *Ordinance No. 17-20; SUP No. S-156* and the intent is for the facility to continue to operate in the same manner.

INFRASTRUCTURE

In accordance to the existing Specific Use Permit (SUP) [*Ordinance No. 07-20; SUP No. S-164*], the City Council approval of the Specific Use Permit (SUP) includes a temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM-549. Future development of the property shall be subject to the engineering and fire department standards in effect at the time of development. In this case, the applicant is proposing to continue the existing land use on the property and has not indicated any imminent development of the subject property. As a result, the existing temporary waiver to certain engineering and fire department standards has been included as a condition of approval in this case memo and the attached draft ordinance. Staff should note, approval of this condition is a discretionary decision for the City Council, pending a recommendation from the Planning and Zoning Commission.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 2, *Outside Storage and/or Outside Display*, of Subsection J, *Wholesale, Distribution, and Storage Land Uses*, of Subsection 2.03, *Conditional Land Use Standards*, of Section 2, *Conditional Land Use Standards and Definitions*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), no outside storage is allowing in any zoning district adjacent to IH-30 with the exception of properties that are zoned Light Industrial (LI) District. The Unified Development Code (UDC) gives the City Council the ability to consider a Specific Use Permit (SUP) on a case-by-case basis to allow outside storage and/or display as an accessory use for properties located adjacent to IH-30 and zoned Light-Industrial (LI) District. In this case, since no changes are being proposed, the existing recreational vehicle (RV) sales and service facility (i.e. Big Tex Trailers) appears to be in conformance with conditional land use standards as stipulated in the Unified Development Code (UDC) [*Ordinance No. 04-38*].

STAFF ANALYSIS

When examining the applicant's request, staff should point out that the current facility has been in operation since 2009 (*i.e. approximately 11 years*). At the time *Ordinance No. 08-38; SUP No. S-156* was approved, it appears that a majority of the surrounding properties were either undeveloped or not within the city limits of Rockwall. The construction of the FM-549 overpass was anticipated to begin between February and July of 2010 (*i.e. within two [2] years of approval of the SUP*) and would take approximately 18-24 months to complete. At that time, the City Council expressed an interest for the applicant to limit the leasing of the property to Big-Tex Trailers for a period of less than three (3) years. This appears to correspond to the anticipated completion date of the proposed overpass construction and the City Council's expectation that the area would re-develop at that time. With no additional development taking place during that time, it seems that subsequent extensions of the Specific Use Permit (SUP) were granted by the City Council. The construction of the FM-549 overpass was delayed and did not start until 2017 (*i.e. approximately seven [7] years after the anticipated start date*) and was completed in 2019. Other development since the previous extension of the Specific Use Permit (SUP)

includes the construction of Pratt Industries, Lollicup USA, and other properties within the Rockwall Technology Park. Staff should point out that the screening standards that were in effect at the time that *Ordinance No.'s 08-38 and 17-20* were approved have been amended. Should this request be approved, staff has recommended to the applicant that the current screening requirements (*i.e. a landscape buffer consisting of a berm and a combination of a wrought-iron fence, canopy trees, accent trees, and shrubs*) be met adjacent to IH-30. This will bring the property further into conformance with the landscape standards in the Unified Development Code (UDC) and has been made a condition of approval in the draft ordinance. Staff should note, although approval of this request does not appear to negatively impact the subject property or the adjacent properties, this is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission

NOTIFICATIONS

On December 18, 2019, staff notified four (4) property owners and occupants within 500-feet of the subject property. There are no Homeowner's Associations (HOA's)/Neighborhood Associations within 1,500-feet of the subject property and are participating in the Neighborhood Notification Program. At the time this report was written, staff had not received any notices concerning this request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request then staff would propose the following conditions of approval:

- (1) The Specific Use Permit (SUP) shall be valid for a period of three (3) years from the date of the approval of this ordinance. If an extension of the SUP is necessary, the owner shall submit a request in writing to staff no less than 90 days prior to the expiration of the SUP. Upon receipt of the request, the City Council shall review the SUP and determine if an extension of the SUP is permitted based on the development of FM-549 and the IH-30 overpass construction and/or other development activity in the area.
- (2) All outside display and outside storage of trailers shall generally conform to the concept plan depicted in Exhibit 'B' of the attached ordinance, which shall be incorporated herein by reference.
- (3) The outside display and outside storage of semi-trailers and tractor-trailers shall be prohibited.
- (4) That the subject property shall be brought into conformance to the screening requirements stipulated in the Unified Development Code (UDC) prior to subsequent extension requests for the SUP.
- (5) City Council approval of the SUP includes a temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM-549. Future development of the subject property will be subject to the Engineering and Fire Department standards in effect at the time of development.
- (6) In the event that the development expands the existing structure or adds additional buildings, the development will be subject to meet the requirements for fire protection.
- (7) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 14, 2020, the Planning and Zoning Commission's motion to recommend approval of the applicant's request with staff's conditions of approval passed by a vote of 6-0 with Commissioner Logan absent.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

Master Plat (\$100.00 + \$15.00 Acre)¹

Preliminary Plat (\$200.00 + \$15.00 Acre)¹

Final Plat (\$300.00 + \$20.00 Acre)¹

Replat (\$300.00 + \$20.00 Acre)¹

Amending or Minor Plat (\$150.00)

Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

Site Plan (\$250.00 + \$20.00 Acre)¹

Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

Zoning Change (\$200.00 + \$15.00 Acre)¹

Specific Use Permit (\$200.00 + \$15.00 Acre)¹

PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

Tree Removal (\$75.00)

Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address 2260 E I-30

Subdivision _____ Lot _____ Block _____

General Location _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning Hwy Commercial Current Use TRAILER SALES & SERVICE

Proposed Zoning SUP Proposed Use _____

Acreage 4.45 Lots [Current] _____ Lots [Proposed] _____

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input type="checkbox"/> Owner	<u>Jowers Inc</u>	<input type="checkbox"/> Applicant	<u>Big Tex Trailer World</u>
Contact Person	<u>Raymond Jowers</u>	Contact Person	<u>Richard Audilat</u>
Address	<u>P.O. Box 1870</u>	Address	<u>2260 EAST I-30</u>
City, State & Zip	<u>Rockwall, Tx 75087-1870</u>	City, State & Zip	<u>ROCKWALL TX 75087</u>
Phone	<u>972-971-1522 / 972-679-9300</u>	Phone	_____
E-Mail	<u>raymond@jowersinc.com</u>	E-Mail	<u>Richard.Audilat@BigTexTrailer.com</u>

NOTARY VERIFICATION [REQUIRED]

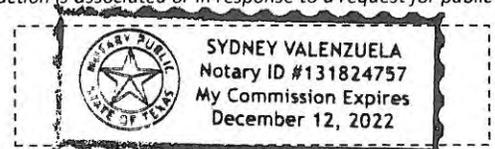
Before me, the undersigned authority, on this day personally appeared Alvin Jowers [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 246.75, to cover the cost of this application, has been paid to the City of Rockwall on this the 9 day of December, 20 19. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

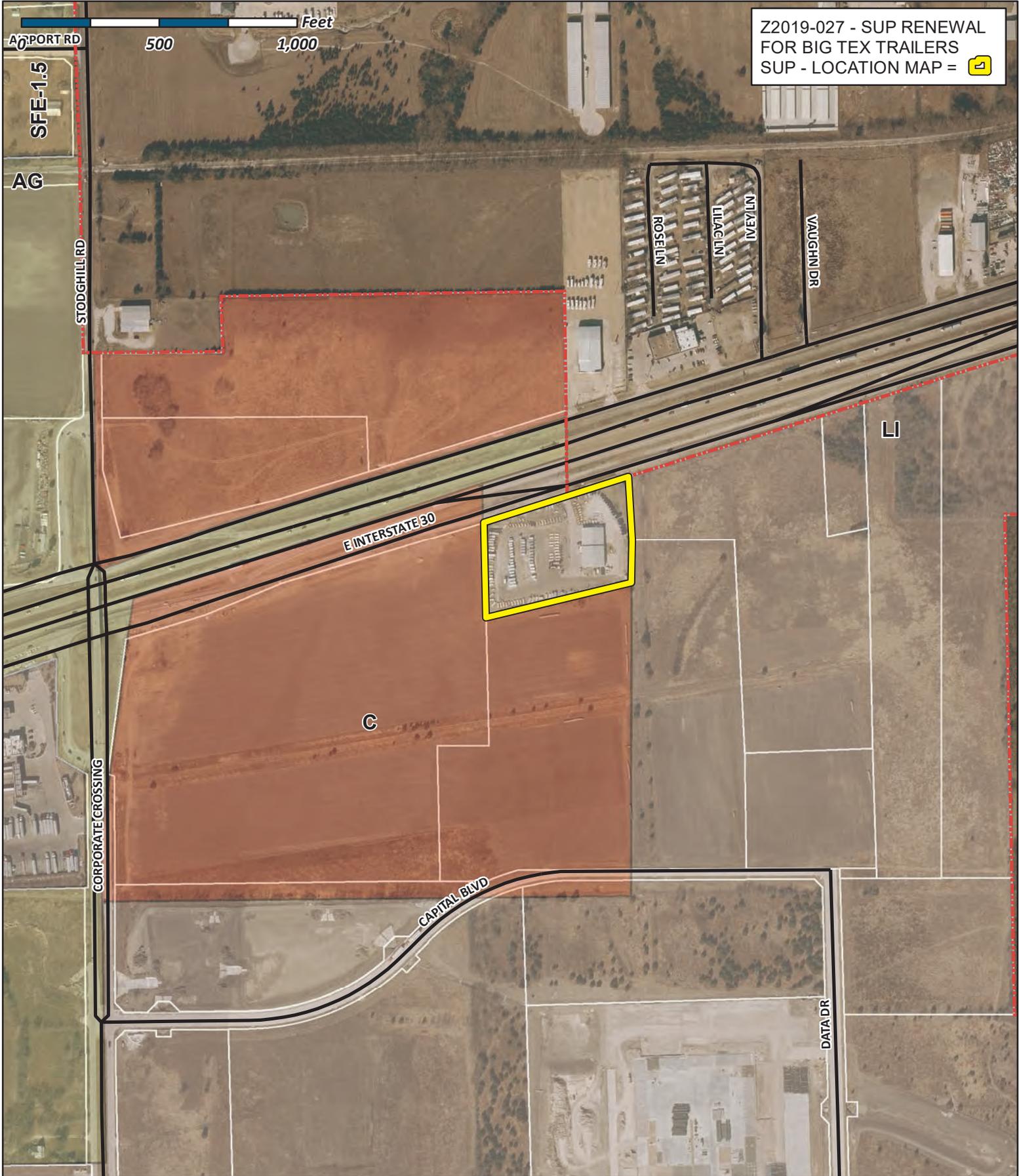
Given under my hand and seal of office on this the 9 day of December, 20 19.

Owner's Signature _____

Notary Public in and for the State of Texas _____



My Commission Expires 12/12/22



Z2019-027 - SUP RENEWAL
 FOR BIG TEX TRAILERS
 SUP - LOCATION MAP =



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

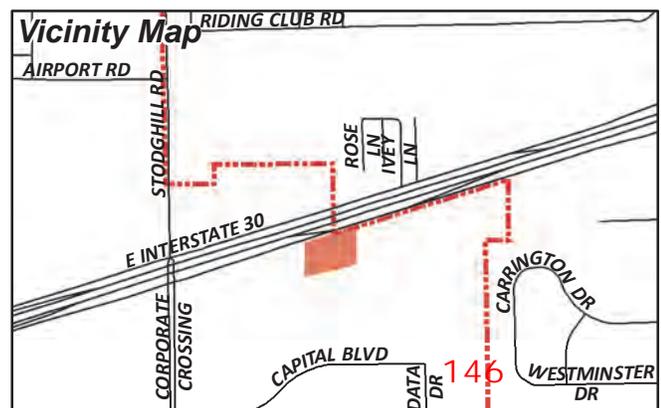
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Case Number: Z2019-027
Case Name: SUP RENEWAL FOR BIG TEX TRAILERS
Case Type: Zoning
Zoning: SUP
Case Address: 2260 E. IH-30

Date Created: 12/17/2019

For Questions on this Case Call (972) 771-7745

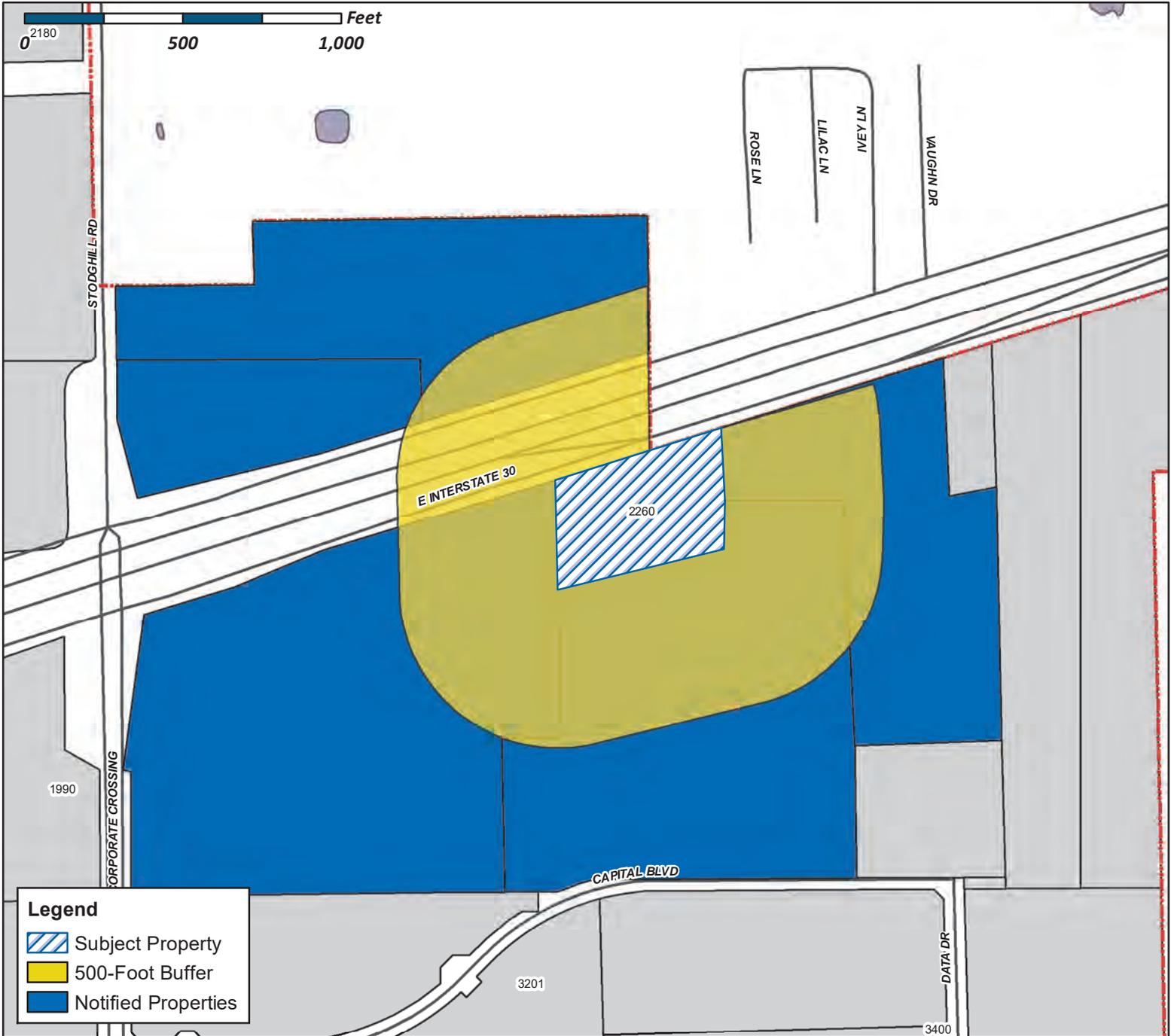




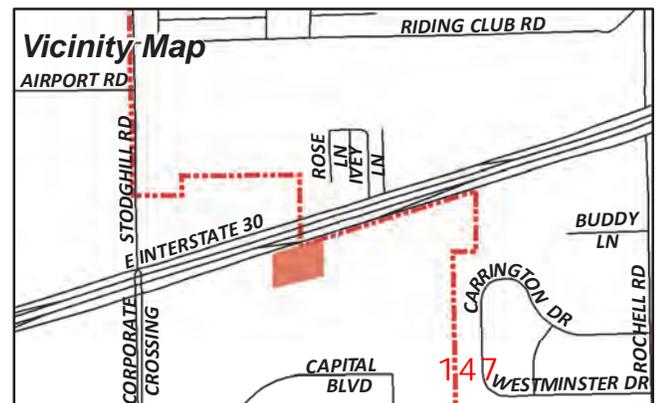
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2019-027
Case Name: SUP RENEWAL FOR BIG TEX TRAILERS
Case Type: Zoning
Zoning: SUP
Case Address: 2260 E. IH-30



Date Created: 12/17/2019

For Questions on this Case Call (972) 771-7745

WALLIS RUSTY FAMILY LTD PARTNERSHIP #2
12277 SHILOH RD
DALLAS, TX 75228

CAPSTAR HOLDINGS CORPORATION
C/O CSW INDUSTRIALS
5420 LYNDON B JOHNSON FREEWAY SUITE 500
DALLAS, TX 75240

MIRANDA VINOD
9105 BRIARCREST DR
ROWLETT, TX 75088

JOWERS INC
PO BOX 1870
ROCKWALL, TX 75087

Jowers, Inc.

P.O. Box 1870
Rockwall, Texas 75087-1870
972-771-1522

December 3, 2019

Rockwall City Council
Planning and Zoning Department
City of Rockwall
385 South Goliad Street
Rockwall, TX 75087-3737

RE: Request for 3-Year Extension to Existing Occupancy Permit
Z2008-014, RV Dealership Extension (Big Tex Trailers)
Project Type: ZONING (SUP)

To City Council:

Please be advised that the above referenced Specific Use Permit (SUP) extension for the existing Occupancy Permit located at 2260 E. I-30, Rockwall, Texas (Z2008-014) is set to expire on September 27, 2020. As the owner of the property, I am requesting an extension of the SUP and seeking an appointment with the City Council for Big Tex Trailers. I am requesting that an acknowledgment of the scheduled appointment be sent to Big Tex Trailers and a copy be sent to me.

The following are the representatives for Big Tex Trailers and they may be reached as indicated:

Richard Audilet: 972-222-0358

Adrian Gonzalez: 512-373-6911

Respectfully,

Raymond Jowers
Jowers, Inc.
P. O. Box 1870
Rockwall, Texas 75087-1870

Mobile: 972-679-9300
Office: 972-771-1522
Fax: 972-722-2009
Email: raymond@jowersinc.com

c: Big Tex Trailers - Corporate Office
Attn: Legal Administrative Dept.
950 I-30 East
Mt. Pleasant, TX 75455-7711.

CITY OF ROCKWALL

ORDINANCE NO. 17-20

SPECIFIC USE PERMIT NO. S-164

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) RESCINDING ORDINANCE NO. 08-38 (SUP NO. S-056) AND ALLOWING OUTSIDE STORAGE IN A LIGHT INDUSTRIAL (LI) DISTRICT WITHIN THE IH-30 OVERLAY (IH-30 OV) DISTRICT ON A 4.4317-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 22-01 OF THE R. IRVINE SURVEY, ABSTRACT NO. 120, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City has initiated a request on behalf of Raymond Jowers of Jowers Inc. for the approval of a Specific Use Permit (SUP) rescinding *Ordinance No. 08-38 (SUP No. S-056)* and allowing outside storage in a Light (LI) District within the IH-30 Overlay (IH-30 OV) District on a 4.4317-acre tract of land being described as Tract 22-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District and addressed as 2260 E. IH-30, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall and Ordinance No. 08-38 should be amended as follows:

NOW, THEREFORE, LET IT BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the approval of this ordinance shall superseded all requirements stipulated in *Ordinance No. 08-38*;

Section 2. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing outside storage within a Light Industrial (LI) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

Section 3. That the Specific Use Permit (SUP) shall be subject to the conditions set forth in *Section 5.3, Light Industrial (LI) District; and Section 6.6, IH-30 Overlay (IH-30 OV) District of Article V, District Development Standards, Unified Development Code [Ordinance No. 04-38]* as heretofore amended and as may be amended in the future, and shall be subject to the additional following conditions:

- 1) The Specific Use Permit (SUP) shall be valid for a period of three (3) years from the date of the approval of this ordinance. If an extension of the SUP is necessary, the owner shall submit a request in writing to staff no less than 90 days prior to the expiration of the SUP. Upon receipt of the request the City Council shall review the SUP and determine if an extension of the SUP is permitted based on the development of FM-549 and the IH-30 overpass construction and/or other development activity in the area.
- 2) All outside display and outside storage of trailers shall generally conform to the concept plan depicted in Exhibit 'A' of this ordinance, which shall be incorporated herein by reference.
- 3) The outside display and outside storage of semi-trailers and tractor-trailers shall be prohibited.
- 4) City Council approval of the SUP includes the temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM-549. Future development of the subject property will be subject to the engineering and fire department standards in effect at the time of development.
- 5) In the event that the development expands the existing structure or adds additional buildings, the development will be subject to meet the requirements for fire protection.

Section 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

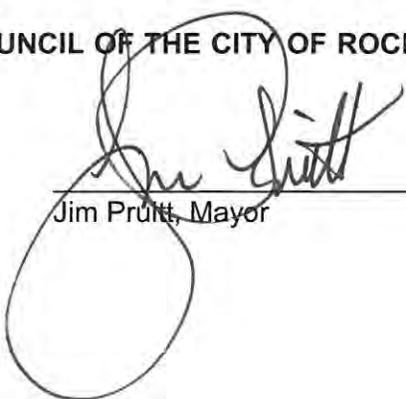
Section 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 17th DAY OF APRIL, 2017.

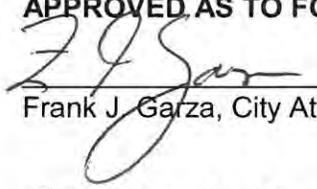


Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

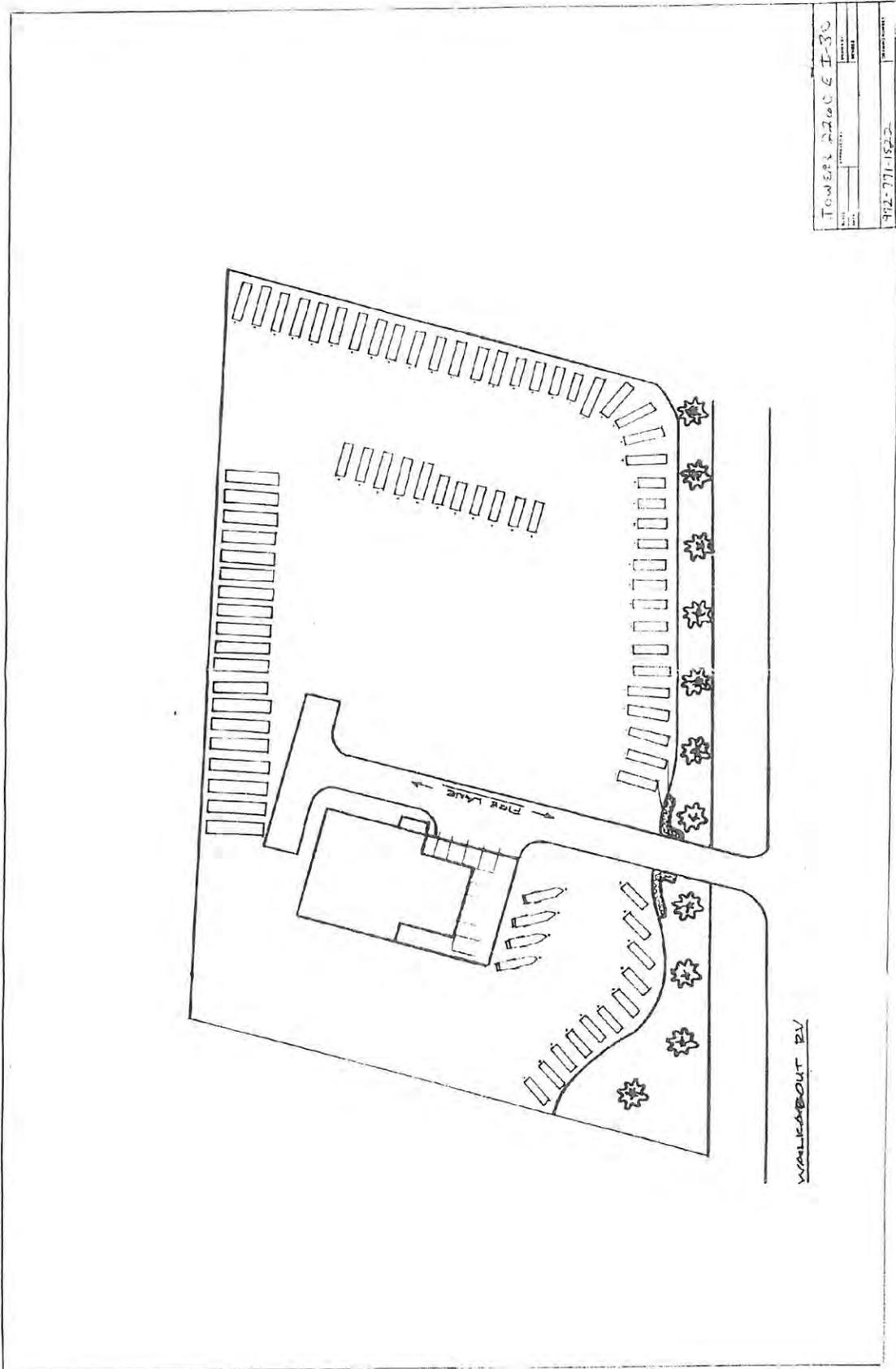


Frank J. Garza, City Attorney

1st Reading: April 3, 2017

2nd Reading: April 17, 2017

Exhibit 'A':
Concept Plan



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW OUTSIDE STORAGE IN A LIGHT INDUSTRIAL (LI) DISTRICT WITHIN THE IH-30 OVERLAY (IH-30 OV) DISTRICT ON A 4.4317-ACRE PARCEL OF LAND, IDENTIFIED AS TRACT 22-01 OF THE R. IRVINE SURVEY, ABSTRACT NO. 120, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Raymond Jowers for the approval of a Specific Use Permit (SUP) to allow outside storage on a 4.4317-acre parcel of land being described as Tract 22-01, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2260 E. IH-30 and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 04-38] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No.'s. 08-38 and 17-20*;

SECTION 2. That the Unified Development Code (UDC) [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing *outside storage* as stipulated by Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*, the Unified Development Code (UDC) [Ordinance No. 04-38] on the *Subject Property*; and,

SECTION 3. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Section 5, *Industrial Districts*, and Subsection 6.06, *IH-30 Overlay (IH-30 OV) District*, of Section

6, *Overlay Districts*, of Article V, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 04-38] as heretofore amended and as may be amended in the future, and shall be subject to the following:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of outside storage on the *Subject Property* and conformance to these conditions are required for continued operations:

- 1) The Specific Use Permit (SUP) shall be valid for a period of three (3) years from the date of the approval of this ordinance. If an extension of the SUP is necessary, the owner shall submit a request in writing to staff no less than 90 days prior to the expiration of the SUP. Upon receipt of the request, the City Council shall review the SUP and determine if an extension of the SUP is permitted based on the development of FM-549 and the IH-30 overpass construction and/or other development activity in the area.
- 2) All outside display and outside storage of trailers shall generally conform to the concept plan depicted in Exhibit 'B' of this ordinance, which shall be incorporated herein by reference.
- 3) The outside display and outside storage of semi-trailers and tractor-trailers shall be prohibited.
- 4) City Council approval of the SUP includes a temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM-549. Future development of the subject property will be subject to the Engineering and Fire Department standards in effect at the time of development.
- 5) In the event that the development expands the existing structure or adds additional buildings, the development will be subject to meet the requirements for fire protection.

3.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 2.05, *City Council Action*, of Article XI, *Zoning Related Applications*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a building permit, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02.D(3) of Article XI, *Zoning Related Applications*, of the Unified Development Code (UDC).

SECTION 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and

every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 8. That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 3RD DAY OF FEBRUARY, 2020.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

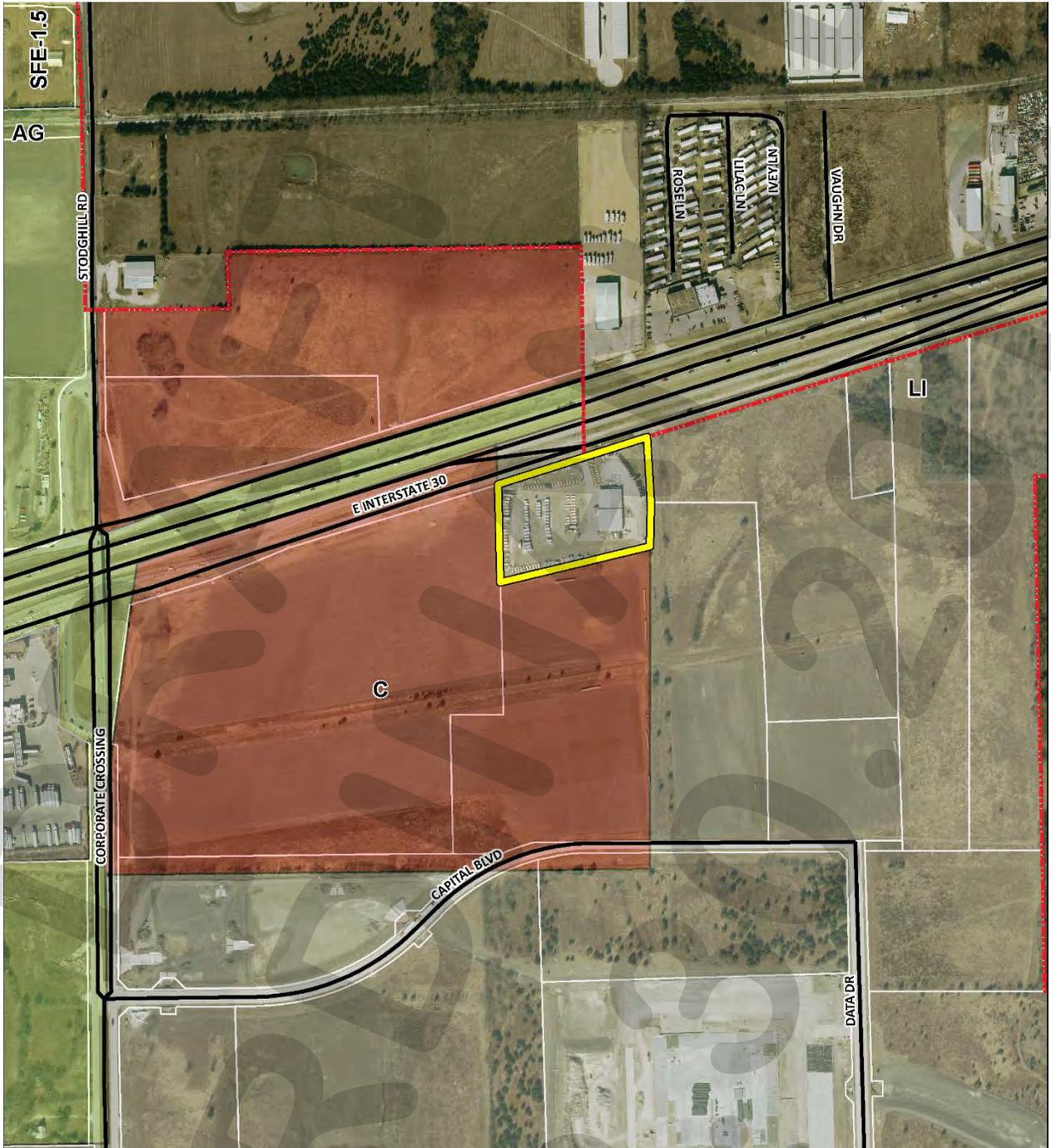
Frank J. Garza, *City Attorney*

1st Reading: January 20, 2020

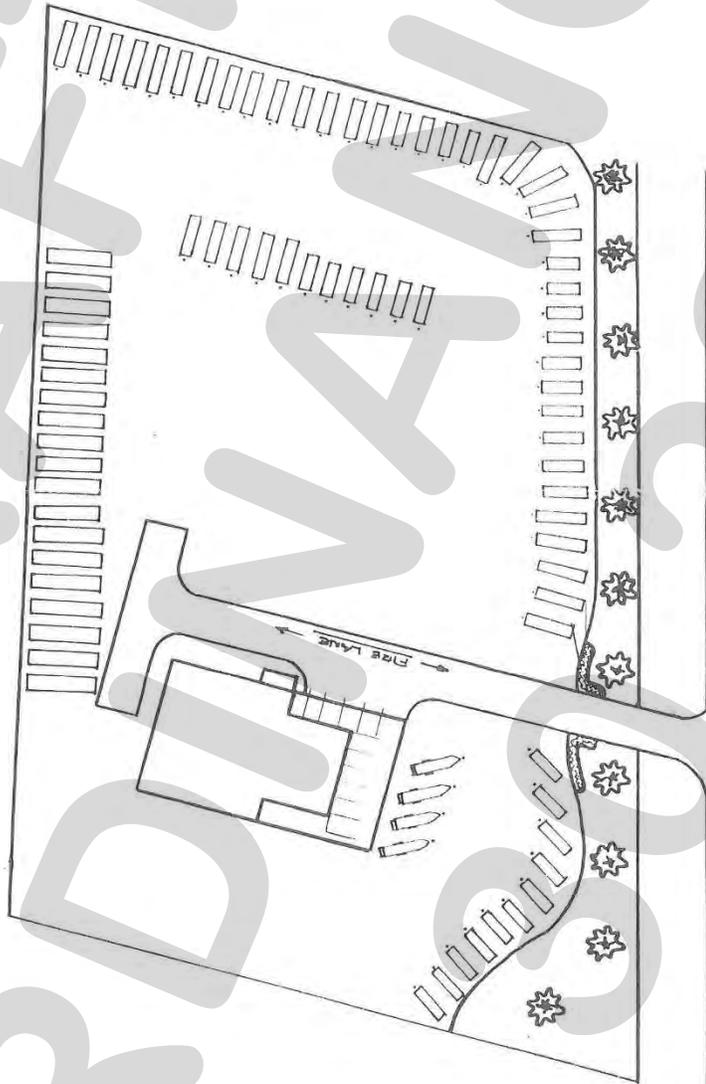
2nd Reading: February 3, 2020

Address: 2260 E. IH 30

Legal Description: Tract 22-01 of the R. Irvine Survey, Abstract No. 120



DRAFT
ORDINANCE
12.2019



WALKABOUT BY

TOWER 260 E I-30	
DATE:	APPROVED BY:
NO.:	DATE:
BY:	DATE:
DATE:	DATE:

102-771-1522

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CITY OF ROCKWALL
CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*
Joey Boyd, *Assistant City Manager*
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: January 21, 2020
SUBJECT: Unified Development Code (UDC)

The current Unified Development Code (UDC) was adopted on June 7, 2004 by *Ordinance No. 04-38*. This document was originally assembled from the previous 1997 Comprehensive Zoning Ordinance. Since its adoption there have been a number of amendments to the UDC, with the most recent large-scale amendment being adopted to address the legislative changes that came out of the 86th Legislative Session. This amendment was approved by the City Council on September 3, 2019 by *Ordinance No. 19-32*. Currently, the City uses MuniCode to codify all code amendments for the UDC and the Municipal Code of Ordinances. Upon the adoption of *Ordinance No. 19-32*, MuniCode sent a quote indicating that the codification of this ordinance into the UDC would cost ~\$7,826.00. After consideration of this cost, staff directed MuniCode not to codify the ordinance into the UDC and began working on an *in-house* version of the UDC that could be provided via the City's website at no additional cost to the City (*i.e. no additional cost in the future to codify ordinances*). Beyond being a minor cost savings, changing to an *in-house* process will allow code amendments to be published to the City's website in a timelier fashion than amendments are currently being published. Under the current process MuniCode codifies amendments once a quarter. This means an amendment passed right after codification may not be published for up to three (3) months. Since staff is already essentially codifying the code amendments when they prepare the ordinance, staff would be able to have the amendment published in the UDC by the next business day after adoption.

Under the proposed new version of the UDC, the UDC would be maintained through a PDF version via the City's website. It would retain all the same links and linking capabilities currently provided by MuniCode. The Municipal Code of Ordinances would remain in MuniCode (*this code is not amended as often as the UDC*) and a link to the new UDC would replace the current UDC link in MuniCode. Staff should note that this is similar to the way in which several other City's currently maintain their zoning ordinances (*e.g. South Lake, High Land Park, Frisco, etc.*), and to how the City of Rockwall maintains the *Engineering Standards of Design and Construction Manual*.

Through the adaption of the UDC from Municode, staff noticed several minor issues for which changes are being proposed in the new UDC. These issues and corrections are as follows:

- (1) References. The roman numerals used for the articles have led to confusion when staff has relayed information to the development community and the general public over the phone. This has been addressed by changing the roman numerals to a traditional numeric reference. Staff has also created a consistent reference system (*i.e. alpha numeric*) for all sections of the code. Previously numbers and letters were used interchangeably in various positions throughout the code. An example of the reference system used is as follows:

Article 01 | Title
Section 01 | Title
Subsection 01.01: Title

- (A) Section
 - (1) Section
 - (a) Section
 - (1) Section

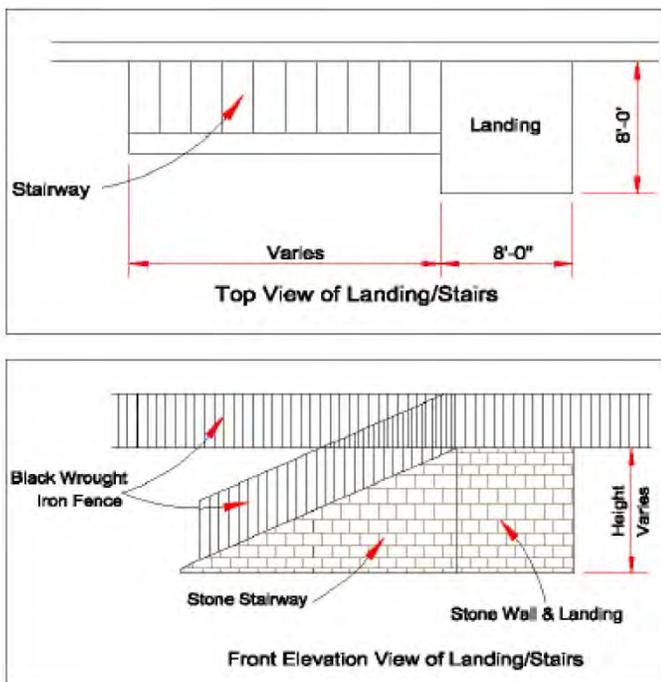
(2) Language. The terminology in the UDC was inconsistent throughout the various articles. For example, in certain sections the City Engineer is referred to as the *City's Traffic Engineer*, the *City's Transportation Engineer*, the *city engineer*, the *City engineer*, the *City's Engineer*. These terms were used interchangeably throughout the document. Staff has found that this can cause confusion for developers and citizens when reading and interpreting the code. Additional examples of terminology that staff standardized with this amendment is as follows:

Standardized Terminology	Current Terminologies
Director of Planning and Zoning	(1) Director of Planning and Zoning (2) Director of Planning (3) director of planning (4) Director of Development Services (5) Zoning Administrator (6) Traffic Planner
The Unified Development Code (UDC)	(1) ... this [Unified Development Code] (2) ... this UDC (3) ... the Zoning Code (4) ... this zoning code (5) ... the unified development code (6) ... the Unified Development Code
Chief Building Official	(1) Building official (2) Building Official (3) building official (4) Chief Building Official
Feet	(1) -feet (2) ft. (3) FT. (4) Feet (5) feet
City Council	(6) Council (7) council (8) City Council (9) city council
Planning and Zoning Commission	(1) Planning and Zoning Commission (2) Planning Commission (3) planning commission (4) planning and zoning commission

Other examples include various terminologies for the Architectural Review Board (ARB), Historic Preservation Officer (HPO), Board of Adjustments (BOA), and etc.

- (3) Appendices. Appendix C, *Sign Ordinance*, of the UDC currently only has reference to Chapter 32, *Signs*, of the Municipal Code of Ordinances, and contains no content. This appendix was removed from the UDC. In addition, Appendix E, *Scenic Overlay (FM-740) Design Guidelines*, of the UDC has largely been supplanted by the recent *General Overlay District Standards*, which were adopted as part of *Ordinance No. 18-47*. As a result, this appendix was removed from the UDC. Staff has provided a summary of the removed content for the City Council's review and consideration.
- (4) Illustrations. Some of the technical images contained in the UDC are dated and do not clearly convey the City's standards. Staff has already started to address this issue with recent text amendments; however, there are still a large number of illustrations that have not been updated in the current version. With the proposed UDC staff has replaced all of the outdated images. These images do not change the requirements and are only intended to provide a clear vision of what the

City is trying to achieve through the codes text. An example of the older technical drawings in comparison to the proposed technical drawings is as follows:



↑ Current image in the UDC.

Proposed image for the UDC →

Both images show a landing and stair example for development within the Lake Ray Hubbard Takeline Overlay (TL OV) District.

FIGURE 27: LANDING/STAIRS EXAMPLE

PERSPECTIVE VIEW.



TOP VIEW.



- 1: MINIMUM EIGHT (8) FOOT x EIGHT (8) FOOT LANDING
- 2: VARIABLE STAIR LENGTH
- 3: WROUGHT IRON FENCE
- 4: STONE STAIRWAY/WALL/LANDING
- 5: VARIABLE HEIGHT

In addition to the proposed minor changes, staff did identify some clarifications/changes of recently adopted ordinances that could represent substantial changes; however, staff believes that when the previous ordinances were adopted this was the intent of the proposed ordinances. These changes are as follows:

- (1) **Accessory Structures.** Changes to the accessory structure standards were adopted with *Ordinance No. 18-47*. The intent of this ordinance was to off-set the number of accessory structures that the City Council was seeing through the Specific Use Permit (SUP) process and to update the accessory building standards. As part of this amendment a chart was created to better convey the accessory structure standards and to consolidate the standards into to one section of the code for easier reference (*prior to this ordinance the accessory structure standards were in several various sections of the code*). With the passage of HB2439, the City Council adopted *Ordinance No. 19-32*, which reverted the accessory building standards back to requiring a Specific Use Permit (SUP) when a structure did not meet the minimum standards. The current standards allow a minimum accessory structure of 144 SF in the majority of the City's single-family districts by-right with the ability to request larger sizes through a SUP; however, carports were granted the ability to be up to 500 SF. Unintentionally, pergolas and covered porches were omitted from the ordinance, and were intended to be treated the same as carports. Staff is proposing changes to fix this issue and has

included a markup to show the City Council what would be changing in the attached packet. Staff should point out that this change would reduce the number of Specific Use Permits (SUPs) the City Council would see concerning accessory structures in the future.

- (2) Residential Fences. Recently, the City Council adopted changes to the fence standards as part of *Ordinance No. 19-32*. Contained in this ordinance were changes to the residential fence standards outlining the orientation and materials permitted for new and replacement residential fences. Also included in this section was a clause that allowed residence not meeting the material and orientation standards the ability to request a special exception to the standards from the Planning and Zoning Commission; however, included in this section was a statement stating that these special exceptions would be subject to the exception requirements contained in Article 11, *Development Applications and Review Procedures*, of the UDC. Staff had intended to include the word not in this section because the exception standards contained in the referenced section were intended to regulate commercial developments. Staff is proposing changes to fix this issue and has included a markup to show the City Council what would be changed in the attached packet.

While none of these issues -- *with the exception of the cost for codification and potentially the changes to the adopted ordinances* -- are major issues, staff was inclined to address these problems once it was decided that the Unified Development Code (UDC) could effectively be removed from MuniCode and maintained *in-house*. Staff should note that while these changes are being proposed the adoption of this proposal remains a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. On January 14, 2020, the Planning and Zoning Commission reviewed the case and approved a motion to recommend approval of the amendments to the City Council by a vote of 6-0, with Commissioner Logan absent. Staff should not that if the request is denied by the City Council, staff will contact MuniCode and have *Ordinance No. 19-32* codified at the price provided.

To assist the City Council in their decision making, staff has provided the City Council with a separate link to the online version of the updated UDC. In addition, a paper copy of the UDC will be provided at the meeting. Staff has also published a notice of public hearing in the Rockwall Herald Banner in accordance with all applicable state laws and Subsection 2.03(A)(3) of Article XI, *Development Applications and Review Procedures*, of the UDC. Should the City Council have any questions, staff will be available at the meeting on January 21, 2020.

SUBSECTION 7.04: ACCESSORY STRUCTURE DEVELOPMENT STANDARDS

ZONING DISTRICTS OR ACCESSORY STRUCTURE TYPE → DEVELOPMENT STANDARDS ↓		ACCESSORY STRUCTURES & ACCESSORY BUILDINGS ^{1 & 3}					PORTABLE ACCESSORY BUILDING 0 SF – 120 SF ⁸	DETACHED GARAGE ^{8 & 9}	COVERED PORCHES, PERGOLAS AND CARPORTS ^{7 & 8}
		SINGLE FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT	SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT	SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT	ALL OTHER SINGLE-FAMILY ZONING DISTRICTS (I.E. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	TWO FAMILY (2F) DISTRICT			
NUMBER OF ACCESSORY STRUCTURES OR NUMBER OF SPECIFIC ACCESSORY STRUCTURE		2 ²	2 ²	2 ²	2	1	1	1	1 ¹²
MAXIMUM SF OF ACCESSORY STRUCTURE ⁵		1,000 ²	1,000 ²	1,250 ²	144 ⁶	100	120	625	500 ¹¹
MINIMUM SETBACKS	REAR (FEET)	10	10	10	3	3	3	10	10 ^{10 & 11}
	REAR W/ ALLEYWAY (FEET)	20 ⁴	20 ⁴	20 ⁴	3	3	3	20 ⁴	20 ^{10 & 11}
	SIDE (FEET)	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	3	3	SEE ZONING DISTRICT	SEE ZONING DISTRICT ^{10 & 11}
BETWEEN BUILDINGS (FEET)		10	10	10	6	3	3	10	10
BUILDING HEIGHT (FEET) ⁸		15	15	15	15	10	10	15	15

ADDITIONAL REQUIREMENTS:

- 1: ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES SHALL BE ACCESSORY TO A RESIDENTIAL USE AND LOCATED ON THE SAME LOT. UNLESS STIPULATED ABOVE, ONLY TWO (2) ACCESSORY STRUCTURES ARE PERMITTED PER SINGLE-FAMILY LOT; EXCLUDING CARPORTS THAT ARE INTEGRATED INTO THE MAIN ACCESSORY STRUCTURE.
- 2: IF MORE THAN ONE (1) ACCESSORY BUILDING IS PROPOSED OR IF AN ACCESSORY BUILDING, 625 SF OR LESS, IS EXISTING THEN THE MAXIMUM ACCESSORY BUILDING THAT CAN BE CONSTRUCTED IS 400 SF. IF THERE IS AN EXISTING ACCESSORY BUILDING GREATER THAN 625 SF NO ADDITIONAL ACCESSORY BUILDINGS OR STRUCTURES ARE PERMITTED.
- 3: ACCESSORY BUILDINGS AND STRUCTURES SHALL BE ARCHITECTURALLY COMPATIBLE WITH THE PRIMARY STRUCTURE, AND BE SITUATED BEHIND THE FRONT FAÇADE OF THE PRIMARY STRUCTURE.
- 4: IF THE ACCESSORY BUILDING DOES NOT HAVE GARAGE DOORS FACING THE ALLEYWAY THE SETBACK IS THE SAME AS THE BASE ZONING DISTRICT.
- 5: ACCESSORY BUILDINGS AND STRUCTURES NOT MEETING THE SIZE REQUIREMENTS STIPULATED BY THIS SECTION SHALL REQUIRE A SPECIFIC USE PERMIT (SUP).
- 6: EACH PROPERTY SHALL BE PERMITTED ONE (1) DETACHED GARAGE UP TO 625 SF AND ONE (1) ACCESSORY BUILDING UP TO 144 SF.
- 7: IN RESIDENTIAL DISTRICTS, CARPORTS MUST BE OPEN ON AT LEAST TWO (2) SIDES, ARCHITECTURALLY INTEGRATED INTO THE PRIMARY STRUCTURE, AND BE LOCATED 20-FEET BEHIND THE CORNER OF THE FRONT FAÇADE AND MEET THE GARAGE SETBACK ADJACENT TO AN ALLEY. PORTE-COCHERES ARE NOT CONSIDERED CARPORTS, AND ARE ALLOWED, IF THEY ARE ATTACHED AND INTEGRAL WITH THE DESIGN OF THE HOUSE.
- 8: TWO (2) STORY ACCESSORY BUILDINGS OR STRUCTURES SHALL BE PROHIBITED.
- 9: SHALL INCLUDE A MINIMUM OF ONE (1) GARAGE BAY DOOR LARGE ENOUGH TO PULL A STANDARD SIZE MOTOR VEHICLE THROUGH.
- 10: COVERED PORCHES AND PERGOLAS THAT ARE DETACHED OR NOT CONTIGUOUS WITH THE PRIMARY STRUCTURE SHALL BE PERMITTED TO BE LOCATED WITHIN THREE (3) FEET OF THE REAR (OR REAR WITH ALLEYWAY) AND SIDE YARD PROPERTY LINE.
- 11: COVERED PORCHES AND PERGOLAS THAT ARE ATTACHED OR CONTIGUOUS WITH THE PRIMARY STRUCTURE SHALL BE EXEMPTED FROM THE SIZE RESTRICTIONS BUT SHALL BE REQUIRED TO MEET THE SAME SETBACKS AS THE PRIMARY STRUCTURE.
- 12: PERGOLAS ARE NOT SUBJECT TO THE NUMBER OF ACCESSORY STRUCTURE REQUIREMENTS, BUT DO COUNT AGAINST THE RESIDENTIAL LOT COVERAGE REQUIREMENTS FOR THE ZONING DISTRICT.

incorporate a decorative top rail and/or cap detailing the design of the fence.

- (2) **Transparent Fencing.** All transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height. Transparent fencing is required adjacent to all perimeter roadways (i.e. along the perimeter of the subdivision), abutting open spaces, greenbelts and parks.
- (3) **Corner Lots.** Corner lot fences (i.e. adjacent to a street, open space, or parks) shall provide masonry columns at 45-foot off center spacing that begins at the rear of the property line. A solid cedar board-on-board panel fence that is a minimum of six (6) feet in height and a maximum of eight (8) feet in height shall be allowed between the masonry columns along the side and/or rear lot adjacent to an interior street. The fence shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
- (4) **Perimeter Subdivision Fencing.** Perimeter subdivision fencing shall be constructed of six (6) foot tall tubular steel or wrought-iron type fencing with masonry columns, landscaping, and entry features. All common areas and perimeter subdivision fencing shall be maintained by a Homeowner's Association (HOA) as specified in the City's subdivision regulations.
- (5) **Exceptions.** The Planning and Zoning Commission may consider alternative materials that are permitted by [Subsection 08.02\(B\)](#) (e.g. vinyl or split rail fencing) or alternative screening for perimeter fencing (e.g. earthen berms with landscaping) on a case-by-case basis at the time of preliminary plat and/or site plan for all new residential subdivisions. These exceptions will **not** be subject to the approval criteria and voting requirements stipulated by [Section 09.01, Exceptions to the General Standards, of Article 11, Development Applications and Review Procedures.](#)

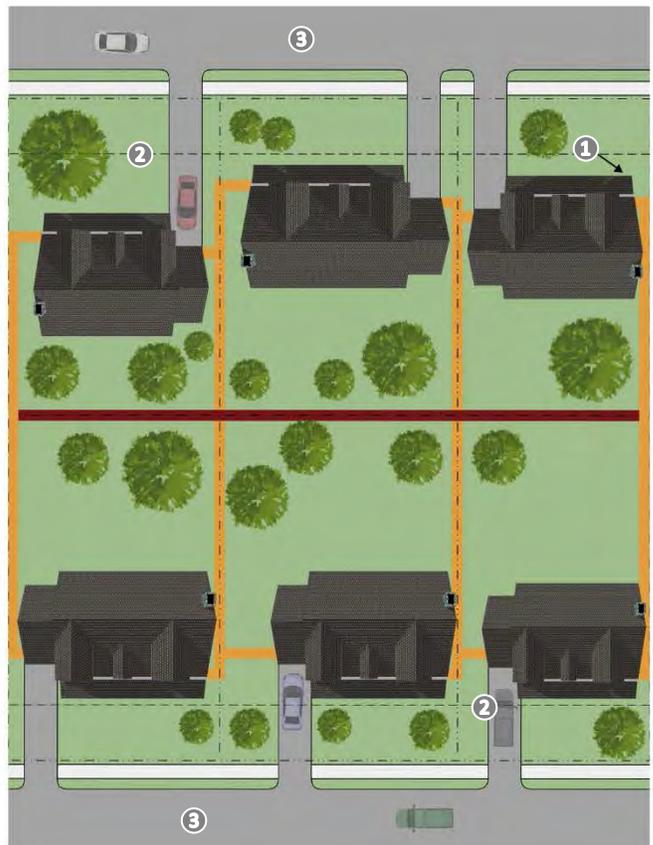
(B) **Fence Standards for Existing and Infill Single-Family and Duplex Properties.** All fences being proposed in established residential areas (i.e. established single-family or duplex subdivision or areas) -- that are not regulated by a Planned Development District ordinance -- shall be architecturally compatible with the design, materials, and colors of the existing fences in the area; however, the following minimum standards shall apply to all fences requiring a fence permit in these areas:

- (1) **Solid Fencing.** All solid fencing shall be constructed utilizing standard cedar fencing materials (spruce fencing is prohibited) that are a minimum of 1/2-inch or greater in thickness. Fences shall be constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (i.e. facing streets, alleys, open space, parks, and/or neighboring properties). All posts and/or framing shall be placed on the private side (i.e. facing towards the home) of the fence. All wood fences shall be smooth-finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.

FIGURE 18: THROUGH LOTS



FIGURE 19: FENCES WITH COMMON REAR YARDS



1: PORCH; 2: 20-FOOT BUILD LINE; 3: STREET; REAR YARD FENCE; SIDE YARD FENCE

(2) Transparent Fencing.

(a) Wrought Iron Fences. All new transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height.

(b) Chain-Link Fences.

(I) New Chain-Link Fences. New chain-link fences shall be prohibited.

(II) Replacement of an Existing Chain-Link Fence. Existing chain-link fences may be replaced with a new vinyl coated, chain-link fence that is a minimum of four (4) feet in height and a maximum of six (6) feet in height. Replacement chain-link fences may only be placed in the location of the existing chain-link fence.

(III) Chain-Link Fences in Conjunction with an Accessory Use. Chain-link fences that are integral to the design of an accessory use (e.g. dog run, batting cage, etcetera) may be permitted; however, the fence shall be placed a minimum of ten (10) feet from the property lines unless completely screened from adjacent properties, open spaces, right-of-way, and parkland by a structure, fence or solid landscape screen.

(3) Special Exceptions. The Planning and Zoning Commission may consider alternative materials that are permitted by [Subsection 8.02\(B\)](#) (e.g. vinyl or split rail fencing) and/or [alternative fence standards](#) on a case-by-case basis. These exceptions will *not* be subject to the approval criteria and voting requirements stipulated by [Section 09.01, Exceptions to the General Standards, of Article 11, Development Applications and Review Procedures.](#)

(C) Fence Standards for Agricultural and Single-Family Estate Properties. Fences in the Agricultural (AG), Single-Family Estate 1.5 (SFE-1.5), Single-Family Estate 2.0 (SFE-2.0), and Single-Family Estate 4.0 (SFE-4.0) Districts shall meet all the requirements stipulated for [Subsections 08.03\(A\) & 08.03\(B\)](#); however, a metal split-rail or pipe fencing shall be permitted in these districts. Metal split-rail or pipe fencing shall be a minimum of four (4) feet and a maximum of eight (8) feet in height.

FIGURE 14: EXAMPLES OF SPLIT-RAIL AND/OR PIPE FENCING



(D) Fence Placement.

(1) Fences in the Rear and Side Yard. Fences may be placed in the rear and side yards; however, the following conditions shall apply:

(a) Side Yard Fences. Side yard fences shall not extend beyond the front façade of a single-family structure. In cases where a structure has a front porch or other encroachment, the fence shall not extend beyond where the front porch or encroachment meets the front façade of the single-family structure (as depicted in Figure 18).

(b) Abutting an Alleyway. Fences abutting an alleyway are permitted to be constructed on the side or rear property lines (as depicted in Figure 14).

(c) Through Lots. Fences proposed for *Through Lots* (i.e. lots that have street frontage adjacent to the front and rear yard property lines) may construct a fence on the rear yard property line if all lots within the block have the same lot configuration (i.e. if all lots are *Through Lots* fronting in the same direction) (as depicted in Figure 15). If a *Through Lots*' rear property line is adjacent to a house, the rear yard fence for the *Through Lot* shall not extend past the front yard building line (as depicted in Figure 17).

(d) Corner Lots. Corner lots shall be permitted to construct a fence along the side yard property line adjacent to a street (as depicted in Figure 14); however, in cases where a house is facing in the same direction as the side yard of a corner lot, the side yard fence adjacent to the street shall not extend beyond the front yard building setback (as depicted in Figure 16).

(2) Fences in the Front Yard. No fence shall be constructed in the front yard of a residential property without being granted an exception from the Planning and Zoning Commission unless specifically permitted by Subsection 08.03(D)(3). For the purposes of this provision the front yard is defined as the area between the front façade of the primary structure and the front property line (as depicted in Figure 14). The Planning and Zoning Commission may authorize the issuance of an exception for the construction of a front yard fence subject to the following provisions:

(a) Wood Fences. Wood fences that are 50% transparent (e.g. as depicted in Figure 14) shall not exceed 42-inches in height.

(b) Wrought Iron or Decorative Metal Fences. Wrought iron or decorative metal fences that are 50% transparent (e.g. as depicted in Figure 14) shall not exceed 48-inches in height.

(c) Opaque Fences. Opaque fences are prohibited in the front yard of residential properties.

In considering a front yard fence, the Planning and Zoning Commission may require applicants to provide additional information, plans, drawings, and/or other information concerning the proposed front yard fence. In addition, the Planning and Zoning Commission may establish additional conditions of construction for any fence.

(3) Exemptions to the Front Yard Fence Requirements. The following front yard fences are exempted from the exception process for front yard fences:

Appendix E - SCENIC OVERLAY (FM 740) DESIGN GUIDELINES

The following guidelines have been developed by the architectural board of review and approved by the Rockwall city council on August 7, 1989, for the use by developers and builders for development within the Scenic Overlay District. These guidelines are based on the provisions of the Scenic Overlay District zoning classification within the [Unified Development Code] and are designed to provide builders and developers within the district with an outline of the goals and objectives of the city in regard to development within the district.

USE APPROPRIATENESS

The board may offer review and comment on the appropriateness of a proposed development only when formal approval of the use by the planning and zoning commission and council is part of the request as submitted. If use is a consideration in the review process the following guidelines will be used by the board in formulating its recommendation:

- a. Is the use indicated in the master land use plan?
- b. Is the existing road system adequate to handle the proposed development?
- c. Is the use compatible with surrounding uses?
- d. Is there adequate buffering between the proposed site and the adjacent uses?
- e. Can existing utilities handle the proposed development?

Regardless of whether the board determines to offer a recommendation on the proposed land use or what that recommendation is, the board will develop recommendations on the proposed development in accordance with the following guidelines.

SITE PLAN

Submission. The following items shall be submitted for all development applications located in the Overlay District. Additional information may be required during the review of the plan:

1. A complete site plan and application with all required information shall be submitted in the form and number required.
2. Landscape plans meeting the requirements of the city's current landscape ordinance shall accompany or be included on any site plan submissions.
3. Building elevations showing all sides of any proposed structure shall accompany all site plan submissions within the district in accordance with the guidelines.

Guidelines. The following guidelines shall be followed in the development of all site plans within the Overlay District:

1. Proposed development within the district should utilize the existing topography to the extent reasonable.
2. All driveways should be kept to a minimum width and shared access should be utilized to the extent reasonable.
3. All exterior lighting and signage materials shall blend with the main structure in color and design. All lighting shall be designed so that the light does not glare into any adjacent street or across adjacent property lines. All pole mounted lights should be constructed of metal and should generally not exceed a height of 20 feet.

Evaluation. Evaluation of development plans within the district shall include the following factors:

1. Compliance with the city's current zoning, subdivision, and landscape requirements.
2. Adequate circulation both within the site and between adjacent sites if applicable.
3. Adequate access into and out of the proposed site.
4. Impact of the proposed development on existing views from the site or from adjacent sites.
5. How well the proposed development utilizes the existing topography.
6. How well existing trees on the site are preserved.

7. Compatibility of the proposed exterior lighting with the proposed development and with surrounding development.
8. Adequacy of drainage both from and through the site.

BUILDING PLAN/ELEVATIONS

Submission. Building plans and elevations drawings shall include the following:

1. All information required on the site plan application for submittal to the city.
2. The elevations shall be drawn to scale and shall include the following minimum information:
 - a. Proposed exterior wall materials and colors.
 - b. Design of proposed fascia treatment including materials and color, if applicable.
 - c. Design of proposed window and door openings.
 - d. Design of proposed wall signage, if applicable.
 - e. Design of any proposed unique architectural features.
 - f. Proposed roof design and proposed roof materials.
 - g. Typical front wall cross section.

Guidelines.

Exterior building materials. The following materials are recognized by the city council and the architectural board of review as meeting the standards of the masonry requirement of the district:

1. Brick (excluding concrete block brick).
2. Stone, granite, marble, and other built up panels of these materials.
3. Glass in conjunction with the above materials.

Tilt or poured in place concrete walls, or stucco or any other similar synthetic plaster such as Synergy or Drivet, or 100 percent glass materials are generally discouraged for use within the district.

Roof design. The following roof designs are recognized by the city council and the architectural board of review as meeting the standards of the Overlay District:

1. Hip roof.
2. Gable roof.
3. Mansard roof.

Visible flat roof designs are generally discouraged within the Overlay District; however, screening elements on all sides would be considered.

Generally, typical residential roofing materials such as wood shingles and composition shingles are discouraged from within the district for nonresidential uses.

Evaluation. Evaluation of the proposed building plans and elevations shall include the following factors:

1. Does the proposed building comply with the city's existing ordinances?
2. How well does the proposed building blend with the existing development architecturally?

SIGNAGE

Signs located in the Overlay District shall comply with the provisions of the city's sign ordinance. Generally, freestanding permanent signs are required to be constructed as monument signs not exceeding five feet in height.

Submission. The following items regarding proposed signage shall be included on the site plan:

1. Typical design of all freestanding and wall signs including dimensions, materials, colors and type of lighting.
2. Proposed location of all freestanding signs.

Guidelines. Signage within the Overlay District shall meet the following guidelines:

1. Signage should blend with the main structures in color, design and size.
2. Lighting of signage should generally be accomplished by back lighting or with accent lighting only.

Evaluation. Evaluation of signage shall include the following factors:

1. Compliance with the current sign ordinance of the city.
2. Acceptable blending of the proposed signage with the main structures and the overall development.

LANDSCAPING

Submission. The following items regarding landscaping shall be included with the site plan:

1. Landscape plan meeting the requirements of the current landscaping ordinance and [Unified Development Code].

Guidelines. Adequate landscaping will enhance the view as seen by vehicular traffic within the Overlay District, as well as contribute to the aesthetics and development quality of individual tracts within the district and is therefore strongly encouraged. Large trees equal to one for every 30 feet of frontage on all roadways designated as collectors or arterials shall be provided.

Evaluation.

1. Compliance with the current landscaping regulations of the city.
2. Optimum use of existing landscaping and protection of existing trees.
3. Enhancement of the overall development and blend with existing surrounding landscaping.

DEVELOPMENT STANDARDS

Development proposed within the district shall comply with all development standards of the City of Rockwall, including the subdivision standards of design and the standards found in the [Unified Development Code].

Guidelines. The following items shall be considered in site plan design within the Overlay District:

1. Future median breaks will be generally located as shown on the approved median design. Development of driveway locations and shared access should conform to the approved design.

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY SUPERSEDING *ORDINANCE NO. 04-38* AND ALL SUBSEQUENT AMENDMENTS AND ADOPTING THE REVISED UNIFIED DEVELOPMENT CODE (UDC) DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has initiated a comprehensive amendment of the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*]; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 04-38* and all of its subsequent amendments;

SECTION 2. That the Unified Development Code (UDC) has been established to ensure that development in the City of Rockwall be held to the minimum requirements contained within the document to ensure promotion of the public's health, safety, morals, and general welfare. The Unified Development Code (UDC) is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants or any other agreements between parties, or any other statute, local ordinance or regulations, except that if the is ordinance imposes the most restrictive requirement or a higher standard in which case this ordinance will be the controlling ordinance.

SECTION 3. That all rights or remedies of the City are expressly saved as to any and all violations of previous zoning regulations or amendments thereto, of said City that have accrued at the time of the effective date of this ordinance; and to such accrued violations, the City and the courts shall have all the powers that existed prior to the effective date of this ordinance; and that all existing violations of previous zoning regulations which would otherwise become non-conforming uses under this ordinance, but shall be violations of this ordinance in the same manner that they were violations of prior zoning regulations.

SECTION 4. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS
THE 3RD DAY OF FEBRUARY, 2020.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 21, 2020

2nd Reading: February 3, 2020

EXHIBIT 'A':
UNIFIED DEVELOPMENT CODE (UDC)



CITY OF ROCKWALL | UNIFIED DEVELOPMENT CODE

UNIFIED DEVELOPMENT CODE | ADOPTION AND SUMMARY OF AMENDMENTS

This table provides a summary of all ordinances that were adopted by the City Council amending the Unified Development Code (UDC). Ordinances adopted and not listed below have been omitted as repealed, superseded or not of a general and permanent nature.

ORD. NO.	DATE OF ADOPTION	CASE NUMBER	SUMMARY
		Z2019-028	Adoption of the new Unified Development Code (UDC); amending the previous Unified Development Code (UDC) in its entirety.

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ARTICLE 01 | GENERAL PROVISIONS

SECTION 01 | BOARDS, COMMISSIONS, AND ADMINISTRATIVE STAFF

SECTION 02 | CITY COUNCIL

SECTION 03 | PLANNING AND ZONING COMMISSION

SECTION 04 | BOARD OF ADJUSTMENTS

SECTION 05 | HISTORIC PRESERVATION ADVISORY BOARD

SECTION 06 | ARCHITECTURAL REVIEW BOARD

SECTION 07 | DIRECTOR OF PLANNING AND ZONING

SECTION 08 | HISTORIC PRESERVATION OFFICER

SECTION 09 | CHIEF BUILDING OFFICIAL



SECTION 01 | SHORT TITLE

This ordinance shall be known and may be cited as the Unified Development Code (UDC) of the City of Rockwall, or simply as the Unified Development Code or UDC.

SECTION 02 | AUTHORITY

The Unified Development Code (UDC) is adopted pursuant to the powers granted to the city and subject to any limitations imposed by the Constitution and laws of the State of Texas.

SECTION 03 | JURISDICTION

The provisions of this Unified Development Code (UDC) apply generally to all property within the corporate limits of the City of Rockwall and to the lands subject to its zoning jurisdiction as conferred by state law. Those provisions pertaining to the subdivision of land, and those regulations adopted for the primary purpose of protecting water quality or to afford flood protection, apply to all property within the City's corporate boundaries and to all property within its Extraterritorial Jurisdiction (ETJ), as established by [Chapter 42](#) & [Chapter 212](#) of the Texas Local Government Code (TLGC). References to jurisdictions or the applicability of specific development regulations appearing elsewhere in this Unified Development Code (UDC) take precedence over this jurisdictional statement in the event of a conflicting interpretation.

SECTION 04 | PURPOSE

The Unified Development Code (UDC) is adopted for the following purposes:

- To protect, promote, improve and provide for the public health, safety, and general welfare of the citizens of the City of Rockwall;
- To ensure the safe, orderly and efficient development and expansion of the City of Rockwall in accordance with and pursuant to its Comprehensive Plan, Master Thoroughfare Plan, and Master Trail Plan;
- To conserve, develop, protect and utilize natural resources, including, but not limited to, topography, vegetation, flood plain and other resources, in keeping with the public interest;
- To prevent the overcrowding of land and avoid undue concentration or diffusion of population or land uses;
- To protect and preserve places and areas of historical, cultural or architectural importance and significance to the community;
- To protect and conserve the value of land throughout the City and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings;
- To provide for open spaces through the most efficient design and layout of the land;
- To prevent the pollution of air and water, to ensure the adequacy of drainage facilities, to safeguard water resources and to preserve the integrity and aesthetic quality of the community;
- To lessen congestion in the streets and provide convenient, safe and efficient circulation for vehicular and pedestrian traffic;

- To facilitate the adequate and efficient provision of transportation, water, wastewater, schools, parks, public safety and recreational facilities, and other public facilities and services; and
- To treat in one unified text those areas of regulation more typically dealt with in separate ordinances such as, but not exclusively, the zoning ordinance(s), the subdivision rules and regulations.

SECTION 05 | EFFECTIVE DATE AND APPLICABILITY

The Unified Development Code (UDC) takes effect upon adoption of the ordinance from which this Unified Development Code (UDC) is derived by the City Council. The provisions of the Unified Development Code (UDC) supersede all other development regulations governing the development of land within the City. All development applications and proposals filed on or after the effective date of the ordinance from which this Unified Development Code (UDC) is derived, whether for new developments or for add-ons or expansions of existing developments, shall be processed in accordance with the standards and requirements and pursuant to the procedures herein established.

SECTION 06 | APPLICABILITY OF EXISTING REGULATIONS

All existing unexpired, valid building permits which are complete and duly filed prior to enactment of the Unified Development Code (UDC) in accordance with development regulations in effect prior to adoption of these regulations, shall be processed under procedures therein established, and shall be evaluated and approved or disapproved under the standards and requirements contained in such regulations, notwithstanding the adoption of the Unified Development Code (UDC). Those site plans which were technically reviewed and approved by the City Council prior to the adoption of the Unified Development Code (UDC) shall be exempt from meeting any new requirements after the adoption of the Unified Development Code (UDC).

SECTION 07 | RELATIONSHIP TO COMPREHENSIVE PLAN, THOROUGHFARE PLAN AND OPEN SPACE PLAN

The Unified Development Code (UDC) is intended to implement the policies and objectives contained in the Comprehensive Plan, Master Thoroughfare Plan, and Master Trail Plan for the City and to affect the City's plan for provision of public facilities and services within the City's corporate limits and within the City's Extraterritorial Jurisdiction (ETJ). If a zoning or rezoning request differs from what the Comprehensive Plan, Master Thoroughfare Plan, or Master Trail Plan recommends for that area, the Director of Planning and Zoning will advise applicant of this and will request the applicant to submit a written letter. This letter will request the Director of Planning and Zoning or his/her designee to prepare and process the necessary exception or amendment to the plan. The City will process this request concurrently with the (re)zoning case at no additional cost to the applicant.

SECTION 08 | COMPLIANCE WITH CODE REQUIRED

All development of land within the incorporated boundaries of the City of Rockwall or its Extraterritorial Jurisdiction (ETJ) as applicable, shall conform to the requirements of the Unified Development Code (UDC), and no person may use, occupy, sell or develop land, buildings or other structures, or authorize or permit the use, occupancy, sale or development of land, buildings or other structures under his control, except in accordance with all applicable provisions of this Unified

Development Code (UDC). Within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), no person may sell or develop land, or authorize or permit the sale or development of land, except in accordance with all applicable provisions of this Unified Development Code (UDC).

SECTION 09 | DIAGRAMS AND DRAWINGS

This Unified Development Code (UDC) contains diagrams and drawings. When diagrams and drawings appear in this Unified Development Code (UDC), they are presented for explanation purposes only unless specifically referred to in the text of this Unified Development Code (UDC). The text governs over any diagram or drawing when any discrepancy exists. The provisions of this section do not extend to concept plans or site plans which are required and approved under this Unified Development Code (UDC).

SECTION 10 | SEVERABILITY

All sections, paragraphs, sentences, clauses, and phrases of this Unified Development Code (UDC) are severable, and if any such section, paragraph, sentence, clause or phrase is declared unconstitutional or otherwise invalid in any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not cause any remaining section, paragraph, sentence, clause, or phrase of this Unified Development Code (UDC) to fail or become inoperative.

ARTICLE 02 | DEVELOPMENT REVIEW AUTHORITY

SECTION 01 | BOARDS, COMMISSIONS, AND ADMINISTRATIVE STAFF

SECTION 02 | CITY COUNCIL

SECTION 03 | PLANNING AND ZONING COMMISSION

SECTION 04 | BOARD OF ADJUSTMENTS

SECTION 05 | HISTORIC PRESERVATION ADVISORY BOARD

SECTION 06 | ARCHITECTURAL REVIEW BOARD

SECTION 07 | DIRECTOR OF PLANNING AND ZONING

SECTION 08 | HISTORIC PRESERVATION OFFICER

SECTION 09 | CHIEF BUILDING OFFICIAL



SECTION 01 | BOARDS, COMMISSIONS, AND ADMINISTRATIVE STAFF

All meetings of any Board or Commission shall be open to the public. Each Board or Commission shall keep accurate minutes of each meeting, which shall be forwarded to the City Secretary within ten (10) days following each meeting. Such Board or Commission shall keep an accurate record of the names of the members who are present and absent from their meetings. When public hearings are necessary or required, notice of the public hearings and the conduct of the public hearing will be in compliance with the requirements of all federal, state and local laws.

Each Board or Commission may establish its own attendance rules, regulations, and method of enforcement unless in conflict with state law, or this Article. Each member of a Board or Commission shall be at least 18 years of age.

SECTION 02 | CITY COUNCIL

SUBSECTION 02.01: AUTHORITY

The City Council shall hold a meeting, conduct a public hearing -- *if required by this Unified Development Code (UDC)* -- and make determinations on the following matters:

- (A) Text amendments to this Unified Development Code (UDC).
- (B) Zoning changes and map amendments including the reclassification of zoning designations on land, Specific Use Permits (SUP), and Planned Development (PD) Districts.
- (C) Appeals related to the Planning and Zoning Commission's decision on special exceptions, variances, or waivers related to site plans for development.
- (D) Amendments to the Comprehensive Plan.
- (E) Amendments to the Master Thoroughfare Plan.
- (F) Amendments to the Master Trail Plan or other Master Plans.

SECTION 03 | PLANNING AND ZONING COMMISSION

SUBSECTION 03.01: CREATION AND MEMBERSHIP

- (A) Membership. The members of the Planning and Zoning Commission shall be appointed for a term of three (3) years on a rotating basis and removable for cause by the City Council. The terms of office shall expire on the last day of July or until their successor has been appointed. Any member of the Planning and Zoning Commission may be reappointed by the City Council upon completion of a full term.
- (B) Residency. Each member of the Planning and Zoning Commission shall be a resident of the City of Rockwall at the time of his/her appointment. A member of the Planning and Zoning Commission ceasing to reside in the City during his term of office shall immediately forfeit the office.
- (C) Removal. Any member of the Planning and Zoning Commission may be removed from office for any cause deemed by the City Council to be sufficient for removal of the member. If a vacancy should exist in the Planning and Zoning Commission membership due to removal from office, resignation, death, refusal or inability to

serve, the City Council shall appoint a new member to fill the vacancy for the unexpired term.

SUBSECTION 03.02: POWERS AND DUTIES

The Planning and Zoning Commission shall have the following powers and duties:

- (A) To advise the City Council and make recommendations concerning adoption of, or amendments to, zoning regulations and the zoning map;
- (B) To advise the City Council and make recommendations concerning adoption of, or amendments to the City's Comprehensive Plan, Master Thoroughfare Plan, and Parks and Recreation Master Plan and implementation thereof;
- (C) To oversee the City's regulations governing the platting and recording of subdivisions, including matters pertaining to the dedication of public facilities, and to advise the City Council on matters pertaining to public improvements, traffic, utility extensions and the provision of public facilities and services, in order to implement the City's Comprehensive Plan;
- (D) To undertake such actions as are necessary to exercise its delegated powers, as indicated by adopted ordinance;
- (E) To approve certain matters relating to platting and recording of subdivisions as dictated by the City's ordinances and the Unified Development Code (UDC);
- (F) To select a Planning and Zoning Commission Chairman and Vice-Chairman;
- (G) To call public hearings to initiate zoning changes; and
- (H) Other duties as may be prescribed by ordinance or state law.

SUBSECTION 03.03: PROCEDURES

- (A) Attendance. If a Planning and Zoning Commissioner has three (3) consecutive absences that are not excused by the Planning and Zoning Commission, or is absent from more than 25% of the meetings, he or she may be removed from the Planning and Zoning Commission; however, if absent from 50% of the meetings in any calendar year, the member will automatically be removed from the Planning and Zoning Commission.
- (B) Officers. Pursuant to the [Charter §9.01](#), the Planning and Zoning Commission shall elect a chairman and vice-chairman at the first meeting in August for a term of one (1) year. The vice-chairman is to preside in the absence of the chairman. Both the chairman and the vice-chairman shall vote on every item unless prohibited by law. The Director of Planning and Zoning shall be secretary of the Planning and Zoning Commission.
- (C) Meetings.
 - (1) Open to the Public. All meetings of the Planning and Zoning Commission shall be open to the public. The Planning and Zoning Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep record of its examinations and other official actions, all of which shall be filed in the office of the Planning and Zoning Department and shall be a public record. The Director of

Planning and Zoning of the City of Rockwall shall be the custodian and possessor of the records and minutes of the Planning and Zoning Commission.

- (2) Calling of Meetings. Meetings of the Planning and Zoning Commission may be held as often as necessary to conduct the business coming before the Planning and Zoning Commission at the call of the chairman and at such other times as the commission may determine.
- (3) Quorum. Any four (4) members shall constitute a quorum for the transaction of the business. The affirmative vote of a majority of those attending any meeting at which there is a quorum present shall be necessary to pass any motion, recommendation or resolution of the Planning and Zoning Commission.

SUBSECTION 03.04: APPROVAL AUTHORITY

The Planning and Zoning Commission shall make decisions, or make recommendations to the City Council, on the following matters:

- (A) Decisions on Site Plans, Building Elevations, Photometric Plans, Landscape Plans, Tree Preservation Plans (*i.e. Tree Mitigation Plans and Tree Removal Plans*), and Open Space Master Plans as may be required.
- (B) Recommendations to City Council on all plats (*e.g. master plats, preliminary plats, replats, finals plats, etc.*) as required by [Chapter 38, Subdivisions, of the Municipal Code of Ordinances](#).
- (C) Recommendations to City Council regarding text amendments to the Unified Development Code (UDC).
- (D) Recommendations to City Council regarding zoning changes and map amendments, including reclassification of the zoning designations on land, Specific Use Permits (SUP), and Planned Development (PD) Districts.
- (E) Decisions regarding variances and special exceptions to this Unified Development Code (UDC).
- (F) Recommendations to City Council regarding amendments to the Comprehensive Plan.
- (G) Recommendations to City Council regarding amendments to the Master Thoroughfare Plan.
- (H) Recommendations to City Council regarding amendments to the Parks and Recreation Master Plan.

SECTION 04 | BOARD OF ADJUSTMENTS

SUBSECTION 04.01: ORGANIZATION

- (A) Membership. The Board of Adjustments (BOA) is created in accordance with the provisions of [V.T.C.A., Local Government Code § 211.008](#). The Board of Adjustments (BOA) shall consist of five (5) members who are residents and taxpayers of the City, each to be appointed by the City Council for two (2) years and removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made.

- (B) Alternate Members. The City Council shall provide for the appointment of four (4) alternate members of the Board of Adjustments (BOA) who shall serve in the absence of one (1) or more of the regular members. Alternate members, when appointed, shall serve for the same period as the regular members, which is for a term of two (2) years, and any vacancy shall be filled in the same manner and they shall be subject to removal the same as the regular members.
- (C) Chief Building Official. The Chief Building Official, or his authorized representative, shall be an ex-officio member of the Board of Adjustments (BOA) without power to vote and as an ex-officio member of such board shall act as secretary of the Board of Adjustments (BOA) and shall set up and maintain a separate file for each application for appeal, special exception and variance received and shall record therein the names and addresses of all persons, firms and corporations to whom notices are mailed, including the date of mailing and further keep a record of all notices published as required herein. All records and files herein provided for shall be permanent and official files and records of the City.

[CHARTER REFERENCE— BOARD OF ADJUSTMENTS \(BOA\), § 9.06.](#)

SUBSECTION 04.02: PROCEDURES

- (A) Adopting Procedural Rules. The Board of Adjustments (BOA), by majority vote, shall adopt such procedural rules as are necessary to execute its duties.
- (B) Election of Officers. The Board of Adjustments (BOA) shall annually select one (1) of its members to be the chairman, and the vice-chairman to act in the absence of the chair.
- (C) Quorum. All cases before the Board of Adjustments (BOA) must be heard by at least four (4) members.
- (D) Calling Meetings. Meetings of the Board of Adjustments (BOA) shall be held at the call of the chairman, and at such other times as the Board of Adjustments (BOA) may determine. Such chairman, or in his absence the acting chairman, shall administer oaths and compel attendance of witnesses.
- (E) Meetings Open to the Public. All meetings of the Board of Adjustments (BOA) shall be open to the public.
- (F) Keeping of Minutes. The Board of Adjustments (BOA) shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its other official actions, all of which shall be filed in the office of the Board of Adjustments (BOA) and shall be a public record.

The secretary of the Board of Adjustments (BOA) shall forthwith notify in writing the City Council, the Planning and Zoning Commission and the City's Chief Building Official of each decision, interpretation, special exception and variance granted under the provisions of the Unified Development Code.

- (G) Attendance. If a member has three (3) consecutive absences that are not excused by the Board of Adjustments (BOA), or is absent from more than 25% of the meetings, he may be removed from the Board of Adjustments (BOA); however, if absent from 50% of the meetings in any calendar year, the member will automatically be removed from the Board of Adjustments (BOA).

SUBSECTION 04.03: JURISDICTION

(A) When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board of Adjustments (BOA) may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards, authorize the following special exceptions to the regulations herein established:

- (1) Appeal of an Administrative Decision. Consider an appeal from any person aggrieved by a decision of any administrative officer with authority over any matter regulated by the Unified Development Code (UDC) or by any officer, department, board or division of the City affected by any decision of the administrative officer. Such appeal shall be received within 15-calendar days after the decision has been rendered by the administrative officer, by filing with the officer whose decision is being appealed and with the Board of Adjustments (BOA), a notice of appeal specifying the grounds of the appeal and the City's required fee.
- (2) Appeal of a Code Decision. Consider an appeal from any person aggrieved by orders, decisions or determinations made by the Chief Building Official, fire official or City Engineer relative to the application and interpretation of the International Residential Code (IRC), International Building Code (IBC), International Plumbing Code (IPC), International Mechanical Code, International Energy Conservation Code, International Fuel Gas Code, International Fire Code (IFC), International Existing Building Code, and National Electrical Code (NEC).

The officer from whom the appeal is taken shall forthwith transmit to the Board of Adjustments (BOA), all papers constituting the record from which the action appeal was taken. An appeal shall stay all proceedings of the action which has been appealed, unless the officer from whom the appeal is taken, certifies to the Board of Adjustments (BOA) that a stay would, in the officer's opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed unless there is a restraining order granted by the Board of Adjustments (BOA) or by a court of competent jurisdiction on application, and notice is given to the officer whose decision is the subject of appeal.

- (B) Odd Shaped Parcels. Permit such modifications of the height, yard, area, coverage and parking regulations as may be necessary to secure appropriate development of a parcel of land which differs from other parcels in the district by being of such restricted area, shape, or slope that it cannot be appropriately developed without such modification.
- (C) Non-Conforming Use. Permit the expansion or enlargement of a building occupied by a non-conforming use on the lot or tract occupied by such building, provided such reconstruction does not prevent the return of such property to a conforming use. Upon review of the facts, the Board of Adjustments (BOA) may establish a specific period of time for the occupancy to revert to a conforming use.
- (D) Change of Non-Conforming Use. To authorize a change of use from one non-conforming use to another non-conforming use, provided that such change is to a use of the same or more restricted

classification. In the event that a non-conforming use is changed to a non-conforming use of a higher or more restrictive classification, the building or structure containing such non-conforming use shall not later be reverted to the former lower or less restricted classification. The Board of Adjustments (BOA) may establish a specific period of time for the conversion of the occupancy to a conforming use.

- (E) Discontinuance of a Non-Conforming Use. Require the discontinuance of non-conforming areas of land or structures under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of the Unified Development Code (UDC).
 - (1) All actions to discontinue a non-conforming use of land or structure shall be taken with due regard for the property rights of the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated non-conforming use and the conservation and preservation of property.
 - (2) The Board of Adjustments (BOA) shall from time to time on its own motion or upon cause presented by interested property owners inquire into the existence, continuance or maintenance of any non-conforming use within the City.
- (F) Structure for a Legal Non-Conforming Use. Permit the construction, reconstruction, enlargement or addition of a structure occupied by or for a use, normally ancillary to a single-family residential use, when such single-family residential use or structure, is legally non-conforming; provided, however, such construction, reconstruction, enlargement or addition does not prevent the return of such property to a conforming use.
- (G) Non-Conforming Structure. To authorize the reconstruction and occupancy of a non-conforming structure, or a structure containing a non-conforming use, where such structure has been damaged by fire or other causes to the extent of more than 50%, but less than the total, of the replacement cost of the structure on the date of the damage. Such action by the Board of Adjustments (BOA) shall have due regard for the property rights of the person or persons affected, and shall be considered in regard to the public welfare, character of the area surrounding such structure, and the conservation, preservation and protection of property.
- (H) Expansion of a Non-Conforming Structure. To authorize the enlargement, expansion or repair of a non-conforming structure in excess of 50% of its current value. In such instance, the current value shall be established at the time of application for a hearing before the Board of Adjustments (BOA). If such expansion or enlargement is approved by the Board of Adjustments (BOA), all provisions of the district in which such structure is located shall apply to the new construction on the lot or parcel.
- (I) Occupation of an Abandoned Non-Conforming Structure. To authorize the occupancy of an abandoned non-conforming structure. Such action by the Board of Adjustments (BOA) shall have due regard for the property rights of the person or persons affected, and shall be considered in regard to the public welfare and safety, character or the area surrounding such structure, and the conservation, preservation and protection of property.

- (J) Violation of Other Ordinances. The Board of Adjustments (BOA) is not authorized to permit or approve any request that would be in violation of any other ordinances or city regulations that would prohibit such improvement or construction to be made.

SUBSECTION 04.04: CRITERIA FOR GRANTING VARIANCES

The City's Board of Adjustments (BOA), pursuant to the powers conferred upon it by state law, the ordinances of the City, and this Article may grant variances to the provisions of the Unified Development Code (UDC) upon finding that:

- (A) Such variance will not substantially or permanently injure the appropriate use of adjacent property in the same district;
- (B) Such variance will not adversely affect the health, safety or general welfare of the public;
- (C) Such variance will not be contrary to the public interest;
- (D) Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located;
- (E) Such variance will be in harmony with the spirit and purpose of the Unified Development Code (UDC);
- (F) Such variance will not alter the essential character of the district in which the property is located and for which the variance is sought;
- (G) Such variance will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;
- (K) Due to special conditions, a literal enforcement of the Unified Development Code (UDC) would result in unnecessary hardship;
- (H) The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, the area, shape or slope, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located;
- (I) The variance or exception is not a self-created hardship; and
- (J) The variance is clearly identified as a variance to the City's standards on the concept plan, site plan or text of the Unified Development Code (UDC).

SUBSECTION 04.05: ACTIONS OF THE BOARD

- (A) In exercising its powers, the Board of Adjustments (BOA), may, in conformity with the provisions of the Texas Local Government Code, revise or reform, wholly or partly, or may modify the order, requirement, decisions, or determination appealed from, and shall have all the powers of the officer from whom the appeal is taken including the power to impose reasonable conditions to be complied with by the applicant.
- (B) The concurring vote of four (4) members of the Board of Adjustments (BOA) shall be necessary to revise any order, requirements, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under the Unified Development Code

(UDC) or to affect any variance in the Unified Development Code (UDC).

- (C) Any special exceptions authorized by the Board of Adjustments (BOA), either under the provisions of the Unified Development Code (UDC) or under the authority granted to the Board of Adjustments (BOA) under the statutes of the state, shall authorize the issuance of a building permit or a Certificate of Occupancy (CO) or other relief as the case may be for a period of 90-days from the date of the favorable action on the part of the Board of Adjustments (BOA), unless the Board of Adjustments (BOA) in its minutes shall, at the same time, grant a longer period.
- (D) If a building permit or Certificate of Occupancy (CO) has not been applied for or issued within a 90-day period or as the Board of Adjustments (BOA) may specifically grant, the special exceptions shall be deemed waived; and all rights hereunder terminated. The Board of Adjustments (BOA) may grant one (1) or more extensions to this time period upon the applicant's request and if due cause is shown.
- (E) Such termination and waiver shall be without prejudice to a subsequent appeal to the Board of Adjustments (BOA) in accordance with the rules, and regulations regarding appeals.

SUBSECTION 04.06: APPEALS ON THE SAME MATTER

No appeal to the Board of Adjustments (BOA) shall be allowed concerning the same matter prior to the expiration of six (6) months from a ruling of the Board of Adjustments (BOA) on any appeal to such body unless other rulings on the same or similar subject matter have, within such six (6) month period, been altered or changed by ruling of the Board of Adjustments (BOA), in which case such change of circumstances shall permit the allowance of an appeal, but shall in no way have force in law to compel the Board of Adjustments (BOA), after a hearing, to grant such subsequent appeal, but such appeal shall be considered on its merits as in all other cases.

SUBSECTION 04.07: EFFECTIVE DATE

A decision on a variance shall be effective upon approval by the Board of Adjustments (BOA).

SUBSECTION 04.08: APPEAL FROM BOARD

Any person aggrieved by any decision of the Board of Adjustments (BOA) or any officer, department, or board of the municipality pursuant to this section, may present to a court of competent jurisdiction, a petition, duly verified, setting forth that such decision is illegal, in whole or in part, and specifying the grounds of such illegality.

Such petition shall be presented to the court within ten (10) days after the filing of the decision complained of in the office of the City secretary and not thereafter.

No appeal from a Board of Adjustments (BOA) decision under its jurisdiction, as set out in the Unified Development Code (UDC), shall be heard by the City Council.

SECTION 05 | HISTORIC PRESERVATION ADVISORY BOARD

SUBSECTION 05.01: ORGANIZATION

- (A) Membership. There is hereby created a Historic Preservation Advisory Board (HPAB) which shall serve as an advisory body to the City Council. Such board shall consist of seven (7) members to be appointed by the City Council.
- (B) Term of Office; Qualifications. The members shall be appointed for a term of two (2) years with staggered terms and shall be removable by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term, the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed. The membership shall include:
- (1) An architect, planner or representative of a design profession;
 - (2) A member of the Rockwall County Historical Foundation;
 - (3) A general contractor;
 - (4) An owner of property within a historic district;
 - (5) Three (3) citizens of Rockwall interested in historic preservation.
- (C) All board members, regardless of background, shall have a known and demonstrated interest, competence or knowledge of historic preservation within the City. All members must be residents of Rockwall County.
- (D) Duties. The duties of the Historic Preservation Advisory Board (HPAB) are as follows:
- (1) Provide professional recommendations to the City Council and Planning and Zoning Commission as required, regarding site plans, building alternatives, and building plans proposed within the City Historic Overlay (HOV) District. The Historic Preservation Advisory Board (HPAB) shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission or City Council. The Historic Preservation Advisory Board (HPAB) shall prepare a written assessment of the proposed project regarding compliance with approved guidelines for development within the district, and its applicability in preserving and enhancing the history and culture of the district.
 - (2) Research, document and maintain in the official files of the City detailed information regarding the original construction and architecture of the district.
 - (3) Develop and maintain guidelines regarding development and redevelopment within the district including architectural design, materials selections, building styles and other pertinent design considerations. The proposed guidelines shall be submitted to the Planning and Zoning Commission and City Council for approval.
 - (4) Adopt rules and procedures as necessary to provide for the orderly conduct of board meetings.
 - (5) Recommend the boundaries of historic districts.
- (6) Increase public awareness of the value of historic, cultural, and architectural preservation by encouraging and participating in public education programs developed by the historic preservation office.
 - (7) Provide recommendations to the Planning and Zoning Commission and City Council concerning the historic preservation impact of proposed, announced or commenced actions by federal, state or local authorities that affect streets, alleys, publicly-maintained utilities and any other public spaces, areas, improvements, other features or zoning within, around or through any district.
 - (8) Make recommendations to the City for the employment of staff and professional consultants as necessary to carry out the duties of the HPAB.
 - (9) Review and act on the designation of landmarks and the delineation of districts, which shall be ratified by the City Council.
 - (10) Recommend and confer recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers.
 - (11) Review and recommend to City Council and other applicable City Boards and Commissions all proposed changes to the Unified Development Code (UDC), building code, general plan or other adopted policies of the City that may affect the purpose of the Article.
 - (12) Conduct public hearings and provide comment on buildings, objects, sites, structures, and districts for nomination to the National Register of Historic Places to the Texas Historic Commission. Such recommendations shall be guided by the criteria established in the National Historic Preservation Act of 1966, as amended.
 - (13) Implement and maintain a system of survey or inventory of significant historic, architectural, and cultural landmarks and all properties located within designated districts located in the City. Such information shall be maintained securely, made accessible to the public and should be updated at least every ten (10) years.
 - (14) Monitor and report to the Texas Historical Commission all actions affecting any recorded Texas historic landmark, state archaeological landmark, national register property and any locally designated landmark, as deemed necessary.
 - (15) Create sub-committees from among its membership and delegate to these committees' responsibilities to carry out the purposes of this Article.
 - (16) Maintain written meeting minutes which are recorded by staff and demonstrate all actions taken by the HPAB and the reasons for taking such actions.
 - (17) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs.
 - (18) Review and act on all Certificates of Appropriateness (COA) applications for compliance with adopted design guidelines pursuant to this Article.

- (19) Review and act on all appeals on action taken by the Historic Preservation Officer (HPO) regarding the administrative review of Certificates of Appropriateness (COA) applications for compliance with adopted design guidelines pursuant to this Article.
 - (20) Develop, prepare and adopt specific design guidelines which shall be ratified by the City Council, for use in the review of all Certificates of Appropriateness (COA) applications.
 - (21) Prepare and submit annually to the City Council a report summarizing budget costs, goals and objectives and work completed during the previous year, as well as anticipated budgetary requests.
 - (22) Provide recommendations to the City concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and districts within the City.
 - (23) Recommend to City Council the acquisition of endangered landmarks by demolition where its preservation is essential to the purpose of this Article and where private preservation is not feasible.
 - (24) Propose incentive program(s) to City Council for local property owners of historic landmarks or within local districts.
 - (25) Review and act on all city preservation-related incentive program applications involving work on landmarks and districts for compliance with adopted design guidelines pursuant to this Article.
 - (26) Accept on behalf of the City government donations of preservation easements and development rights as well as any other gift of value for the purpose of historic preservation, subject to the approval of City Council.
- (E) Officers. The Historic Preservation Advisory Board (HPAB) shall elect a chairman and vice-chairman at the first meeting in August or at the first meeting thereafter for a term of one (1) year. The Historic Preservation Officer (HPO) shall be secretary of the Historic Preservation Advisory Board (HPAB) and an ex-officio member.
 - (F) Voting; Meetings. Each member in attendance shall have a vote on plans submitted to the Historic Preservation Advisory Board (HPAB) with that vote reported to the Planning and Zoning Commission. Any member professionally or financially involved in matters pending before the Historic Preservation Advisory Board (HPAB) shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration. Meetings of the Historic Preservation Advisory Board (HPAB) shall be called as needed by the Historic Preservation Officer.
 - (G) Attendance. If a member has three (3) consecutive absences that are not excused by the Historic Preservation Advisory Board (HPAB), or is absent from more than 25% of the meetings, he or she may be removed from the Historic Preservation Advisory Board (HPAB); however, if absent from 50% of the meetings in any calendar year, the member will automatically be removed from the Historic Preservation Advisory Board (HPAB).

SUBSECTION 05.02: DESIGNATION OF LANDMARKS IN THE CITY

- (A) The Historic Preservation Advisory Board (HPAB) may recommend to the Planning and Zoning Commission and the City Council that certain properties be *landmark districts* and that specific areas be designated as *historic districts* as provided for in [Subsection 06.03, Historic Overlay \(HO\) District, of Article 05, District Development Standards](#).

SUBSECTION 05.03: CERTIFICATES OF APPROPRIATENESS (COA)

For requirements concerning Certificates of Appropriateness (COA) see [Section 06, Certificates of Appropriateness \(COA\), of Article 11, Development Applications and Review Procedures](#).

SECTION 06 | ARCHITECTURAL REVIEW BOARD

SUBSECTION 06.01: CREATED

There is hereby created an Architectural Review Board (ARB) which shall serve as an advisory body to the Planning and Zoning Commission. Such board shall consist of seven (7) members to be appointed by the City Council after recommendation of the Planning and Zoning Commission.

SUBSECTION 06.02: TERMS OF OFFICE; QUALIFICATIONS

- (A) Term. The members shall be appointed for a term of two (2) years with staggered terms and shall be removable for cause by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed.
- (B) Qualifications. At least one (1) member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest.
- (C) Attendance. If a member has three (3) consecutive absences that are not excused by the Architectural Review Board (ARB), or is absent from more than 25% of the meetings, he may be removed from the Architectural Review Board (ARB); however, if absent from 50% of the meetings in any calendar year, the member will automatically be removed from the Architectural Review Board (ARB).

SUBSECTION 06.03: DUTIES

The purpose of the Architectural Review Board (ARB) is to provide professional recommendations to the Planning and Zoning Commission and the Director of Planning and Zoning regarding site plans and building elevations submitted within any zoning district as may be required. Meetings of the Architectural Review Board (ARB) shall be called as needed. The Architectural Review Board (ARB) shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission. The review shall evaluate compatibility with existing topography, scenic corridors and landscaping, and with the goals and

objectives established in the applicable Overlay District and/or Planned Development (PD) District, the Comprehensive Plan and applicable provisions of the urban design guidelines. The Architectural Review Board (ARB) shall make recommendations on design changes based on its professional experience and knowledge. The Planning and Zoning Commission shall consider the Architectural Review Board's (ARB's) recommendations in its deliberation of the proposed development. The Planning and Zoning Commission may include recommended changes in the proposed building elevations and site plan based upon the recommendations of the Architectural Review Board (ARB) in its recommendation to the City Council, if applicable.

SUBSECTION 06.04: OFFICERS

The Architectural Review Board (ARB) shall elect a chairman and vice-chairman at the first meeting in August or at the first meeting thereafter for a term of one (1) year. The Director of Planning and Zoning shall be secretary of the Architectural Review Board (ARB) and an ex-officio member.

SUBSECTION 06.05: VOTING

Each member in attendance shall have a vote on plans submitted to the Architectural Review Board (ARB) with that vote being reported to the Planning and Zoning Commission. Any member professionally or financially involved in matters pending before the Architectural Review Board (ARB) shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration.

SECTION 07 | DIRECTOR OF PLANNING AND ZONING

SUBSECTION 07.01: QUALIFICATIONS

- (A) The Director of Planning and Zoning must be a member in good standing of AICP, AIA or PE.
- (B) The Director of Planning and Zoning or his/her designee shall serve as the Zoning Administrator.

SUBSECTION 07.02: POWERS AND DUTIES

- (A) The Director of Planning and Zoning shall have the following powers and duties:
 - (1) To make recommendations and provide assistance to the City Council and Planning and Zoning Commission concerning exercise of their responsibilities under the Unified Development Code (UDC);
 - (2) To develop and recommend to the Planning and Zoning Commission, and the City Council, a Comprehensive Plan for the City or any amendments to the plan and to propose actions to implement the plan;
 - (3) To coordinate all planning relating to the City's Comprehensive Plan;
 - (4) To submit recommendations to the Planning and Zoning Commission and City Council on request for zoning changes, variances and exceptions;

- (5) To render such administrative decisions as are required of the Director of Planning and Zoning by the Unified Development Code (UDC);
- (6) To perform such other duties as may be prescribed by ordinance or directed by the City Council or Planning and Zoning Commission.

SECTION 08 | HISTORIC PRESERVATION OFFICER

SUBSECTION 08.01: APPOINTMENT

The City Manager shall appoint a qualified staff person, to serve as Historic Preservation Officer (HPO). This officer shall administer the historic preservation provisions of the Unified Development Code (UDC) and advise the Historic Preservation Advisory Board (HPAB) on matters submitted to it.

SUBSECTION 08.02: POWER AND DUTIES

In addition to serving as a representative to the Historic Preservation Advisory Board (HPAB), the Historic Preservation Officer (HPO) shall:

- (A) Coordinate the City's preservation activities with those of state and federal agencies and with local, state, and national non-profit preservation organizations.
- (B) Administer the Unified Development Code (UDC) and advise the HPAB on matters submitted to it.
- (C) To maintain and hold open for public inspection all documents and records pertaining to the provisions of this Article.
- (D) Receive and review all applications pursuant to this Article to ensure their completeness.
- (E) Review and act on all Certificates of Appropriateness (COA) applications subject to administrative review pursuant to this Article.
- (F) Review and forward with any recommendations for all applications for a Certificate of Appropriateness (COA) subject to review by the Historic Preservation Advisory Board (HPAB) pursuant to this Article.
- (G) Ensure proper posting and noticing of all Historic Preservation Advisory Board (HPAB) meetings, schedule applications for Historic Preservation Advisory Board (HPAB) review, provide packets to its members prior to the meetings, record meeting minutes and facilitate all Historic Preservation Advisory Board (HPAB) meetings.
- (H) Review and help coordinate the City's preservation and urban design activities with those of local, state and federal agencies and with local, state, and national preservation organizations in the private sector.

SECTION 09 | CHIEF BUILDING OFFICIAL

SUBSECTION 09.01: QUALIFICATIONS

The Chief Building Official must:

- (A) Be a licensed architect or engineer in good standing; or
- (B) Have a bachelor's degree in urban planning, or related field; supplemented by a minimum six (6) years in a supervisory/management capacity in the field with a municipal or other governmental organization, to include development and

implementation of budgetary functions; or an equivalent combination of education, training, and experience which includes the following knowledge, skills, and abilities:

- (1) Comprehensive knowledge of modern principles and practices of community development administration.
- (2) Thorough knowledge of the federal, state, and local ordinances, laws and regulations relating to departmental activities.
- (3) Thorough knowledge of principles of effective administration, to include planning, directing, evaluating, and coordinating.

SUBSECTION 09.02: POWERS AND DUTIES

The Chief Building Official shall have the following powers and duties:

- (1) To issue permits in accordance with the Unified Development Code (UDC);
- (2) To issue Certificates of Occupancy (CO) in accordance with the Unified Development Code;
- (3) To enforce the provisions of the Unified Development Code (UDC);
- (4) Such other powers and duties as may be lawfully delegated.

The City Council may designate the City Engineer or Director of Planning and Zoning to perform the duties of the Chief Building Official.

ARTICLE 03 | ZONING DISTRICTS AND MAPS

SECTION 01 | ZONING MAP

SECTION 02 | RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

SECTION 03 | REGULATIONS APPLICABLE TO ALL DISTRICTS

SECTION 04 | LISTING OF APPROVED PLANNED DEVELOPMENT (PD) DISTRICTS

SECTION 05 | LISTING OF APPROVED SPECIFIC USE PERMITS (SUP)

SECTION 06 | ZONING UPON ANNEXATION



SECTION 01 | ZONING MAP

- (A) The City of Rockwall is hereby divided into zones, or districts, as shown on the Office Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared a part of this Unified Development Code (UDC). The zones, or districts, hereby established are and shall be known and cited as:

RESIDENTIAL ZONING DISTRICTS

SECTION	DISTRICT REFERENCE	ABB.
05.02.01	Agricultural (AG) District	AG
05.03.02	Single Family Estate 1.5 (SFE-1.5) District	SFE-1.5
05.03.03	Single Family Estate 2.0 (SFE-2.0) District	SFE-2.0
05.03.04	Single Family Estate 4.0 (SFE-4.0) District	SFE-4.0
05.03.05	Single Family 1 (SF-1) District	SF-1
05.03.06	Single Family 16 (SF-16) District	SF-16
05.03.07	Single Family 10 (SF-10) District	SF-10
05.03.08	Single Family 8.4 (SF-8.4) District	SF-8.4
05.03.09	Single Family 7 (SF-7) District	SF-7
05.03.10	Zero Lot Line (ZL-5) District	ZL-5
05.03.11	Two-Family (2F) District	2F
05.03.12	Multi-Family 14 (MF-14) District	MF-14

COMMERCIAL ZONING DISTRICTS

SECTION	DISTRICT REFERENCE	ABB.
05.04.02	Residential-Office (RO) District	RO
05.04.03	Neighborhood Services (NS) District	NS
05.04.04	General Retail (GR) District	GR
05.04.05	Commercial (C) District	C
05.04.06	Heavy Commercial (HC) District	HC
05.04.07	Downtown (DT) District	DT

INDUSTRIAL ZONING DISTRICTS

SECTION	DISTRICT REFERENCE	ABB.
05.05.02	Light Industrial (LI) District	LI
05.05.03	Heavy Industrial (HI) District	HI

OVERLAY & SPECIAL ZONING DISTRICTS

SECTION	DISTRICT REFERENCE	ABB.
10.01	Planned Development (PD) District	PD
05.06.03	Historic Overlay (HOV) District	HOV
05.06.04	North Goliad Street Overlay (NG OV) District	NG OV
05.06.05	Southside Residential Overlay (SRO) District	SRO
05.06.06	IH-30 Overlay (IH OV) District	IH-30 OV
05.06.07	SH-205 Overlay (SH-205 OV) District	SH-205 OV
05.06.08	Scenic Overlay (SOV) District	SOV
05.06.09	SH-66 Overlay (SH-66 OV) District	SH-66 OV
05.06.10	SH-205 By-Pass Overlay (SH-205 BY-OV) District	SH-205 BY-OV
05.06.11	North SH-205 Overlay (N. SH-205 OV) District	N. SH-205 OV
05.06.12	East SH-66 Overlay (E. SH-66 OV) District	SH-66 OV
05.06.13	FM-549 Overlay (FM-549 OV) District	FM-549 OV
05.06.14	SH-276 Overlay (SH-276 OV) District	SH-276 OV
05.06.15	Lake Ray Hubbard Takeline Overlay (TL OV) District	TL OV

- (B) The Office Zoning Map shall be identified by the signature of the Mayor attested by the City Secretary, under the following words:

This is to certify that this is the Office Zoning Map referred to in Article 03 of the Unified Development Code (UDC) of the City of Rockwall, Texas.

- (C) When changes are made in district boundaries or other matter portrayed on the Office Zoning Map, such changes shall be entered on the Office Zoning Map by the City Secretary promptly after the

amendment has been approved by City Council, and the change shall note the ordinance number and date that the change was approved.

- (D) No changes of any nature shall be made in the Office Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Unified Development Code (UDC). Any unauthorized change of whatever kind by any person shall be considered a violation of this Unified Development Code (UDC).

- (E) The original reproducible tracing of the Office Zoning Map shall be located in the office of the Director of Planning and Zoning in city hall and shall be the final authority as to the current zoning status of land and water areas, building and other structures in the City of Rockwall.

- (F) City Council may, by resolution, adopt a new Office Zoning Map should the original reproducible tracing of the Office Zoning Map be damaged, destroyed, lost or become ambiguous because of the nature or number of changes and additions. The new Office Zoning Map may correct drafting or other errors or omissions in the prior Office Zoning Map, but no other correction shall have the effect of amending the original Office Zoning Map or any subsequent amendment thereof. The new Office Zoning Map shall be identified by the signature of the mayor attested by the city secretary, under the following words:

This is to certify that this Office Zoning Map supersedes and replaces the Office Zoning Map adopted (date of adoption of Map being replaced) as a part of the Unified Development Code (UDC) of the City of Rockwall, Texas.

- (G) Unless the prior Office Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

SECTION 02 | RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

SUBSECTION 02.01: BOUNDARIES

Where uncertainty exists as to the boundaries of zoning districts as shown on the Office Zoning Map, the following rules shall apply:

- (A) Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow center lines;
- (B) Boundaries indicated as approximately following platted lot lines shall be construed as following lot lines;
- (C) Boundaries indicated as following City Limit lines shall be construed as following such City Limits;
- (D) Boundaries indicated as parallel to or extensions of features indicated in *Subsections A, B, & C* above shall be so construed. Distances not specifically indicated on the Office Zoning Map shall be determined by the scale of the map;
- (E) Where physical or cultural features existing on the ground are at variance with those shown on the Office Zoning Map, or in other circumstances not covered by *Subsections A & B* above, the City Council shall interpret the district boundaries.

SECTION 03 | REGULATIONS APPLICABLE TO ALL DISTRICTS

SUBSECTION 03.01: GENERAL REGULATIONS

The following regulations shall apply to all zoning districts listed in this Article and further defined in [Article 04, Permissible Uses](#), and [Article 05, District Development Standards, of the Unified Development Code \(UDC\)](#).

- (A) No land or building shall be used or intended for any use other than those permitted in the district wherein such land or building is located.
- (B) No building shall be erected, reconstructed, enlarged, structurally altered, or moved in such manner as to evade conformity with height, bulk, yard, lot area, use, and other regulations for the district wherein such building is located.
- (C) No yard provided adjacent to a building for the purpose of complying with provisions of this Unified Development Code (UDC) shall be considered as providing any part of a yard for another building on the same lot or on an adjacent lot.
- (D) No street or walkway shall serve as any part of a required yard or minimum lot area although street rights of way and open space may be used in determining allowable units per acre in residential subdivisions.
- (E) Every building hereafter erected or altered shall be located on a lot as defined in [Article 13, Definitions, of the Unified Development Code \(UDC\)](#).

SECTION 04 | LISTING OF APPROVED PLANNED DEVELOPMENT (PD) DISTRICTS

Planned Development (PD) Districts that have been approved and appear on the zoning maps are referenced by a Planned Development (PD) number (PD-#) and the zoning district classification and/or uses authorized by the particular zoning case. The listing of approved Planned Development (PD) Districts will be documented in [Appendix A, Planned Development \(PD\) Districts, of the Unified Development Code \(UDC\)](#).

SECTION 05 | LISTING OF APPROVED SPECIFIC USE PERMITS (SUP)

Specific Use Permits (SUPs) that have been approved shall be referenced by a Specific Use Permit number (S-#) and the type of use authorized by those permits. The listing of approved Specific Use Permits (SUPs) will be documented in [Appendix B, Specific Use Permits \(SUPs\), of the Unified Development Code \(UDC\)](#).

SECTION 06 | ZONING UPON ANNEXATION

All territory hereinafter annexed to the City of Rockwall shall assume an interim classification of Agricultural (AG) District, pending determination of the property's initial permanent zoning in accordance with the provisions of state law and this chapter unless application for permanent zoning is submitted by the property owner at the time of annexation. The Planning and Zoning Commission shall, as soon as practical after annexation of any territory to the City, institute proceedings on its own motion, to give the newly annexed territory a permanent zoning, following the same procedure as is provided by law for the adoption of original

zoning procedures. The interim zoning prior to the permanent zoning shall not be considered a rezoning for legal purposes. The procedure for establishing initial zoning other than Agricultural (AG) District on annexed territory shall conform to the procedure established by law for the adoption of normal zoning classifications and regulations.

In an area classified Agricultural (AG) District, no person shall erect, excavate, construct, or proceed or continue with the erection or construction of any building or structure or add to, enlarge, move, improve, alter, repair, convert, or extend or demolish any building or structure or cause the same to be done in any newly annexed territory to the City without first applying for and obtaining a building permit therefore from the Chief Building Official as may be required in applicable City ordinances.

ARTICLE 04 | PERMISSIBLE USES

- SECTION 01 | LAND USE SCHEDULE
- SECTION 02 | CONDITIONAL LAND USE STANDARDS AND DEFINITIONS
- SECTION 03 | OTHER SPECIAL USE STANDARDS
- SECTION 04 | FLOODPLAIN AREAS
- SECTION 05 | TEMPORARY USES AND STRUCTURES
- SECTION 06 | NONCONFORMING USES, STRUCTURES, AND SITES



SECTION 01 | LAND USE SCHEDULE

SUBSECTION 01.01: USE OF LAND AND BUILDINGS

Buildings, structures, and land uses shall be in conformance with the permitted uses depicted in [Land Use Schedule](#) and in compliance with [Subsection 02.03, Conditional Land Use Standards](#). The following is the legend for the [Land Use Schedule](#):

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

SUBSECTION 01.02: LAND USE SCHEDULE

See the [Land Use Schedule](#) at the end of this Article.

SECTION 02 | CONDITIONAL LAND USE STANDARDS AND DEFINITIONS

SUBSECTION 02.01: DETERMINATION OF LAND USES

Land uses shall be permitted in a zoning district as indicated in [Land Use Schedule](#) provided the land use meets the below conditional land use standards and the land use definitions established for such use. Should a new land use -- *not listed in [Land Use Schedule](#)* -- request to be established in the City, the Director of Planning and Zoning or his/her designee shall determine the closest or most appropriate land use based on the following land use definitions and conditional land use standards. If the Director of Planning and Zoning is unable to classify a land use based on the land uses listed in [Land Use Schedule](#) then the Director of Planning and Zoning shall defer the decision to the City Council to either [1] direct staff to amend the code to incorporate the new land use, or [2] deny the request to establish the unlisted land use.

SUBSECTION 02.02: LAND USE DEFINITIONS

For land use definitions see [Section 02.02, Land Use Definitions, of Article 13, Definitions](#).

SUBSECTION 02.03: CONDITIONAL LAND USE STANDARDS

(A) Agricultural and Animal Related Land Uses

(1) Animal Boarding/Kennel with Outside Pens.

- (a) Animals shall be permitted to be in outside pens or kennels.
- (b) The outside pens or kennels shall be behind the primary structure and shall be screened from view of adjacent properties, public right-of-way, and parks and open space.

(2) Animal Boarding/Kennel without Outside Pens.

- (a) Animals shall not be permitted to be in outside pens or kennels.

(3) Animal Clinic for Small Animals without Outdoor Pens.

- (a) All Animal Clinics for Small Animals that incorporate a kennel shall be limited to short-term boarding.
- (b) Boarding/kennel land uses should be accessory or incidental to the primary land uses (i.e. animal clinic).

(4) Barn or Agricultural Accessory Building.

- (a) The property shall be a minimum of ten (10) acres or more in size.
- (b) A Barn or Agricultural Accessory Building shall be a minimum of 2,000 SF and a maximum of 4,999 SF in total size (i.e. under roof).
- (c) The Barn or Agricultural Accessory Building shall be located behind the front façade of the primary structure, and be subject to the same building setbacks as the primary structure.

(5) Commercial Horse Corral or Stable.

- (a) This use requires a minimum of ten (10) acres to be established.
- (b) The ground accumulation of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans and animals.
- (c) Fences or pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the animal.

(6) Private Horse Corral or Stable.

- (a) All Private Horse Corrals or Stables shall comply with the standards specified in [Subsection 03.01, Farm Animals and Horses](#).

(7) Community Garden.

- (a) Community Gardens are permitted in the Agricultural (AG) District by-right; however, a Specific Use Permit (SUP) shall be required for any on-site retail sales.
- (b) Community Gardens are permitted in all other zoning districts by Specific Use Permit (SUP) only, and are subject to the additional following conditions:
 - (1) The Community Garden must comply with the lot and building standards for the zoning district in which the subject property is located.
 - (2) Any structure(s) for a Community Garden shall be reviewed as part of the Specific Use Permit (SUP), including the size and intended use.
 - (3) All chemicals and fuels shall be stored in an enclosed, locked structure when the site is unattended.
 - (4) Sales and donation of only whole, uncut, fresh food and/or horticultural products grown in the Community Garden may occur on-site, but may not occur on residentially zoned or used property.

- (5) Retail sales and all other public use of the Community Garden shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.
- (6) One temporary sign advertising only food or horticultural products grown on-site may be displayed during sales hours. The sign must be on-site, non-illuminated, and must not exceed six (6) square feet in area or three (3) feet in height.
- (7) The applicant shall provide a Community Garden Management Plan that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include: [1] a site plan, [2] a description of the type of equipment necessary for all operations of the Community Garden, [3] the anticipated frequency and duration of use of any equipment used on-site, [4] a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, [5] the anticipated frequency and duration of the application of chemicals or pesticides, and [6] a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the Engineering Standards of Design and Construction manual.

(8) Urban Farm.

- (a) Urban Farms are permitted in the Agricultural (AG) District by-right; however, a Specific Use Permit (SUP) shall be required for any on-site retail sales.
- (b) Urban Farms are permitted in all other zoning districts by Specific Use Permit (SUP) only, and are subject to the additional following conditions:
 - (1) A site area of not less than one (1) acre and not more than five (5) acres is required, unless otherwise approved by City Council.
 - (2) Only mechanical equipment designed for residential use may be used.
 - (3) Retail sales and all other public use of the Urban Farm shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.
 - (4) Commercial deliveries and pickups are limited to one (1) per day. On-site sales are not considered commercial pickups.
 - (5) One identification sign not exceeding 144 square inches in area is permitted.
 - (6) Any structure(s) for urban farms in residential districts shall be reviewed as part of the SUP, including size, building materials and intended use.
 - (7) The applicant shall provide an Urban Farm Management Plan that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include: [1] a site

plan, [2] a description of the type of equipment necessary for all operations of the Community Garden, [3] the anticipated frequency and duration of use of any equipment used on-site, [4] a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, [5] the anticipated frequency and duration of the application of chemicals or pesticides, and [6] a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the Engineering Standards of Design and Construction manual.

- (c) Urban Farms are permitted in non-residential zoning districts by Specific Use Permit (SUP) only and are subject to the additional following conditions:

- (1) A minimum site area of one (1) acre is required.
- (2) Retail sales and all other public use of the Urban Farm shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.
- (3) Any structure(s) for a Community Garden shall be reviewed as part of the Specific Use Permit (SUP), including the size and intended use.
- (4) The applicant shall provide an Urban Farm Management Plan that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include: [1] a site plan, [2] a description of the type of equipment necessary for all operations of the Community Garden, [3] the anticipated frequency and duration of use of any equipment used on-site, [4] a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, [5] the anticipated frequency and duration of the application of chemicals or pesticides, and [6] a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the Engineering Standards of Design and Construction manual.

(B) Residential and Lodging Land Uses

(1) Residential Accessory Building or Structure.

- (a) See [Subsection 07.04, Accessory Structure Development Standards, of Article 05, District Development Standards.](#)

(2) Bed and Breakfast.

- (a) The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by-right.
- (b) A Bed and Breakfast may only be established on an owner-occupied, single-family lot.
- (c) In addition to the single-family parking requirements, one (1) parking space per bedroom shall be provided.
- (d) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a non-residential zoning district or as permitted by a Specific Use Permit (SUP).

- (e) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
 - (f) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
 - (g) All applicable hotel/motel taxes shall be paid.
 - (h) The maximum length of a guests stay is shall be limited to 14 consecutive days in any 30-day period.
 - (i) A Specific Use Permit (SUP) for a Bed and Breakfast shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.
- (3) Duplex.
- (a) Duplexes shall be limited to two (2) dwelling units (i.e. two [2] families) per lot or parcel of land.
 - (b) See the standards for the Two-Family (2F) District [Subsection 07.01, Residential District Development Standards, of Article 05, District Development Standards.](#)
- (4) Attached Garage.
- (a) See [Subsection 07.04, Accessory Structure Development Standards, of Article 05, District Development Standards.](#)
- (5) Detached Garage.
- (a) See [Subsection 07.04, Accessory Structure Development Standards, of Article 05, District Development Standards.](#)
- (6) Guest Quarters/Secondary Living Unit.
- (a) Guest Quarters or Secondary Living Units may be allowed on a property in a residential zoning district provided that it is ancillary to a single-family home.
 - (b) The area of such quarters shall not exceed 30% of the area of the main structure.
 - (c) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the subdivision ordinance.
 - (d) Guest Quarters or Secondary Living Units not meeting the requirements stated above shall require a Specific Use Permit (SUP).
- (7) Home Occupation.
- (a) The Home Occupation use must clearly be incidental and secondary to the primary use of the property as a residence.
 - (b) No person outside the family may be employed in the Home Occupation use.
 - (c) There shall be no exterior display, signage, exterior storage of materials, and/or other exterior indication of the Home Occupation use or variation from the residential character of the principal building.
 - (d) No traffic shall be generated by such Home Occupation than would normally be expected in the neighborhood.
 - (e) No nuisance, offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be generated.
 - (f) A Home Occupation may not be interpreted to include facilities for the repair of motor vehicles, repair of small motors, or a daycare center.
- (8) Full-Service Hotel.
- (a) The minimum room count for a Full-Service Hotel shall be 250-rooms.
 - (b) Each guestroom shall have a minimum square footage of 380 SF.
 - (c) A Full-Service Hotel shall have a full-service restaurant and kitchen that provides service to the general public.
 - (d) A Full-Service Hotel shall have staff that is present 24-hours a day, seven (7) days a week.
 - (e) A Full-Service Hotel shall have the following minimum amenities: [1] a minimum 10,000 SF meeting or conference room, and [2] a swimming pool with a minimum area of 1,000 SF.
- (9) Multi-Family Structure or Development.
- (a) See [Subsection 07.02, Multi-Family District Development Standards, of Article 05, District Development Standards.](#)
- (10) Portable Building.
- (a) See [Subsection 07.04, Accessory Structure Development Standards, of Article 05, District Development Standards.](#)
- (11) Residential Infill in or Adjacent to an Established Subdivision.
- (a) For the purposes of this Article, an Established Subdivision shall be defined as a subdivision that consists of five (5) or more lots, that is 90% or more developed, and that has been in existence for more than ten (10) years.
 - (b) All proposed residential infill housing that is located within an Established Subdivision or a lot or tract of land that is located with 500-feet of an Established Subdivision shall be required to apply for a Specific Use Permit (SUP).
 - (c) As part of the Specific Use Permit (SUP) request the applicant shall be required to submit a residential plot plan or site plan, landscape plans, and building elevations of the proposed home.
 - (d) In reviewing the proposed Specific Use Permit (SUP), the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing in the Established Subdivision.
 - (e) All housing proposed under this section shall be constructed to be architecturally and visually similar or complimentary to the existing housing in the Established Subdivision.

- (12) Single-Family Attached Structure.
- (a) See Section 03, Residential Districts, of Article 05, District Development Standards.
 - (b) See Subsection 07.01, Residential District Development Standards, of Article 05, District Development Standards.
- (13) Single-Family Detached Structure.
- (a) See Section 03, Residential Districts, of Article 05, District Development Standards.
 - (b) See Subsection 07.01, Residential District Development Standards, of Article 05, District Development Standards.
- (14) Single-Family Zero Lot Line Structure.
- (a) A five (5) foot maintenance easement is required on the non-zero-lot-line side of the structure.
 - (b) See Section 03, Residential Districts, of Article 05, District Development Standards.
 - (c) See Subsection 07.01, Residential District Development Standards, of Article 05, District Development Standards.
- (15) Townhouse.
- (a) See Section 03, Residential Districts, of Article 05, District Development Standards.
 - (b) See the standards for the Two-Family (2F) District Subsection 07.01, Residential District Development Standards, of Article 05, District Development Standards.
- (16) Urban Residential.
- (a) Urban Residential includes residential development that at least partly face streets, public sidewalks, or common open space, and/or which are located above retail, office or service uses.
 - (b) Ground floor urban residential should have direct access to a sidewalk via a stoop or landing, and a majority of parking should be located in a structure.
- (C) Institutional and Community Service Land Uses
- (1) Assisted Living Facility.
 - (a) These facilities shall include establishments that accommodate seven (7) or more residents. For facilities with six (6) or fewer residents see Group or Community Home in Subsection 02.03(C)(5).
 - (2) Church/House of Worship.
 - (a) Significant accessory uses such as schools, coffee houses, daycare centers, bingo parlors and halls may only be allowed in a zoning district that allows such uses.
 - (3) Congregate Care Facility/Elderly Housing.
 - (a) A Congregate Care Facility/Elderly Housing facility may have up to two (2) units for on-site managers, which contain full kitchen facilities.
 - (b) Full-time medical or nursing care shall not be provided by the facility; however, medical and nursing care may be privately arranged for individual residents on a part-time or temporary basis (e.g. visiting nurse or home health care).
- (c) These facilities shall incorporate special safety, accessibility and convenience features that may include but are not limited to emergency call systems, grab bars and handrails, and/or special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs.
- (4) Daycare with Seven (7) or More Children.
- (a) An adequate pickup and drop-off area providing a minimum curbing space for four (4) standard sized vehicles shall be provided.
- (5) Group or Community Home.
- (a) The facility must be operated by:
 - (1) The Texas Department of Mental Health and Mental Retardation (MHMR);
 - (2) A Community Center organized under Subchapter A, Community Centers, of Chapter 534, Community Services, of the Health and Safety Code, that provides services to persons with disabilities;
 - (3) An entity subject to the Texas Non-Profit Corporation Act; or
 - (4) An entity certified by the Texas Department of Human Services as a provider under the medical assistance program service persons in intermediate care facilities for persons with mental retardation; or
 - (5) An entity operating an Assisted Living Facility licensed under Chapter 247, *Assisted Living Facilities*, of the Texas Health and Safety Code, and with six (6) or fewer residents. For an assisted living facility with more than six (6) residents see Assisted Living Facility in Subsection 02.03(C)(1).
 - (b) When the facility is located within a residential zoning district:
 - (1) The exterior structure must retain compatibility with the surrounding residential dwellings, and
 - (2) Not more than six (6) persons with disabilities and two supervisors may reside in the facility at the same time. The limitation on the number of persons with disabilities applies regardless of the legal relationship of those persons to one another.
 - (c) A Group or Community Home may not be established within one-half (½) mile of an existing Group or Community Home unless a Specific Use Permit (SUP) is approved by the City Council.
 - (d) The residents of a Group or Community Home may not keep for the use of the residents of the home, either on the premises or on a public right-of-way adjacent to the home, motor vehicles in numbers that exceed the number of bedrooms in the home.

(6) Halfway House.

- (a) These facilities shall not be located within a 1,000-foot radius of another Halfway House (as measured from parcel to parcel). A Specific Use Permit (SUP) shall be required for any facility located closer than 1,000-feet.
- (b) Such facilities shall be licensed as a Community Residential Facility under Chapter 508, Parole and Mandatory Supervision, of the Texas Health and Safety Code.

(7) Public or Private Primary School.

- (a) Adequate pick-up and drop-off areas shall be provided to ensure that street traffic/neighborhood traffic is not impeded. This shall be determined by the Director of Planning and Zoning or his/her designee at the time of site plan.

(8) Public or Private Secondary School.

- (a) The school shall be located on a Minor Collector or larger roadway.
- (b) Adequate pick-up and drop-off areas shall be provided to ensure that street traffic/neighborhood traffic is not impeded. This shall be determined by the Director of Planning and Zoning or his/her designee at the time of site plan.

(9) Temporary Education Buildings for a Public or Private School.

- (a) The City Manager or his/her designee may approve temporary educational buildings for a public school pending the submission of a letter from the independent school district indicating the duration the buildings will remain on-site. The City Manager or his/her designee may also require the temporary buildings to adhere to the procedures and requirements of Subsection 02.03(C)(9)(b) below.
- (b) All other applications of temporary educational buildings will require a Specific Use Permit (SUP) that shall be approved by the Planning and Zoning Commission and City Council, and that shall include the following operational conditions:
 - (1) The buildings shall be screened from the view of adjacent properties, public right-of-way, and parks and open space by the primary structure or landscape screening that incorporates three (3) tiered screening (i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees).
 - (2) The applicant shall provide a plan indicating the expected phasing-out of all temporary structures.
 - (3) The Specific Use Permit (SUP) shall be valid for a period not to exceed five (5) years.

(D) Office and Professional Land Uses.

(1) Financial Institution with Drive-Through.

- (a) Drive-throughs shall not be located on a property adjacent to a residentially zoned or used property. Drive-throughs shall be separated from residentially zoned or used properties by an intervening building or parcel of land.
- (b) Drive-throughs shall not have access to local residential streets.
- (c) Stacking lanes for drive-through service windows shall accommodate at least six (6) standard sized motor vehicles per lane, unless specifically approved by the Planning and Zoning Commission.

(E) Recreation, Entertainment and Amusement Land Uses.

(1) Temporary Carnival, Circus, or Amusement Ride.

- (a) The duration of these temporary uses shall not exceed 14-days.
- (b) Carnival, circus and amusement ride uses shall be no closer than 300-feet to a residentially zoned or used property unless otherwise approved by the Planning and Zoning Commission and City Council.
- (c) Such events must obtain a permit from the City of Rockwall.

(2) Indoor Commercial Amusement/Recreation.

- (a) Exemptions to this use include:
 - (1) Skill or coin-operated machines kept in private residences or apartments and used without charge by members of the family or bona fide guests.
 - (2) Skill or coin-operated machines on the premises of religious, charitable, educational or fraternal organizations for the use of members or their guests, and not for private profit, although a charge is made for playing.
 - (3) Billiard or pool tables on the premises of publicly owned facilities.

(3) Outdoor Commercial Amusement/Recreation.

- (a) Outdoor Commercial Amusement/Recreation includes uses that provide outdoor entertainment (e.g. amusement parks, golf courses, outdoor music venues, batting cages, miniature golf etc.), but excludes drive-in movie theaters.
- (b) Outdoor Commercial Amusement/Recreation includes temporary structures (e.g. tents, canopies, etc.) for events; however, temporary in this case does not include structures intended to serve uses for longer than 14-days.
- (c) Outdoor Commercial Amusement/Recreation shall be a minimum of 300-feet from all residentially zoned or used property unless otherwise approved by the Planning and Zoning Commission and City Council.

(4) Temporary Fundraising Events by Non-profit.

- (a) Such events must obtain a Special Event Permit from the City of Rockwall.

(5) Indoor Gun Club with Skeet or Target Range.

- (a) All activities shall be done inside an enclosed building.
- (6) Private Club, Lodge or Fraternal Organization.
 - (a) Private Club.
 - (1) Setbacks from Other Uses. The club must be located not less than 300-feet from a church, public school, or public hospital. For a church or public hospital, the 300-feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the private club and in a direct line across intersections.
 - (2) Exterior Signs. There shall be no exterior signs advertising the sale of alcoholic beverages, provided this does not prohibit using established trademark names (e.g. Steak and Ale).
 - (3) Alcoholic Sales Revenue. Revenues from the sale of alcoholic beverages shall not exceed 40% of the gross revenues derived from the sale of food and beverages. In the hotels and motels, the gross receipts shall include all restaurants and club operations in the facility as well as room rental charges. The City shall be provided with copies of the reports submitted by the establishment to the Texas Comptroller of Public Accounts and the Texas Alcoholic Beverage Commission within 30-days of the end of each quarter. Combined sales as reflected on the reports for the last two (2) reported quarters shall be used to determine if the sales of alcohol exceed the maximum allowed percentage.
 - (4) Club Boundaries. The boundaries of a private club are hereby defined to be the building in which the private club is located, or in the case of a multi-tenant building such as a shopping center, only that portion of the building in which the private club is located which is separately leased or owned, or with contiguous internal access should such floor area be leased to more than one (1) party.
 - (5) Certificate of Occupancy. A copy of the permit approved by the state shall be submitted to the city prior to issuance of a Certificate of Occupancy (CO) to ensure that the permit complies with the provisions of the zoning.
 - (6) Allowed uses. No uses meeting the terms and definitions of Sexually Oriented Business as defined in [Article XI, Sexually Oriented Businesses, of Chapter 12, Businesses and Sales, of the Municipal Code of Ordinances](#), as it is currently adopted or as it may hereafter be amended, shall be located in a private club unless such uses are approved as a part of the Specific Use Permit (SUP) authorizing the Private Club. Any such approved use shall be in compliance with all requirements of this permit, all

applicable requirements of the Unified Development Code (UDC), and any other applicable ordinances.

- (7) Sexually Oriented Businesses.
 - (a) Sexually Oriented Businesses shall not be permitted within any Overlay District in the City of Rockwall.
- (F) Retail and Personal Service Land Uses Conditions.
 - (1) Portable Beverage Service Facility.
 - (a) The service shall be limited to snow cone stands, beverage stands serving non-alcoholic beverages such as coffee, juices or sodas.
 - (b) The maximum time limit of such temporary use shall not exceed 150-days annually or a time limit otherwise approved by the City Council. At the end of the time period, the structure shall be removed from the property.
 - (c) Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.
 - (d) No additional freestanding signage shall be permitted.
 - (e) The temporary portable structure or trailer shall meet all health and electrical codes of the City.
 - (f) Any such temporary facility shall not reduce the number of required parking spaces of any nearby building or use.
 - (g) Any such temporary facility shall have permanent restrooms for employees available within 300-feet of the door of the portable beverage facility. Written permission from the permanent building owner for restroom use must be submitted to the building official; no portable restroom facility is allowed.
 - (h) Any such temporary facility shall be located on an all-weather (i.e. asphalt or concrete) parking surface with adequate space for parking and circulation, unless alternatively approved by the City Council.
 - (2) Temporary Christmas Tree Sales Lot and Similar Uses.
 - (a) Any such temporary facility of lot shall be limited to the seasonal sales of Christmas trees.
 - (b) The maximum time limit of such use shall not exceed 45-days annually. At the end of the 45-day period, the structure and other facilities related to the use shall be removed from the property.
 - (c) Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.
 - (d) No additional freestanding signage shall be permitted.
 - (e) Any such temporary facility shall not reduce the number of required parking spaces of any nearby building or use.
 - (f) Any such temporary facility shall have permanent restrooms for employees available within 300-feet for which written permission from the permanent building

owner for restroom use must be submitted to the Chief Building Official; no portable restroom facility is allowed.

(3) Craft/Micro Brewery, Distillery and/or Winery.

- (a) A Craft/Micro Brewery area shall be less than 12,000 SF in total building area.
- (b) A maximum of 40% of the total floor areas can be dedicated to the direct sale of on-site manufactured product.
- (c) A craft or micro-brewery, distillery and/or winery may include the following accessory uses (*in accordance with any applicable land use standards and requirements*): [1] a tasting room to dispense beer, wine, and/or spirits for on premise consumption, [2] meeting/banquet facilities, [3] restaurants, and/or [4] retail package sales of on-site manufactured product for off-premise consumption shall be allowed as permitted by the Texas Alcohol Beverage Commission's (TABC) Alcoholic Beverage Code.
- (d) A facility that does not have a manufacturing component (i.e. only provides tasting or retail sales of alcoholic beverages) shall not be considered a craft or micro-brewery, distillery and/or winery and shall be prohibited.

(4) Incidental Display.

- (a) Outdoor sales and displays are permitted only in areas designated on the Site Plan filed with the City.
- (b) Outdoor sales and display may not exceed five (5) percent of the adjacent building floor area (building area is defined as the entirely enclosed portion of the primary building).
- (c) Outdoor sales and display may occupy up to 30% of a covered sidewalk that is located within 20-feet of the building. Such display shall not impede pedestrian use of the sidewalk and at least a five (5) foot passable distance shall be maintained.
- (d) Any outside sales and display not located on a covered sidewalk must be screened from view of adjacent roadways, public areas and adjacent properties. Such screening must:
 - (1) Be a minimum of eight feet high or one (1) foot taller than the materials being displayed, whichever is greater.
 - (2) Include a minimum of 20% solid screening matching the material of the primary building. The remainder may be solid evergreen planting, or wrought iron or decorative metal fence.
- (e) Any outside sales and display not located on a covered sidewalk must be located immediately adjacent to or connected to the primary structure.
- (f) No outdoor sales and display may be located in any portion of a parking lot.
- (g) Christmas tree sales are exempted from these standards, and such trees may be stored outdoors for sale beginning one (1) week before Thanksgiving and ending December

31st (see Temporary Christmas Tree Sales and Similar Uses).

- (h) The accessory seasonal display of plants and related landscape materials such as fertilizer, peat moss, and ornamental landscape items by a permitted retail use may be displayed upon approval by the building inspector only under the following conditions:
 - (1) The plants and related materials shall be located on an all-weather surface.
 - (2) All of the plants and related materials shall be located behind the building line.
 - (3) The storage area for display of plants and related materials shall not occupy any required parking spaces. Excess, parking spaces may be used if all other requirements are met.
 - (4) The storage area for display of plants shall not occupy more than five (1) percent of the total lot area.
- (i) The restrictions above shall be construed to prohibit the storage and display of rental trailers and trucks except in districts where such uses are indicated as permitted uses.

(5) Food Truck/Trailer.

- (a) The Food Truck/Trailer shall be located on an improved surface (*i.e. concrete or asphalt*) on private property where an existing business is currently operating with a valid Certificate of Occupancy (CO). Operation within the public right-of-way is prohibited.
- (b) Food Trucks/Trailers shall only operate between the hours of 7:00 AM and 10:00 PM, and the Food Truck/Trailer shall be required to be removed from the property during non-operation hours (*i.e. overnight storage on the site is prohibited*).
- (c) The Food Truck/Trailer shall be equipped with trash receptacles approved by the city health inspector and that comply with all other applicable city codes. The outside storage of trash shall be prohibited.
- (d) The Food Truck/Trailer shall have permanent restrooms (*i.e. public or private*) for employees available within 300-feet of the facility. Portable restrooms facilities are not permitted to meet this requirement.
- (e) The Food Truck/Trailer shall have access to a minimum of two (2) dedicated parking spaces and shall not reduce the required parking for the existing building/land use.
- (f) All noise and lighting shall be subject to the requirements of the Municipal Code of Ordinances and the Unified Development Code. In addition, no lights associated with the operation of a Food Truck/Trailer may be directed towards an adjacent property or onto a public right-of-way.
- (g) All signage must be attached to the Food Truck/Trailer with the exception of one freestanding menu board no greater than eight (8) square feet placed adjacent to the Food Truck/Trailer.

- (h) Food Truck/Trailer shall be prohibited from locating within the Downtown Square (i.e. the properties bounded by N. Alamo Street, E. Interurban Street, S. Fannin Street, and E. Washington Street); however, the City Council may consider allowing a food truck/trailer to locate within the Downtown Square on a case-by-case basis through the approval of a Specific Use Permit (SUP).
- (6) General Personal Service.
 - (a) Outside storage shall be prohibited with this land use.
- (7) Permanent Cosmetics.
 - (a) It includes electrolysis, but does not include ornamental tattoos.
- (8) Rental Store without Outside Storage and/or Display.
 - (a) Outside storage and/or display is prohibited for this land use.
- (9) Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In.
 - (a) Drive-through lanes shall not have access to a local residential street.
 - (b) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
 - (c) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles per lane.
- (10) Restaurant with 2,000 SF or More with Drive-Through or Drive-In.
 - (a) Drive-through lanes shall not have access to a local residential street.
 - (b) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
 - (c) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles per lane.
- (G) Commercial and Business Services Land Uses.
 - (1) Building and Landscape Material with Outside Storage.
 - (a) Outside storage shall be permitted in accordance with the requirements for outside storage contained in Article 04, [Permissible Uses](#), and [Article 08, Landscape and Fence Standards](#).
 - (2) Building and Landscape Material with Limited Outside Storage.
 - (a) Outdoor sales and displays are permitted only in areas designated on the site plan filed with the City.
 - (b) Outdoor sales and display may not exceed five (5) percent of the adjacent building floor area (Building area is defined as the entirely enclosed air-conditioned portion of the primary building).
 - (c) Outdoor sales and display may occupy up to 30% of a covered sidewalk that is located within 20-feet of the building. Such display shall not impede pedestrian use of the sidewalk and at least a six (6) foot passable distance shall be maintained.
 - (d) Any outside sales and display not located on a covered sidewalk must be screened from view of adjacent roadways, public areas and adjacent properties. Such screening must:
 - (1) Be a minimum of eight (8) feet high or one (1) foot taller than the materials being displayed, whichever is greater.
 - (2) Include minimum of 20% solid screening matching the material of the primary building. The remainder may be solid evergreen planting, or wrought iron or decorative metal fence.
 - (e) Any outside sales and display not located on a covered sidewalk must be located immediately adjacent to or connected to the primary structure.
 - (f) No outdoor sales and display may be located in any portion of a parking lot.
 - (3) Building Maintenance, Service, and Sales with Outside Storage.
 - (a) Outside storage shall be permitted in accordance with the requirements for outside storage contained in Article 04, [Permissible Uses](#), and [Article 08, Landscape and Fence Standards](#).
 - (b) All outside storage must be screened from adjacent properties, public right-of-way, and parks and open space.
 - (4) Furniture Upholstery/Refinishing and Resale.
 - (a) In the Commercial (C) District, the furniture upholstery refinishing or resale land use is only permitted as an ancillary use to a general retail store (i.e. a business whose primary purpose is to sell finished goods) by Specific Use Permit (SUP).
 - (5) Rental, Sales, and Service of Heavy Machinery.
 - (a) In the Commercial (C) District, the Rental, Sales, and Service of Heavy Machinery land use is only permitted as an ancillary use to a General Retail Store (i.e. a business

whose primary purpose is to sell finished goods) by Specific Use Permit (SUP).

- (b) All outside storage of equipment and machinery shall be visibly screened from all adjacent properties utilizing one of the screening alternatives outlined in [Subsection 05.02\(A\), Loading Docks and Outside Storage Areas, of Article 08, Landscape and Fence Standards, of the Unified Development Code \(UDC\)](#).
 - (c) The storage area for equipment and machinery shall not occupy any required parking spaces. Excess parking spaces may be used if all other requirements are met.
 - (d) The storage and/or display of equipment and machinery shall be in a stowed position so as to not extend any part of the equipment or machinery in an upward or outward manner.
 - (e) The conditions above shall not be construed to permit the outside storage of equipment and machinery for outside display, and does not permit additional outside storage of other materials that are not associated with the Rental, Sales, and Service of Heavy Machinery land use.
 - (f) Maintenance or service of any equipment and machinery shall not be performed on-site.
- (6) Temporary On-site Construction Office.
- (a) Only one (1) construction or field office shall be allowed per construction site, unless specifically approved by the Chief Building Official.
 - (b) Temporary construction offices shall be limited to the period of construction with a two (2) year initial period and one (1) year extensions being authorized by the Chief Building Official.
- (H) Auto and Marine-Related Land Uses.
- (1) Major Auto Repair Garage.
- (a) Garage doors shall not face a public right-of-way, park or open space, or residentially zoned or used property.
 - (b) Vehicles, equipment, parts or inventory shall not be stored outside overnight unless granted by the Planning and Zoning Commission and City Council through a Specific Use Permit (SUP). If permitted all stored items shall be screened from public right-of-way, sidewalks and open space, and any residentially zoned or used property in accordance with the requirements of Article 04, *Permissible Uses*, and [Article 08, Landscape and Fence Standards](#).
- (2) Minor Auto Repair Garage.
- (a) The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstery service. It also includes quick lube type businesses. This applies to only to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.

- (b) In a General Retail (GR) District, a Minor Auto Repair Garage is permitted as an accessory to a retail use, when the gross floor area of the auto repair and related storage does not exceed 30% of the retail sales floor area. If it is a stand-alone use, it shall require a Specific Use Permit (SUP).
 - (c) In a Commercial (C) District, a Minor Auto Repair Garage is permitted as an accessory to a retail use, provided all work is conducted wholly within a completely enclosed building. If it is a stand-alone use, it shall require a Specific Use Permit (SUP).
 - (d) Garage doors or bays shall not face the street or a residential lot.
 - (e) Vehicles, equipment, parts or inventory shall not be stored outside overnight unless granted by the Planning and Zoning Commission and City Council through a Specific Use Permit (SUP). If permitted all stored items shall be screened from public right-of-way, sidewalks and open space, and any residentially zoned or used property in accordance with the requirements of Article 04, *Permissible Uses*, and [Article 08, Landscape and Fence Standards](#).
 - (f) A site plan must be approved prior to issuance of any building permit.
 - (g) In the Downtown (DT) District a Minor Auto Repair Garage shall not be located within 500-feet of the Historic Courthouse property.
- (3) Boat and Trailer Dealerships (New and Used).
- (a) The area to be used for outside storage and display shall not exceed 50% of the total lot area within 100-feet of any adjacent street.
 - (b) All such outside storage and display areas must be permanently paved to City standards.
 - (c) All such outside storage and display areas must be screened along all road frontages with a solid evergreen landscape screen a minimum of three (3) feet in height.
 - (d) All such outside storage and display areas may be lighted with directed exterior lighting that does not glare onto any adjacent roadways.
 - (e) A site plan and landscape plan shall be approved prior to issuance of any building permit.
 - (f) Such uses shall only be permitted along IH-30 and other arterials, as identified on the City's Master Thoroughfare Plan, but shall be excluded within the Scenic Overlay (SOV) District and along FM-740 and SH-66.
- (4) Car Wash (Full-Service or Self-Service).
- (a) Entrances and exits to the car wash shall not directly face any public right-of-way. On corner sites, car wash entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the Director of Planning and Zoning.

- (b) The carwash shall be set back a minimum of 50-feet from any street frontage.
- (5) New and/or Used Indoor Motor Vehicle Dealership/Showroom.
 - (a) The sales/storage facility must be a completely enclosed building.
 - (b) Outside display or storage of vehicles shall be prohibited. This includes storing vehicles under canopies/awnings or similar covered structures.
 - (c) All activities shall remain inside the building (i.e. no detailing, sales activities, et cetera shall be performed outside the building).
 - (d) Accessory uses may be allowed in compliance with [Land Use Schedule](#).
- (6) New Motor Vehicle Dealership for Cars and Light Trucks.
 - (a) All outside display of vehicles must be on an approved concrete, or enhanced concrete surface.
 - (b) All vehicle display areas must meet the landscape standards for parking areas.
- (7) Used Motor Vehicle Dealership for Cars and Light Trucks.
 - (a) Used vehicles may only be sold as an ancillary use to new vehicle sales.
- (8) Service Station.
 - (a) Service station does not include any premises where retail sales space exceeds 25% of the total building area or 500 SF of gross floor area, whichever is less.
- (9) Towing and Impound Yard.
 - (a) A towing and impound yard must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in [Article VI, Wrecker and Towing Services, of Chapter 12, Businesses and Sales, of the Municipal Code of Ordinances](#), unless otherwise approved by the Planning and Zoning Commission and City Council as part of the Specific Use Permit (SUP) approved for the use.
- (10) Towing Service without Storage.
 - (a) A towing storage with no outside storage must comply with all requirements, including definitions and permitting procedures for wrecking and towing services, that are specified in [Article VI, Wrecker and Towing Services, of Chapter 12, Businesses and Sales, of the Municipal Code of Ordinances](#).
- (11) Truck Stop with Gasoline Sales and Accessory Services.
 - (a) Entrances and exits to the service bays shall not directly face any public street. On corner sites, service bay entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the Director of Planning and Zoning.
- (b) The location of access drives from adjacent streets shall be determined by the Director of Planning and Zoning.
- (I) Industrial and Manufacturing Land Uses.
 - (1) Asphalt or Concrete Batch Plant.
 - (a) Any Asphalt or Concrete Batch Plant shall meet environmental standards established by Unified Development Code (UDC) and state and federal agencies.
 - (2) Temporary Asphalt or Concrete Batch Plant.
 - (a) A permit from the Chief Building Official stating any special conditions relating to its siting and reduction of potential impacts on adjacent uses, shall be required for this use.
 - (b) Temporary Asphalt or Concrete Batch Plants are limited to the period of construction if was constructed to serve.
 - (c) Any Asphalt or Concrete Batch Plant shall meet environmental standards established by Unified Development Code (UDC) and state and federal agencies.
 - (3) Brewery or Distillery.
 - (a) A brewery or distillery may include a tasting room to dispense beer for on premise consumption as an accessory use (in accordance with any applicable land use standards and requirements).
 - (4) Environmentally Hazardous Materials.
 - (a) Any land use which involves environmentally hazardous materials shall meet environmental standards established by Unified Development Code (UDC) and state and federal agencies.
 - (b) A permit from the Chief Building Official stating any special conditions relating to its siting and reduction of potential impacts on adjacent uses, shall be required for this use.
 - (5) Mining and Extraction (Sand, Gravel, Oil and Other).
 - (a) Any mining and extraction activity shall meet environmental standards established by Unified Development Code (UDC) and state and federal agencies.
 - (b) A permit from the Chief Building Official stating any special conditions relating to its siting and reduction of potential impacts on adjacent uses, shall be required for this use.
 - (6) Winery.
 - (a) A winery may include the following accessory uses (in accordance with any applicable land use standards and requirements): [1] a tasting room to dispense wine for on premise consumption, [2] meeting/banquet facilities, [3] restaurants, and/or [4] retail sales of wine for off-premise consumption.
- (J) Wholesale, Distribution and Storage Land Uses.

- (1) Mini-Warehouse.
 - (a) The number of storage units per acre shall not exceed 125, the minimum number of storage units shall be ten (10), and the maximum site area shall be five (5) acres.
 - (b) Only single-story units are allowed; however, no multistory buildings will be permitted unless an exception is approved by the Planning and Zoning Commission and City Council. If necessary, the office/caretaker residence-unit may exceed one (1) story, but shall not be greater than 36-feet in height.
 - (c) A minimum of two (2) parking spaces shall be required for the on-site manager (*i.e. caretaker, resident or otherwise*).
 - (d) No direct access from FM-740, SH-205, SH-66, SH-276, FM-3097, FM-552, FM-549 and John King Boulevard. The City Council may consider granting direct access from the above-mentioned roadways after review and determination of the availability of access to the specific property.
 - (e) Perimeter walls shall be provided which face the front, rear and side property lines. Overhead doors shall not face adjacent streets. Perimeter walls facing the front yard shall incorporate architectural features to break up the long repetitive nature of self-storage buildings (e.g. offsets in buildings, variation of materials, and/or variation of heights, etc.). No gutters and downspouts shall be incorporated in the perimeter walls facing the front property line.
 - (f) The front, side and rear building set back areas shall be landscaped. Landscaping should be clustered, creating interesting relief from the long repetitive nature of self-storage buildings.
 - (g) The facilities shall incorporate the use of perimeter gates that limit access to the storage areas to customers only. Special access for fire and police personnel shall be provided as required.
 - (h) All screening fences shall be wrought iron with landscaping/living screen or masonry walls in accordance with the screening requirements contained in [Subsection 05.02, Landscape Screening, of Article 08, Landscape and Fence Standards](#). See-through fencing should be wrought iron, or similar. Chain-link fencing of any kind shall be prohibited.
 - (i) Buildings and see-through fencing should be oriented in a manner to restrict the visibility of interior overhead doors and drives from public right-of-way. The color(s) of the garage doors, as well as other doors within the facility, shall compliment the exterior colors of the main building(s).
 - (j) The commercial operation of rental trucks and trailers shall be prohibited.
 - (k) Businesses shall not be allowed to operate in the individual storage units.
- (l) No outside storage of any kind shall be allowed (including the outside storage of boats, recreational vehicles, and motor or self-propelled vehicles).
- (m) Concrete shall be used for all paving.
- (n) Roofs shall have a minimum pitch of 1:3 and be constructed with a metal standing seam. Mechanical equipment shall be screened with the roof structure or parapet walls.
- (o) Lighting standards shall be limited to a maximum of 20-feet in height.
- (p) The residential unit as an accessory to the permitted use shall not exceed 1,600 SF.
- (2) Outside Storage and/or Outside Display.
 - (a) Outside Storage and/or Outside Display shall adhere to the requirements of [Subsection 01.05, Screening Standards, of Article 05, District Development Standards](#).
 - (b) No outside storage shall be allowed in any zoning district adjacent to IH-30. However, on property that is zoned Light Industrial (LI) District and adjacent to IH-30, a Specific Use Permit (SUP) may be considered on a case-by-case basis to allow for Outside Storage and/or Outside Display in conjunction with a use that is permitted under [Land Use Schedule](#). A Specific Use Permit (SUP) approved for this use may be subject to time limitations, site/landscaping or building enhancements, or other restrictions deemed appropriate by the Planning and Zoning Commission and City Council.
 - (c) Incidental Display, as defined in [Subsection 02.02\(F\)\(4\)](#), shall not be considered Outside Storage and/or Outside Display, and shall be subject to the requirements of [Subsection 02.02\(F\)\(4\)](#).
- (K) Utilities, Communications and Transportation Land Uses
 - (1) Antenna as an Accessory.
 - (a) The antenna installation shall comply with the height and area regulations of the applicable zoning district.
 - (b) Administrative approval of the antenna installation shall be required.
 - (c) The antenna will meet all applicable requirements of [Subsection 03.06, Antennas](#).
 - (2) Commercial Antenna.
 - (a) Located entirely within a non-residential structure as allowed under the applicable zoning district regulations:
 - (1) Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building on the site; or the necessary equipment shall be contained entirely within the principal building on the property or in an underground vault.
 - (2) Any necessary equipment building shall be enclosed by a decorative iron fence surrounded by a screening hedge which will achieve a height of at least six (6)

feet at maturity or a masonry screening wall at least eight (8) feet in height, compatible in color with the principal building and the equipment building.

- (3) At least one (1) paved parking space with paved access thereto shall be provided at the antenna location; said parking space need not be reserved exclusively for use in conjunction with the antenna installation and may be one (1) of the spaces provided for the principal use on the property.
- (4) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
- (5) No more than three (3) separate equipment buildings shall be located on a single lot.
- (6) The antenna will meet all applicable requirements of [Subsection 03.06, Antennas](#).

(3) Antenna for an Amateur Radio.

- (a) Amateur antenna support structures, antenna, or support wires must be located behind the front facade of the main building, and no amateur antenna support structure, antenna, or support wires may be located in the required rear or side yard setback.
- (b) No amateur antenna support structure or antenna may be greater than the maximum height of the underlying zoning district. However, the height of such antenna support structure or antenna may be increased up to 70-feet provided the setback from side and rear setback lines is increased by one (1) foot for every foot the height exceeds the limit specified in the underlying zoning district. In addition, the City Council may consider approval of a Specific Use Permit (SUP) for any amateur antenna support structure or antenna that is proposed to exceed these height limits.
- (c) Only one (1) amateur radio support structure may be erected on a residential lot. Additional antenna support structures may be allowed with the approval of a Specific Use Permit (SUP).
- (d) The antenna will meet all applicable requirements of [Subsection 03.06, Antennas](#).

(4) Antenna Dish.

- (a) Dish antennas shall not be located within front or side yards, and shall be fully screened from view from streets and public or common open areas. In all cases, they must be screened to minimize the visual impact from adjacent properties.
- (b) In residential districts, they shall be located only in rear yards. However, dish antennas 20-inches or smaller may be roof mounted provided that they are located behind a transverse roof ridge line and screened from adjacent properties.
- (c) In commercial districts, if located on ground level, dish antennas shall be screened to the full height of the

structure with landscaping. They may also be allowed on roof tops provided that they are located and screened so as to minimize visual impact from other properties in the area.

- (d) In industrial districts, dish antennas may be ground or roof mounted but must be screened to minimize the visual impact from adjacent properties.
 - (e) If the standards above are not reasonably achievable, a Specific Use Permit (SUP) shall be obtained prior to installation of a dish antenna.
 - (f) The antenna will meet all applicable requirements of [Subsection 03.06, Antennas](#).
- (5) Commercial Freestanding Antenna.
- (a) Commercial Freestanding Antenna attached to a utility installation or a light pole in a public park or on public school property:
 - (1) The height of the utility installation or light pole upon which the antenna is attached shall be greater than 75-feet but no more than 150-feet.
 - (2) The antenna shall extend no more than ten feet above the maximum height of the utility structure.
 - (3) A minimum clearance of 15-feet shall be maintained from the ground to the lowest element of the antenna.
 - (4) A minimum setback of 20-feet shall be maintained from the utility installation, light pole or any equipment building to the lot line of the nearest property developed for residential occupancy.
 - (5) Any necessary equipment building may be constructed of metal with a baked-on or pre-painted surface and shall not exceed seven feet in height and 75 SF in area. The exterior surfaces shall be covered in paint or a similar coating; or the building may be built of a material allowed by the applicable zoning district for the principal building; or the necessary equipment may be contained entirely within a principal building on the property or in an underground vault. All equipment buildings shall be maintained free from graffiti.
 - (6) At least one (1) paved parking space with paved access may be required at the antenna location; this parking space need not be reserved exclusively for use in conjunction with the antenna installation and may be one (1) of the spaces provided for the principal use on the property, if any.
 - (7) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
 - (8) No more than three separate antennas and three (3) equipment buildings shall be located on a single lot or structure.

- (9) The antenna will meet all applicable requirements of [Subsection 03.06, Antennas](#).
- (b) Commercial Freestanding Antenna that is not attached to a utility installation or a light pole in a public park or on public school property:
- (1) The antenna installation shall comply with the height and area regulations of the applicable zoning district and the support structure shall not exceed 125-feet in height.
 - (2) The antenna shall not extend more than ten (10) feet above the maximum height of the support structure.
 - (3) Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building on the site; or the necessary equipment shall be contained entirely within a principal building on the property or in an underground vault.
 - (4) The antenna and any equipment buildings shall be enclosed by a decorative iron fence surrounded by a screening hedge which will achieve a height of at least six feet at maturity or by a masonry screening wall at least eight (8) feet in height, compatible in color and character with the principal building and the equipment building.
 - (5) At least one (1) paved parking space with paved access may be required at the antenna location; this space need not be reserved exclusively for use in conjunction with the antenna facility and may be one (1) of the spaces required for the principal use on the property.
 - (6) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
 - (7) No more than three (3) separate antennas and three equipment buildings shall be located on a single lot or structure.
 - (8) The antenna will meet all applicable requirements of [Subsection 03.06, Antennas](#).
- (c) Replacement of an Existing Freestanding Antenna that has not been permitted this Article -- but that is considered to be a legally recognized, non-conforming structure or facility --, the replacement of the antenna installation may be approved by the City Council on a case-by-case basis through a Specific Use Permit (SUP) pending the request conforms to the following criteria:
- (1) The replacement of any legally recognized, non-conforming antenna installation shall only be permitted within the Heavy Commercial (HC) District, Light Industrial (LI) District, and Heavy Industrial (HI) District.
 - (2) The replacement antenna installation shall be set back a minimum distance equal to the height of the proposed structure from any residential property or residentially zoned property.
- (3) The existing antenna installation shall be removed from the property within 14-days of the completion of the proposed replacement antenna installation.
 - (4) The height of the replacement installation shall be equal to or less than the existing antenna installation, and any additional antennas added to the structure shall not exceed the height of the replacement installation.
 - (5) Any necessary equipment buildings associated with the replacement installation shall be of a material allowed by the applicable zoning district and be similar in color and character to the principal building on the site. As an alternative, the necessary equipment can be contained entirely within the principal building on the property or in an underground vault.
 - (6) The antenna and any equipment buildings shall be enclosed by a decorative iron fence surrounded by a landscape screening that will achieve a height of at least six (6) feet at maturity. As an alternative a masonry screening wall at least eight (8) feet in height, compatible in color and character with the principal building may be used.
 - (7) At least one (1) paved parking space with paved access may be required at the antenna location. This parking space does not need to be reserved exclusively for the replacement tower use and may be one (1) of the spaces required for the principal use on the property.
 - (8) The antenna will meet all applicable requirements of [Subsection 03.06, Antennas](#).
- (6) Mounted Commercial Antenna.
- (a) Mounted Commercial Antenna that 12-feet or less in height, on non-residential structures allowed under the applicable zoning district regulations:
 - (1) The total height of the structure, including the antenna, shall not exceed the maximum height of the zoning district by more than 12-feet.
 - (2) A minimum clearance of 15-feet shall be maintained from the ground to the lowest element of the antenna.
 - (3) Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building; or the necessary equipment shall be contained entirely within a principal building on the property or in an underground vault.
 - (4) The antenna and any necessary equipment building shall be enclosed by a decorative iron fence surrounded by a screening hedge, which will achieve a height of at least six (6) feet at maturity or a

masonry screening wall at least eight (8) feet in height, compatible in color and character with the principal building and the equipment building.

- (5) At least one (1) paved parking space with paved access thereto shall be provided at the antenna location; said space need not be reserved exclusively for use in conjunction with the antenna facility and may be one (1) of the spaces required for the principal use on the property.
 - (6) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.
 - (7) The antenna will meet all applicable requirements of [Subsection 03.06. Antennas](#).
- (7) Solar Energy Collector Panels and System.
- (a) Solar energy collector panels installed on a pitched roof shall be of a flat configuration and shall be subject to the following requirements:
 - (1) Configuration of pitched roof solar energy collector panels shall be a regular quadrangular shape, flat to the roof or integrated with the roof, and aligned with the natural roof edges.
 - (2) The surface of the solar energy collector panel shall not be more than six inches above the surface of the pitched roof.
 - (b) Solar energy collector panels installed on a flat roof, whether rack-mounted or flat-mounted, shall be screened from public view.
 - (1) The height of such screening, at the minimum, shall be the height of the solar energy collector panel.
 - (2) The screening may be by a parapet or screening wall replicating the materials of the building.
 - (a) Reflective flare of solar energy collector panels shall be minimized by the positioning of the solar collector panels or by the use of nonglare glazing.
 - (b) Piping, wiring and other mechanical accessories shall be concealed within a roof mounted solar energy collector panel. If some portion of the piping, wiring or other mechanical accessories cannot be practically concealed then those portions shall be painted so as to blend with the roofing material.
 - (c) Ground mounted or pole mounted solar energy collector panels shall be located behind the primary building, and shall be fully screened from public view by a solid screening fence or wall that meets all code requirements of the city.
 - (d) The maximum overall height of ground mounted or pole mounted solar energy collector panels shall not exceed 12-feet.

- (e) In residential zoning districts, the total coverage area of solar energy collector panels shall not exceed 1,000 SF on a single lot.
- (f) Any solar energy collector panels or systems not meeting these requirements, or any installation of solar energy systems as the principal use on any property, shall require approval of a Specific Use Permit (SUP).

SECTION 03 | OTHER SPECIAL USE STANDARDS

SUBSECTION 03.01: FARM ANIMALS AND HORSES

- (A) Grazing Animals. In the SF-E and SF-1 Districts, grazing animals 500 pounds or greater, including horses and cattle must have a minimum fenced or enclosed area of 40,000 square feet per animal. Grazing animals of less than 500 pounds, including sheep and goats, must have a minimum fenced or enclosed area of 15,000 square feet per animal.
- (B) Other Animals. An SUP is required for other farm animals, including chickens and swine (except for “potbellied pigs” as defined in [Section 6-1, Definitions, of Chapter 6, Animals, of the Municipal Code of Ordinances](#)), and for a reduction in the land area required for grazing farm animals. The city shall not grant a SUP for any farm animal unless it is convinced that the presence of such animals will not injure the use and enjoyment of neighboring properties, including the impact of dust, flies and odor.
- (C) General Conditions. Notwithstanding the conditions above,
 - (1) Ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans and animals;
 - (2) Fences or pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the animal; and
 - (3) In SF-E and SF-1 Districts, no swine or fowl are permitted, except for *potbellied pigs* as defined in [Section 6-1, Definitions, of Chapter 6, Animals, of the Municipal Code of Ordinances](#).
 - (4) In the Agricultural District or on unplatted tracts of land of five acres or more, standards for animals are found in [Section 6-1, Definitions, of Chapter 6, Animals, of the Municipal Code of Ordinances](#).

SUBSECTION 03.02: TEMPORARY ACCOMMODATION FOR EMPLOYEES, CUSTOMERS AND VISITORS

- (A) Temporary accommodations. Temporary accommodation for employees, customers and visitors may be provided as an ancillary use in commercial zoning districts provided that:
 - (1) Such accommodation is clearly in support of the business operation;
 - (2) No rental of such facilities to the general transient public occurs;
 - (3) Accommodation is for temporary stays, not to exceed 30 days; and

- (4) No more than five (5) percent of the building area is utilized for this ancillary use.

SUBSECTION 03.03: UTILITY DISTRIBUTION LINES

All utility distribution lines shall be placed underground. Utility distribution lines placed above-ground shall require special approval of the City Council based upon a recommendation of the Planning and Zoning Commission.

SUBSECTION 03.04: UTILITY DISTRIBUTION LINES

Flag poles are permitted in all districts, but must meet the building height and setback requirements for each district. (See [Article 05, District Development Standards, of the Unified Development Code](#)).

SUBSECTION 03.05: ALCOHOLIC BEVERAGE SALES

(A) Restaurants with Alcoholic Beverage Sales.

- (1) Restaurants may serve alcoholic beverages for on-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. For restaurants located on property that was annexed after November 14, 2007, a private club permit must be obtained for the ability to serve alcohol and must be located in an appropriate zoning district that allows such use.
- (2) Restaurants that sell alcoholic beverages for on-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300 feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in direct line from the property line of the public school or private school to the property line of the restaurant and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

The City Council may grant a variance to the distance regulations if the City Council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste of inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

- (3) Restaurants that sell alcoholic beverages for on-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and

shall not be permitted to have exterior signs advertising the sale of alcoholic beverages other than those authorized under the Texas Alcoholic Beverage Code and chapter 32 of the Code of Ordinances, pertaining to signs.

(B) Retail Establishments with Alcoholic Beverage Sales.

- (1) Retail establishments may sell beer and wine for off-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. Retail establishments located on property that was annexed after November 14, 2007, may not engage in the selling of beer and wine for off-premises consumption.
- (2) Retail establishments engaged in the selling of beer and wine to the general public for off-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300 feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the retail establishment and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, the measurement shall be in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

The City Council may grant a variance to the distance regulations if the City Council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste of inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

- (3) Retail establishments engaged in the selling of beer and wine for off-premise consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and shall not be permitted to have exterior signs advertising the sale of alcoholic beverages other than those authorized under the Texas Alcoholic Beverage Code and chapter 32 of the Code of Ordinances, pertaining to signs.

(C) Drive-Through Sales of Pre-Packaged Beverages, Convenience Stores, Retail Sales with Gasoline.

- (1) An establishment may not offer drive-in, drive-up, drive through, or walk-up sales or service of pre-packaged, sealed, unopened beverages.
- (2) A convenience store may not contain less than 1,000 square feet of retail space.

- (3) For purposes of this section, the terms “drive-in,” “drive-up,” “drive-through,” and “walk-up” do not prohibit the service of food or beverages to customers:
 - (a) Who must physically leave their vehicles and enter a building in order to make a purchase; or
 - (b) As part of a drive-through restaurant in connection with the sale or service of food to the customer.

SUBSECTION 03.06: ANTENNAS

- (A) Construction and Maintenance Requirements. All antenna masts, towers and antenna supports used for television and radio reception or transmission shall be constructed and maintained in accordance with the current National Electrical Code and the Building Code of the City.
- (B) Permit Required. Any person desiring to erect or have erected an antenna more than 25-feet in height above ground level, or an antenna mast 25-feet or less in height but not erected as required by this section, shall make written application to the building inspection department for a permit to erect same. Sufficient plans and specifications, as determined by the Chief Building Official, must accompany each application. It shall be unlawful and a violation of this division to erect, or cause to be erected, or to maintain, or cause to maintain, such antenna mast without first having obtained a permit. It shall be the duty of the permittee to request a final inspection upon completion of the antenna system. Domestic TV antennas are exempt from this section.
- (C) Restrictions and Limitations. All antenna systems constructed and maintained under the provisions of this section shall be subject to the following restrictions and limitations:
 - (1) No such antenna system shall be more than 99-feet in height.
 - (2) The location on the lot of such antenna system shall comply with the requirements of this Unified Development Code insofar as the front building line and side yard building line and requirements are concerned. No portion of an antenna system shall extend beyond the front building line on any lot, and on corner lots the side yard setback requirements shall be adhered to on the side adjacent to a public street, and where the front and side yard requirements are applicable, all portions of such structures shall be within the limits fixed by such requirements.
 - (3) All antenna systems constructed under the provisions of this section shall be maintained so as to at all times comply with the requirements of this section.
 - (4) The regulations contained herein shall not apply to the extent that they have been preempted by specific regulations of the FCC to the contrary.
- (D) Roof-Mounted Equipment. All roof-mounted equipment, including fans, vents, air conditioning units and cooling towers, should be screened to eliminate the view from the ground level of adjacent properties. The screen shall be constructed of materials approved by the Director of Planning and Zoning. Roof-mounted equipment should be placed and finished in a manner which minimizes its

visibility from overhead views from nearby buildings and elevated thoroughfare sections.

- (1) The overall screening height will be the height of the tallest element of roof-mounted equipment.
- (2) The outside of the screening device should be painted or finished in a similar color to the building facade, trim or roof surface to minimize the visibility of the equipment and screen the view from ground level.
- (3) Roof-mounted equipment and the inside of the screening device should be painted similar to the color of the roof surface in order to minimize the visibility of the equipment and screening device from overhead views.

SECTION 04 | FLOODPLAIN AREAS

SUBSECTION 04.01: PERMITTED USES

The following uses shall be permitted within that portion of a district which is designated as being within a floodplain by the City Engineer, provided they are allowed in the underlying zoning, and that they meet any additional requirements established in the city's floodplain regulations in [Chapter 20, Floods, of the Municipal Code of Ordinances](#):

- (A) Agriculture. Agricultural activities including the ordinary cultivation of land or legal forms of animal husbandry.
- (B) Utilities. Local utilities.
- (C) Parks and Recreation. Public or private parks, community centers, playgrounds, public golf courses.
- (D) Private Recreation. Private commercial open area amusements such as golf courses, driving ranges, archery courses and similar uses when approved by a specific use permit.
- (E) Private Open Space. Private open spaces as part of a Planned Development (PD) District, provided such use does not interfere with the continuity of the city's open space system.

SUBSECTION 04.02: DUMPING, EXCAVATING OR FILLING FLOODPLAIN

Any dump, excavation, storage or filling operation within that portion of a district having a floodplain designation shall require a permit, which must be approved by the City Council, before such operation is begun. However, if those operations in the floodplain were specifically approved as part of a site plan approval by the City Council, then a permit may be issued by the City Engineer.

SUBSECTION 04.03: LOCAL FLOODING MAY OCCUR IN OTHER AREAS

The fact that land or property is or is not within a district having a floodplain designation shall not constitute assurance that such land or property is not subject to local flooding and the designation of floodplain in this Unified Development Code (UDC) shall not be so interpreted.

SECTION 05 | TEMPORARY USES AND STRUCTURES

SUBSECTION 05.01: TEMPORARY USES

- (A) This subsection includes by reference all temporary uses listed in the land use chart.

- (B) The temporary use shall not be intrusive or inconsistent with existing land uses in area, or with anticipated land uses that may be constructed during the life of the temporary use.

SUBSECTION 05.02: TEMPORARY USES

All buildings or other structures which are erected or located on the property in connection with the temporary use shall be removed not later than ten days after the expiration of the time period for which the use was approved or as set forth in the conditions of approval.

SECTION 06 | NONCONFORMING USES, STRUCTURES, AND SITES

SUBSECTION 06.01: INTENT

Within the zoning districts established by this Unified Development Code (UDC), there may exist lots, structures and uses of land which were lawful before the effective date of the ordinance from which this Unified Development Code is derived, or amendment thereto, and which would be prohibited, regulated, or restricted under this Unified Development Code (UDC). It is generally the intent to permit these nonconformities to continue until they are removed or abandoned, or until such earlier time as they are ordered to be removed, but not to encourage their survival. It is further the intent that such nonconforming lots, buildings, or uses shall not be enlarged upon, expanded or extended, except as otherwise specifically provided, and that such nonconforming lots, buildings or uses may not be used as justification for adding other lots, buildings or uses prohibited elsewhere in the same zoning district. Except as otherwise provided, nonconforming uses are declared to be incompatible with permitted uses in the same zoning districts.

SUBSECTION 06.02: APPLICABILITY

The provisions of this section shall apply to lots, uses and buildings which become nonconforming by reason of the adoption of, or an amendment to, the ordinance from which this Unified Development Code (UDC) is derived, as of the effective date of such amendment.

SUBSECTION 06.03: NONCONFORMING USES

(A) Exceptions.

- (1) Except as specified below, any use, building, or structure lawfully existing at the time of the enactment of this Unified Development Code (UDC) or at the time of annexation into the city may be continued, even though the use, building or structure may not conform to the provisions of this Unified Development Code (UDC) for the district in which it is located.
- (2) The right to continue nonconforming uses shall be subject to regulations prohibiting the creation of a nuisance and regulations reasonably protecting adjacent property.

(B) Cessation of Nonconforming Use. For the purposes of this subsection, a use shall be deemed to have ceased or been abandoned when it has been discontinued for 180 days during any three-year period whether with the intent to abandon the use or not.

(C) Expansion of Nonconforming Use. No existing building or premises devoted to a use that is not permitted by this Unified Development

Code (UDC) in the district in which such building or premises is located shall be enlarged or altered in a way which increases its nonconformity, except when required to do so by law or order, unless the use is changed to a use that is permitted in the district in which the building or premises is located, and except as follows:

- (1) If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of a more restrictive classification when authorized by the board of adjustment; or it may be changed to a conforming use.
- (2) Whenever a nonconforming use has been changed to a conforming use, the use shall not thereafter be changed to a nonconforming use.
- (3) When authorized by the board of adjustment, enlargement or completion of a building devoted to a nonconforming use may be made upon the lot occupied by the building, where the extension is necessary and incidental to the existing use of the building and does not exceed 25% of its original area of nonconformity.
- (4) When authorized by the board of adjustment, a nonconforming use may be extended throughout those parts of a building which were manifestly designed or arranged for such use prior to the date on which the use of the building became nonconforming, if no structural alterations except those required by law, are made.

SUBSECTION 06.04: NONCONFORMING BUILDING OR SITES

(A) City-created nonconformity of structures. In the event that the city takes an act or action which transforms a previously conforming structure for purposes of front, side and rear yard setback requirements into a nonconforming structure for the purposes of front, side and rear yard setbacks, then such structure shall be deemed to be in conformance with the required setback prescribed in this Unified Development Code (UDC). (For land use nonconformity, see [Subsection 06.03, Non-Conforming Uses, of Article 04, Permissible Uses](#)).

(B) Use of Nonconforming Buildings, Structures or Land.

- (1) No building or structure which was originally designed for or used as a nonconforming use shall again be put to a nonconforming use, where such use has ceased for 180-days or more during any three (3) year period.
- (2) The use of land, structures, and/or buildings involving individual structures with a replacement cost of \$1,000.00 or less, which does not conform to the provisions of this Unified Development Code (UDC) shall be discontinued within six months from the enactment of this Unified Development Code (UDC). The nonconforming use of land and/or buildings involving individual structures with a replacement cost of \$1,000.00 or less, which becomes nonconforming by reason of subsequent amendments to this Unified Development Code (UDC) shall be discontinued within six months from the date of such amendment.

(C) Construction Approved prior to Unified Development Code (UDC). Nothing in this Unified Development Code (UDC) shall be construed

to require any change in the overall plans, construction, or designated use of any development, structure, or part thereof, where official approval and the required building permits were granted before the enactment of this Unified Development Code (UDC), or any amendment thereto, where construction, conforming with the plans, shall have been started prior to the effective date of the ordinance from which this Unified Development Code is derived or such amendment, and where such construction shall have been completed in a normal manner within the subsequent 12-month period, with no interruption, except for reasons beyond the builder's control.

cease to be used for such storage within six months of the date of adoption of the ordinance from which this Unified Development Code (UDC) is derived, or amendments [thereto].

- (D) Damage Due to Acts of God. Any nonconforming structure which is damaged more than 75% of its then appraised tax value above the foundation, by fire, flood, explosion, wind, earthquake, war, riot or other calamity or act of God, shall not be restored or reconstructed and used as it was before the damaging event. If such structure is damaged less than 75% of its then appraised tax value above the foundation, it may be restored, reconstructed, or used as before, provided that the restoration or reconstruction is completed within 12 months of the damaging event. The 12-month period does not include any necessary litigation.
- (E) Repair of Unsafe Buildings, Structures and Sites. Nothing in this Unified Development Code (UDC) shall be construed to prohibit the strengthening or repair of any part of any building or structure declared unsafe by proper authority, unless such repairs exceed 50% of the replacement cost of the building. If the repairs exceed 50%, the building shall be brought into conformity with all requirements of the zoning district in which it is located.
- (F) General Repairs and Maintenance.
 - (1) On any nonconforming structure or portion of a structure containing a nonconforming use, no work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of non-load-bearing walls, fixture, wiring, or plumbing to an extent exceeding ten (10) percent of the current replacement cost of the nonconforming structure or nonconforming portion of the structure as the case may be.
 - (2) If 50% or more of a nonconforming structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs or maintenance, and is declared by a duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired or rebuilt except in conformity with the regulations of the district in which it is located.
- (G) Moving of a Nonconforming Building or Structure. No nonconforming building or structure shall be moved in whole or in part to any other location on the lot, or on any other lot, unless every portion of the building or structure is made to conform to all the regulations of the district.
- (H) Nonconforming Lot Sizes. All lots used for storage that do not require a building and the use of such lot is made nonconforming by this Unified Development Code (UDC) or amendments thereto shall

LAND USE SCHEDULE

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
Y	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	RESIDENTIAL DISTRICTS											MIXED USE DISTRICTS	NON-RESIDENTIAL DISTRICTS					OVERLAY DISTRICTS					
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)																							
Agricultural Uses on Unplatted Land	(1)		P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P				
Animal Boarding/Kennel with Outside Pens	(2)	(1)	S	S	S	S																			
Animal Boarding/Kennel without Outside Pens	(2)	(2)	P	S	S	S										S	S	P	P	P	P				
Animal Clinic for Small Animals without Outdoor Pens	(3)	(3)	S													S	P	P	P	P	S				
Animal Hospital or Clinic	(4)		S													S	S	P	P	P					
Animal Production or Husbandry	(5)		S																						
Animal Shelter or Loafing Shed	(6)		S																	P	P				
Barn or Agricultural Accessory Building	(7)	(4)	S																						
Crop Production	(8)		P																						
Commercial Horse Corral or Stable	(9)	(5)	P	S	S	S																			
Private Horse Corral or Stable	(10)	(6)	P	P	P	P	S																		
Community Garden	(11)	(7)	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Urban Farm	(12)	(8)	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Wholesale Nursery (<i>i.e. without Retail Sale On-Site</i>)	(13)		S	S	S	S																			
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)																							
Residential Accessory Building or Structure	(1)	(1)		P	P	P	P	P	P	P	P	P	P	P	P										
Bed and Breakfast	(2)	(2)	S	S	S	S					S				S	P	S								
Caretakers Quarters/Domestic or Security Unit	(3)													P				P	P	P	P	P			
Convent, Monastery, or Temple	(4)		P												P		P	P							
Duplex	(5)	(3)													P	P									
Commercial Parking Garage	(6)														A		A	A	A	A	A	A			
Residential Garage	(7)	(4) & (5)	A	A	A	A	A	A	A	A	A	A	A	A	A	A									
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	A	A	A	A	A	A	A	S	S	S	S	P											
Home Occupation	(9)	(7)	P	P	P	P	P	P	P	P	P	P	P	P	P										

LAND USE SCHEDULE

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	RESIDENTIAL DISTRICTS											MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS					OVERLAY DISTRICTS				
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Limited-Service Hotel	(10)														S			S	S		S				
Full-Service Hotel	(11)	(8)													S			S	S		S				
Residence Hotel	(12)														S			S	S		S				
Motel	(13)														S			S	S		S				
Multi-Family Development or Structure	(14)	(9)														P									
Portable Building	(15)	(10)		P	P	P	P		P	P	P	P	P												
Residential Infill in an Established Subdivision	(16)	(11)	S	S	S	S	S	S	S	S	S	S	S	S	S	S									
Single-Family Attached Structure	(17)	(12)													P	P	P								
Single-Family Detached Structure	(18)	(13)	P	P	P	P	P	P	P	P	P	P	P	P											
Single-Family Zero Lot Line Structure	(19)	(14)													P	P	P								
Private Swimming Pool	(20)		A	A	A	A	A	A	A	A	A	A	A	A	A	A									
Private Tennis Court	(21)		A	S	S	S	S	S	S	S	S	S	S	S											
Townhouse	(22)	(15)														P	P	P							
Urban Residential	(23)	(16)													S	P									
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES			2.02(C)	2.03(C)																					
Assisted Living Facility	(1)	(1)													P	S	S	S	S	S		S			
Blood Plasma Donor Center	(2)																	P	P	P	P	P			
Cemetery/Mausoleum	(3)		S															P	P	P	P	P			
Church/House of Worship	(4)	(2)	S	S	S	S	S	S	S	S	S	S	S	S	P	S		P	S	S	P	S	P		
College, University, or Seminary	(5)															P			S	P	P	P			
Convalescent Care Facility/Nursing Home	(6)														S	S	P	P	P	P	P	S			
Congregate Care Facility/Elderly Housing	(7)	(3)													P	S	S	S	S	S		S			
Crematorium	(8)																					S	P		
Daycare with Seven (7) or More Children	(9)	(4)	S	S	S	S	S	S	S	S	S	S	S	S	S	S		P	P	P	P	S	S		
Emergency Ground Ambulance Services	(10)																				P	P	P	P	P

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LAND USES	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	RESIDENTIAL DISTRICTS											MIXED USE DISTRICTS	NON-RESIDENTIAL DISTRICTS					OVERLAY DISTRICTS					
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Group or Community Home	(11)	(5)	P	P	P	P	P	P	P	P	P	P	P		P	P	P								
Government Facility	(12)													S			P	P	P	P	P				
Halfway House	(13)	(6)													S										
Hospice	(14)												S			P	P	P	P	S	S				
Hospital	(15)																P	P	P	P	S				
Public Library, Art Gallery or Museum	(16)														P	P	P	P	P	P	P				
Mortuary or Funeral Chapel	(17)																P	P	P	P					
Local Post Office	(18)														P		P	P	P	P	P				
Regional Post Office	(19)																		P	P	P				
Prison/Custodial Institution	(20)																		P	P	P				
Public or Private Primary School	(21)	(7)	S	S	S	S	S	S	S	S	S	S	S	S			P	P	P	P	P				
Public or Private Secondary School	(22)	(8)	S	S	S	S	S	S	S	S	S	S	S	S			P	P	P	P	P				
Temporary Education Building for a Public or Private School	(23)	(9)	S	S	S	S	S	S	S	S	S	S	S				S	S	S	S					
Rescue Mission or Shelter for the Homeless	(24)																		S	P	P				
Social Service Provider (Except Rescue Mission or Homeless Shelter)	(25)																S		P	P	P				
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)																							
Financial Institution with Drive-Through	(1)	(1)															S	P	P	P	P	P			
Financial Institution without Drive-Through	(1)													P		P	P	P	P	P	P				
Office Building less than 5,000 SF	(2)													P	P	P	P	P	P	P	P				
Office Building 5,000 SF or Greater	(2)													P	S	S	P	P	P	P	P				
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)																							
Temporary Carnival, Circus, or Amusement Ride	(1)	(1)												S		S	P	P	P	P	P				
Indoor Commercial Amusement/Recreation	(2)	(2)												S			S	P	P	P	P				
Outdoor Commercial Amusement/Recreation	(3)	(3)															S	S	P	S	P				
Public or Private Community or Recreation Club as an Accessory Use	(4)		S	S	S	S	S	S	S	S	S	S	S			S	P	P	P	P	P				

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Private Country Club	(5)		S	S	S	S	S	S	S	S	S	S	S			S	S	S	P	P	P			
Golf Driving Range	(6)															S	S	S	P	P	P			
Temporary Fundraising Events by Non-Profit	(7)	(4)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Indoor Gun Club with Skeet or Target Range	(8)	(5)														S	P	P	P	P				
Outdoor Gun Club with Skeet or Target Range	(8)		S																	S				
Health Club or Gym	(9)													A	P	S	P	P	P	P	P			
Private Club, Lodge or Fraternal Organization	(10)	(6)													S	S	S	P	P	P	S			
Private Sports Arena, Stadium, and/or Track	(11)																S	P	P	P				
Public Park or Playground	(12)		P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P			
Sexually Oriented Businesses [Art. XI; CH. 12; Municipal Code]	(13)	(7)																		S	S			
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S	S	S	S	S	S	S	S	S	S	S			S	S	S	P	P	P			
Theater	(15)													P		S	P	P	P	P				
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)																						
Antique/Collectible Store	(1)													S		S	P	P	P					
Astrologer, Hypnotist, or Psychic	(2)													S	P	P	P	P	P					
Banquet Facility/Event Hall	(3)													S			P	P	P					
Portable Beverage Service Facility	(4)	(1)												S	S		S	S	S	S	P			
Brew Pub	(5)													P		P	P	P	P	P	P			
Business School	(6)													P			P	P	P	P				
Catering Service	(7)													A		S	P	P	P	P				
Temporary Christmas Tree Sales Lot and/or Similar Uses	(8)	(2)												S		S	P	P	P	P	P			
Copy Center	(9)													P		P	P	P	P	P	P			
Craft/Micro Brewery, Distillery and/or Winery	(10)	(3)												S			S	S		P	P			
Incidental Display	(11)	(4)												P		P	P	P	P	P				

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Food Trucks/Trailers	(12)	(5)												P	S	S	P	P	P	P	P			
Garden Supply/Plant Nursery	(13)															S	P	P	P	P				
General Personal Service	(14)	(6)												P		P	P	P	P	S				
General Retail Store	(15)													P	S	P	P	P	P	S	S			
Hair Salon and/or Manicurist	(16)													P	S	P	P	P	P	S				
Laundromat with Dropoff/Pickup Services	(17)													P		P	P	P	P	P	P			
Self Service Laundromat	(18)													P		P	P	P	P	P	P			
Massage Therapist	(19)													P	P	P	P	P	P					
Private Museum or Art Gallery	(20)													P	P	S	P	P		P				
Night Club, Discotheque, or Dance Hall	(21)													S			S	P	P	S	S			
Pawn Shop	(22)																S	S	P	P				
Permanent Cosmetics	(23)	(7)												A	A	A	A	A	A	A				
Pet Shop	(24)															P	P	P	P					
Temporary Real Estate Sales Office	(25)		P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P			
Rental Store without Outside Storage and/or Display	(26)	(8)															S	P	P	P	P			
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	(27)	(9)														S	S	S	S	S	S			
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	(28)												P	S	P	P	P	P	P	P				
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	(27)	(10)														S	S	P	P	P	P			
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	(28)												P		S	P	P	P	P	P				
Retail Store with Gasoline Sales that has Two (2) or less Dispensers (i.e. a Maximum of Four [4] Vehicles)	(29)															S	P	P	P	P	P	S	S	
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	(29)															S	P	P	P	P	P	S	S	
Secondhand Dealer	(30)													S			P	P	P	P	P			
Art, Photography, or Music Studio	(31)													P	P	P	P	P	P	P				
Tailor, Clothing, and/or Apparel Shop	(32)													P		P	P	P	P					

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Minor Auto repair garage	(2)	(2)												S			S	S	P	S	P				
Automobile Rental	(3)																S	P	S	P					
New or Used Boat and Trailer Dealership	(4)	(3)															S	P	S	P	X	X			
Full Service Car Wash and Auto Detail	(5)	(4)													S	S	P	P	P	P	S	S			
Self Service Car Wash	(5)	(4)														S	P	P	P	P	S	S			
New and/or Used Indoor Motor Vehicle Dealership/Showroom	(6)	(5)															S	S	S	S					
New Motor Vehicle Dealership-for Cars and Light Trucks	(7)	(6)															S	P	S	P					
Used Motor Vehicle Dealership for Cars and Light Trucks)	(7)	(7)															A	A	A	A					
Commercial Parking	(8)														S		P	P	P	P					
Non-Commercial Parking Lot	(9)														A	S	P	P	P	P					
Recreational Vehicle (RV) Sales and Service	(10)																S	P	S	P					
Service Station	(11)	(8)													S	P	P	P	P	P					
Towing and Impound Yard	(12)	(9)																S	S	P					
Towing Service without Storage	(13)	(10)																P	P	P					
Truck Rental	(14)																	P	S	P					
Truck Stop with Gasoline Sales and Accessory Services	(15)	(11)																S	S	P					
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(l)	2.03(l)																							
Asphalt or Concrete Batch Plant	(1)	(1)	S																S	S					
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P					
Bottle Works for Milk or Soft Drinks	(3)																		P	P					
Brewery or Distillery	(4)	(3)																	P	P					
Carpet and Rug Cleaning	(5)																	S	P	P					
Environmentally Hazardous Materials	(6)	(4)																S	S	P					
Food Processing with No Animal Slaughtering	(7)																	S	P	P					
Light Assembly and Fabrication	(8)																	P	P	P					

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Heavy Manufacturing	(9)																	S	S	P			
Light Manufacturing	(10)																	P	P	P			
Metal Plating or Electroplating	(11)																		S	P			
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Printing and Publishing	(13)																	P	P	P			
Salvage or Reclamation of Products Indoors	(14)																	S	P	P			
Salvage or Reclamation of Products Outdoors	(15)																		S	P			
Sheet Metal Shop	(16)																	P	P	P			
Tool, Dye, Gauge and/or Machine Shop	(17)																		P				
Welding Repair	(18)																	P	P	P			
Winery	(19)	(6)	S																P	Y			
WHOLESALE, DISTRIBUTION AND STORAGE LAND USES	2.02(J)	2.03(J)																					
Cold Storage Plant	(1)																	P	P	P			
Heavy Construction/Trade Yard	(2)																	S	P	P			
Landfill	(3)		S																				
Mini-Warehouse	(4)	(1)															S	Y	Y	Y			
Outside Storage and/or Outside Display	(5)	(2)																	Y	Y	Y		S
Recycling Collection Center	(6)																	S	P	P			
Warehouse/Distribution Center	(7)																	P	P	P			
Wholesale Showroom Facility	(8)																S	P	P	P			
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)																					
Airport, Heliport or Landing Field	(1)																	S	S	S			
Antenna, as an Accessory	(2)	(1)	P	S	S	S	S	S	S	S	S	S	S	P		P	P	P	P	P	P		
Commercial Antenna	(3)	(2)												S	S		S	S	S	S	P		
Antenna, for an Amateur Radio	(4)	(3)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			

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Antenna Dish	(5)	(4)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Commercial Freestanding Antenna	(6)	(5)	S														S	S	S	P	P		
Mounted Commercial Antenna	(7)	(6)											S				S	S	S	P	P		
Bus Charter Service and Service Facility	(8)																		P	P	P		
Helipad	(9)																S	S	S	S	S		
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Private Streets	(12)			S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S		
Radio Broadcasting	(13)												S				P	P	P	P	P		
Railroad Yard or Shop	(14)		S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S	S		
Recording Studio	(15)												S				S	P	P	P	P		
Satellite Dish	(16)		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
Solar Energy Collector Panels and Systems	(17)	(7)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
Transit Passenger Facility	(18)													S	S	S	S	S	S	S			
Trucking Company	(19)																		P	P	P		
TV Broadcasting and Other Communication Service	(20)												S				S	S	P	P	P		
Utilities Holding a Franchise from the City of Rockwall	(21)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P		
Utility Installation Other than Listed	(22)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
Utility/Transmission Lines	(23)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
Wireless Communication Tower	(24)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		

ARTICLE 05 | DISTRICT DEVELOPMENT STANDARDS

- SECTION 01 | GENERAL STANDARDS
- SECTION 02 | AGRICULTURAL DISTRICTS
- SECTION 03 | RESIDENTIAL DISTRICTS
- SECTION 04 | COMMERCIAL DISTRICTS
- SECTION 05 | INDUSTRIAL DISTRICTS
- SECTION 06 | OVERLAY DISTRICTS
- SECTION 07 | DISTRICT DEVELOPMENT STANDARDS



SECTION 01 | GENERAL STANDARDS

SUBSECTION 01.01: OPEN SPACE

The purpose of this Article is to set forth regulations which protect the public from the potential negative effects of industrial and intense commercial development by regulating smoke and particulate matter, odorous matter, fire or explosive materials, toxic and noxious matter, vibration, open storage, glare and fuel supply in the vicinity of such sites.

- (A) *Purpose.* The City of Rockwall is a rural and recreation-oriented community with open space that ties into a regional framework of open space, trails, and corridors. Open space corridors link all major areas of the City using primarily floodplain and drainage areas. Since open space and recreational amenities are vital to the City's commercial and residential developments, all projects must provide open space in accordance with the City's Comprehensive Plan and the Parks, Recreation, and Open Space Master Plan.
- (B) *Requirements.* All projects in the City must reserve, dedicate and/or develop public and private open spaces consistent with the requirements of the following sections:
- Residential.* [Subsection \(C\), Open Space, of Section 03.01, General Residential District Standards](#)
 - Commercial.* [Subsection \(D\), Open Space Guidelines, of Section 04.01, General Commercial District Standards](#)
 - Industrial.* [Subsection \(D\), Open Space Guidelines, of Section 05.01, General Industrial District Standards](#)

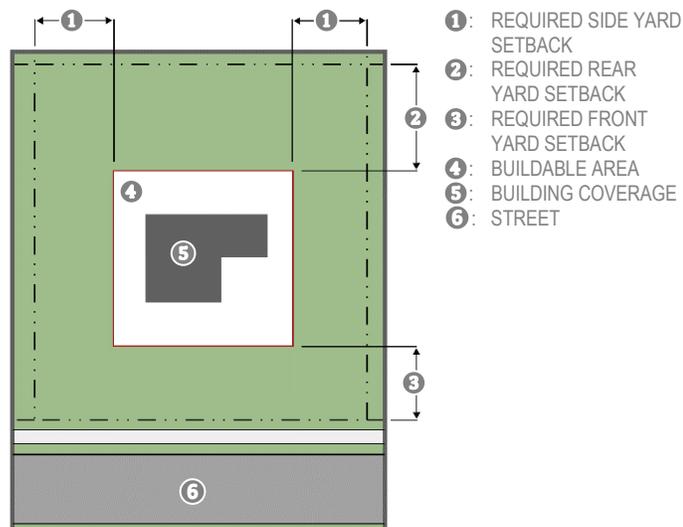
SUBSECTION 01.02: SITE PLANS

All development in the City of Rockwall -- with the exception of single lot single-family and duplex developments -- shall require the approval of a site plan in accordance with the requirements of [Article 11, Development Applications and Review Procedures](#).

SUBSECTION 01.03: LOT CONFIGURATIONS

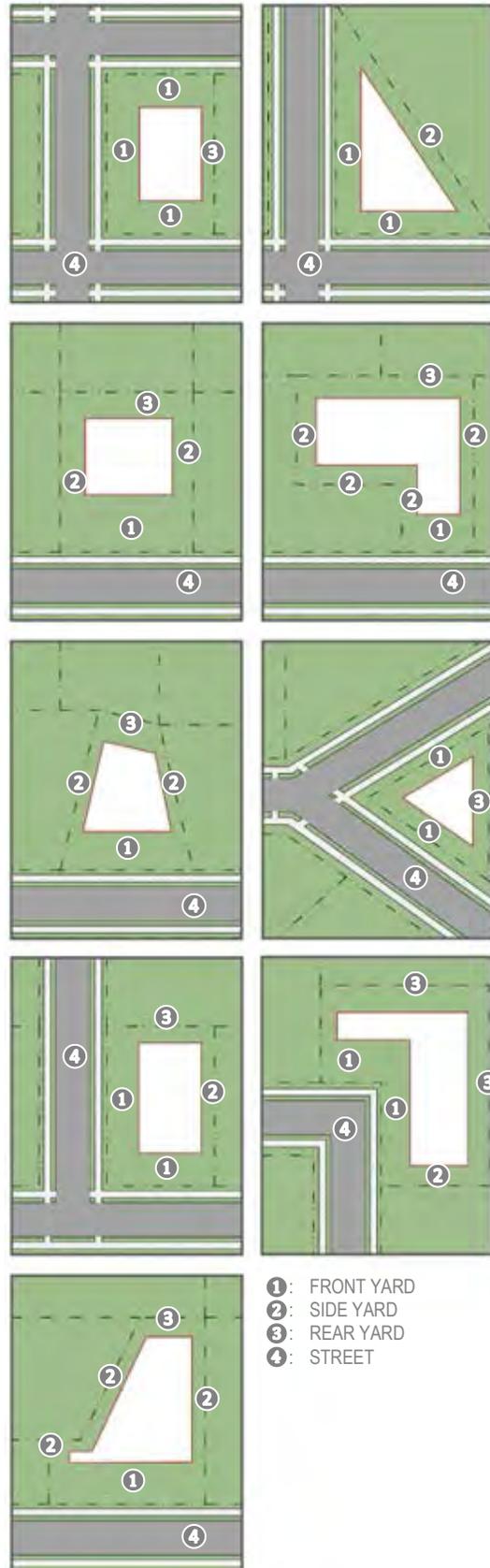
- (A) *Lots with a Single Street Frontage.* Where lots have a single street frontage, the required setbacks should generally adhere to the following diagram:

FIGURE 1: LOT WITH A SINGLE STREET FRONTAGE



- (B) *Lots with Multiple Street Frontages.* Where lots have multiple street frontages on one (1) or more streets, the required setbacks should generally adhere to the following diagram:

FIGURE 2: LOT WITH MULTIPLE STREET FRONTAGE



SUBSECTION 01.04: CALCULATION OF DENSITY

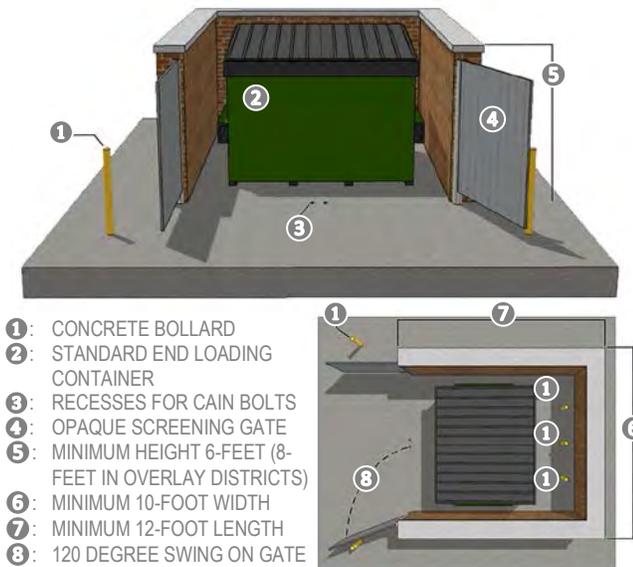
The calculation of the allowable density for residential developments shall be based on the gross site area including right-of-way, floodplain, open space and public/private parks that will be dedicated to the City or preserved and maintained by some other mechanism. Despite this calculation requirement, other provisions of this Unified Development Code may limit the actual density allowed on any given property.

SUBSECTION 01.05: SCREENING STANDARDS

All development shall adhere to the following screening standards:

- (A) Loading Docks. Off-street loading docks must be screened from all public streets, any residential zoning district or residentially used property, and any parks and open space that abuts or is directly across a public street or alley from the subject property. The screening must be at least six (6) feet in height and shall be provided by using a masonry wall (excluding tilt wall or concrete masonry units [CMU] unless integral to the buildings design and otherwise approved by the Planning and Zoning Commission) and Canopy Trees on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with [Subsection 05.02. Landscape Screening Standards, of Article 08, Landscape Standards.](#)
- (B) Trash/Recycling Enclosures. Trash/Recycling enclosures shall be four (4) sided. These receptacles shall be screened by a minimum six (6) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. The opaque, self-latching gate shall not be constructed utilizing wood fencing materials. If the primary building does not use masonry materials, a masonry material that is complimentary in color and scale shall be utilized. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building. All trash/recycling enclosures shall be constructed in conformance to the diagram below, unless otherwise approved/required by the City and/or its contractor for trash services.

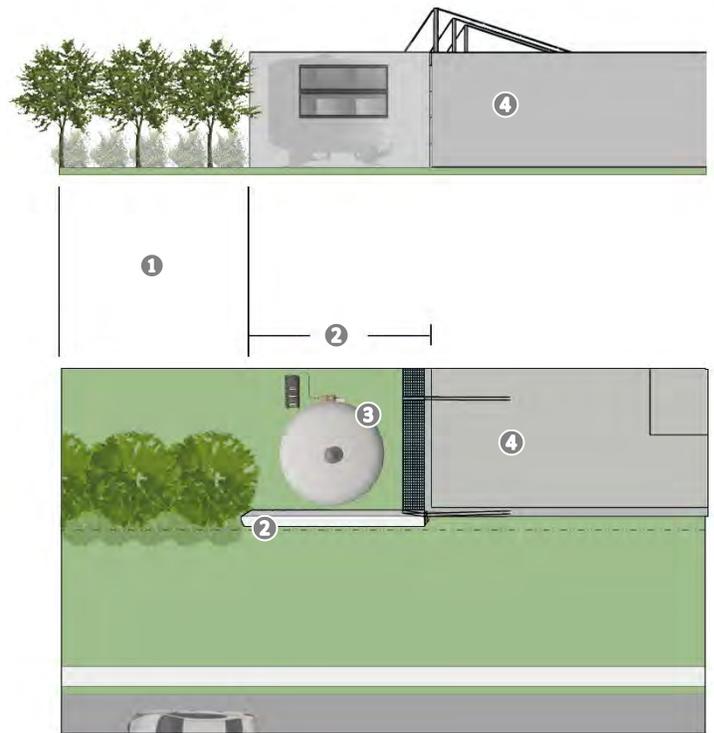
FIGURE 3: STANDARD DUMPSTER ENCLOSURE



- 1: CONCRETE BOLLARD
- 2: STANDARD END LOADING CONTAINER
- 3: RECESSES FOR CAIN BOLTS
- 4: OPAQUE SCREENING GATE
- 5: MINIMUM HEIGHT 6- FEET (8- FEET IN OVERLAY DISTRICTS)
- 6: MINIMUM 10-FOOT WIDTH
- 7: MINIMUM 12-FOOT LENGTH
- 8: 120 DEGREE SWING ON GATE

- (C) Utility Equipment and Air Condition Units. Pad or roof mounted utility equipment and air conditioning units shall be screened from the view from of any adjacent public streets or properties. Roof mounted utility equipment and air conditioning units shall be screened using a parapet wall that completely impairs the visibility of the equipment, and is constructed on all sides of the building. Ground mounted equipment and air conditioning units shall be screened utilizing plantings, berms, walls matching the main structure, or an architectural feature that is integral to the building's design.
- (D) Aboveground Storage Tanks. Aboveground storage tanks shall be screened utilizing walls matching the main structure. Screening plans for above ground storage tanks shall generally conform to the diagram below (i.e. incorporate primary screening -- screening wall -- and secondary screening) and be approved by the Planning and Zoning Commission in conjunction with a site plan.

FIGURE 4: ABOVE GROUND STORAGE TANKS



- 1: SECONDARY SCREENING CANOPY TREES (SPACED 20-FOOT ON CENTER) AND SHRUBS
- 2: SCREENING WALL
- 3: ABOVE GROUND STORAGE TANK
- 4: INDUSTRIAL BUILDING

- (E) Outside Storage. Outside storage of materials or vehicles shall be screened from all public streets, any residential zoning district or residentially used property, and parks and open space that abuts or is directly across a public street or alley from the subject property. The screening must be at least one (1) foot taller than the material or vehicles being stored and shall be achieved using a masonry wall (excluding tilt wall or concrete masonry units [CMU] unless otherwise approved by the Planning and Zoning Commission) and Canopy Trees on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve a screening method in

accordance with [Subsection 05.02, Landscape Screening Standards, of Article 08, Landscape Standards.](#)

SUBSECTION 01.06: RESIDENTIAL ADJACENCY STANDARDS

(A) *Purpose.* The general objectives of residential adjacency standards are to preserve and protect the integrity, enjoyment and property values of residential neighborhoods within the City of Rockwall, through the establishment of standards for certain nonresidential uses that may impact surrounding residential land uses. These standards are in addition to the development regulations applicable to the underlying zoning district. When any requirements in this section are in conflict with any other requirements for the underlying zoning district, the more restrictive requirements shall apply.

(B) *Definitions.*

Residential Adjacency. Any nonresidential building, use, or associated activity that when located in proximity to a residential district may result in detrimental impact to a residential property. Residential adjacency shall include the lot on which the nonresidential building, use, or associated activity is located. In cases where multiple uses are contained on the same lot, residential adjacency shall apply to the area within that lot which encompasses the building, use, or associated activity and all accessory buildings, uses, or areas necessary to support them.

Vehicular Service Bays. Any partially or fully enclosed space used for "major" or "minor" automobile repair, or truck and bus repair, or similar activities.

Individual Service Speakers. Speakers used to conduct business with individual customers outdoors or in a partially enclosed structure, including, but not limited to:

- Drive-through payment windows;
- Drive-through restaurant ordering boards;
- Service station pump islands; and
- Car washes.

Public Address/Paging Systems. Loud speaker or amplified paging systems intended to contact or provide information to person(s) on the exterior of a building such as those commonly used by businesses with large outdoor facilities/operations, including, but not limited to:

- New and used car dealers;
- Building material sales;
- Garden centers; and
- Car washes.

Small Engine Repair Shop. Shop for repair of lawnmowers, chain saws, lawn equipment, and other machines with one-cylinder engines.

Motorcycle. A usually two (2) wheeled self-propelled vehicle having one (1) or two (2) saddles or seats, and which may have a sidecar attached. For purposes of the Unified Development Code (UDC), motorbikes, motor scooters, mopeds, and similar vehicles are classified as motorcycles.

Motorcycle Sales and Service. The display, sale and servicing, including repair work of motorcycles.

(C) *Applicability.*

(1) The residential adjacency standards shall apply when a use is proposed for a nonresidential building or site that is adjacent to a residential district, and both of the following conditions apply:

(a) An existing or proposed building, structure, or device on the lot is within 150 feet of a residential district boundary, except if the activity proposes the use of public address/paging systems, in which case 500 feet shall be the effective distance; and

(b) One or more of the following uses are proposed:

- (1) Planned shopping centers and neighborhood convenience centers.
- (2) Restaurants, including accessory outdoor seating, with drive-in or drive-through facilities.
- (3) Retail outlets where gasoline products are sold as an accessory use.
- (4) Automotive repair, as an accessory to a retail use, provided all work is conducted wholly within a completely enclosed building.
- (5) Gasoline service stations.
- (6) Car wash.
- (7) Drive-in businesses.
- (8) New car dealership.
- (9) Nursery, greenhouse, or garden center.
- (10) Minor automotive repair.
- (11) New boat dealership.
- (12) Automotive vehicle sales and service.
- (13) Automotive repair and other repair services, excluding wrecking yards.
- (14) Lumberyards or contractor yards, general warehousing and storage, farm equipment or other heavy equipment sales and service, farm products, warehousing and storage, including mini-warehouses for storage purposes only.
- (15) Small engine repair service.
- (16) Motorcycle sales and service.

(2) Review of proposals for compliance with the residential adjacency standards will be carried out in conjunction with site plan review, depending on whether or not the actual use of the site is known.

(D) *Standards.*

(1) *Noise.*

(a) Any use containing individual service speakers shall not be permitted within 150 feet of any residential district unless the speaker is appropriately screened and shall meet the standards established in [Article IV, Noise, of](#)

Chapter 16, Environment, of the Municipal Code of Ordinances.

The Planning and Zoning Commission may require wing walls, landscape screens, changes in building orientation, and/or other design elements to screen and minimize the impact of individual service speakers.

- (b) Any use containing public address/paging systems shall not be permitted within 500 feet of any residential district unless separated by an MD4 or larger thoroughfare.

(2) Loading Spaces.

- (a) Where adjacent to residential districts, off-street loading areas shall be fully screened from view of the residential district.
- (b) The director may require wing walls, landscape screens, changes in building orientation, and/or other architectural elements to minimize the impact of uses containing loading docks within 150 feet of any residential district.

(3) Vehicular Service Bays.

- (a) All vehicular service bays within 150 feet of a residential district shall face away from adjacent residential districts unless separated by a building or permanent architectural feature of minimum height matching the height of the service bays.
- (b) Walls separating service bays from a residential district shall be of masonry or reinforced concrete with no openings.
- (c) The director may require wing walls, landscape screens, changes in building orientation, and/or other design elements to minimize the impact of service bays within 150 feet of a residential district.
- (d) No use including outdoor vehicular repair, servicing or testing shall be permitted within 150 feet of a residential district.

- (4) Small Engine Repair Shops. Small engine repair shops shall not be permitted within 150 feet of a residential district unless all repair, service, and testing activities are done in a fully enclosed building.

- (5) Motorcycle Sales/Service. Motorcycle sales/service facilities shall not be permitted within 150 feet of a residential district unless all repair, service, and testing activities are done in a fully enclosed building.

(6) Car Wash and Fuel Dispensing Facilities.

- (a) Car wash and fuel dispensing facilities shall not be permitted within 150 feet of a residential district.
- (b) Where car wash and fuel dispensing facilities are within 300 feet but greater than 150 feet of a residential district, the Planning and Zoning Commission may require wing walls, landscape screens, and/or other design elements to screen and minimize the impact of such facilities.

(7) Combination Gas Station, Fast Food Restaurant, and/or Convenience Store.

- (a) Combination gas station, fast food restaurant, convenience store shall not be permitted within 150 feet of a residential district.
- (b) Where combination gas station, fast food restaurant, convenience stores are within 300 feet but greater than 150 feet of a residential district, the Planning and Zoning Commission may require wing walls, landscape screens, and/or other design elements to screen and minimize the impact of such facilities.

(8) Signs.

- (a) No more than one (1) monument sign per street frontage with a maximum height of five (5) feet and a maximum area of 60 square feet shall be allowed.
- (b) A business shall be allowed any number of attached walls, projection or marquee signs so long as the total face area of the building or store front does not exceed ten (10) percent of the front face area of the building or store front as established in approved plans submitted to the City, or 60 square feet, whichever is greater, or exceed six feet in height as per the sign ordinance.

(E) Review. The following information shall be submitted in order to facilitate the review:

- (1) All information and procedures as required by site plan review in Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC).
- (2) Location and description of existing and proposed exterior speaker systems to include information about the height, octave and decibel band ranges of each fixture.
- (3) Information indicating the location and orientation of all off-street loading spaces.
- (4) Information indicating the location and orientation of all vehicular service bays.
- (5) Information indicating the location and description of existing and proposed screening between the proposed nonresidential use and the residential district.

SUBSECTION 01.07: PROJECTIONS INTO REQUIRED YARD OR COURT

- (A) Every part of a required yard within a building setback shall be unobstructed and open from its lowest point to the sky, except for the ordinary projections of sills, belt courses, cornices, chimneys, buttresses, ornamental features and eaves; provided, however, that none of the above projections shall extend into a court more than six (6) inches nor into a required yard by more than 30-inches; and provided existing open porches extending into the required yard shall not be enclosed.

An open fire escape may project into a required yard by not more than half the width of the setback, but not more than four (4) feet from the building. Fire escapes, solid floored balconies and

enclosed outside stairways may project into a rear yard by a maximum of four (4) feet.

- (B) Where a lot abuts a right-of-way line has been established for the future widening or opening of a street or highway, then the depth or width of a yard shall be measured from such right-of-way line to the required building setback.

SUBSECTION 01.08: PUBLIC RIGHT-OF-WAY VISIBILITY

(A) Street/Drive Intersection Visibility Obstruction Triangles. A landscape plan showing the plan of the street on both sides of each proposed drive/street to the proposed development with the grades, curb elevations, proposed street/drive locations, and all items (both natural and manmade) within the visibility triangles as prescribed below shall be provided with all site plans, if they are not on engineering plans that are submitted at the same time. this plan shall show no horizontal or vertical restrictions (either existing or future) within the areas defined below.

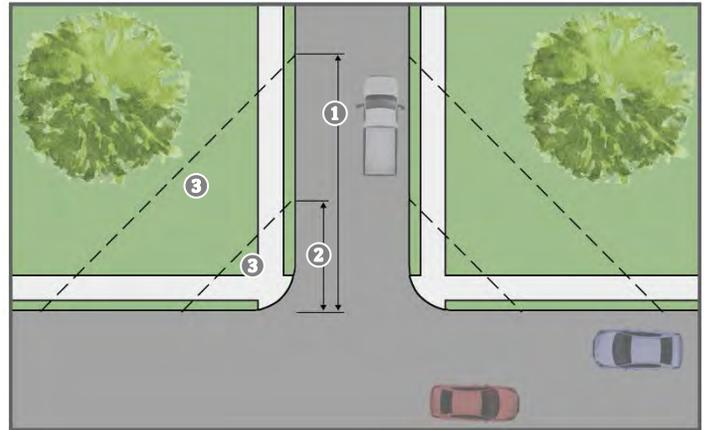
(B) Obstruction/Interference Triangles Defined. No fence, wall screen, billboard, sign face, tree or shrub foliage, berm, or any other item, either manmade or natural, shall be erected, planted, or maintained in such a position or place so as to obstruct or interfere within the following minimum standards; however, on non-residentially zoned lots, a single pole for mounting a sign may be placed within this area provided the pole does not exceed 12-inches in diameter, and provided every portion of the sign has a minimum height clearance of nine (9) feet:

- (1) Visibility Triangles. Vision at all intersections which intersect at or near right angles shall be clear at elevations between 24-inches and nine (9) feet above the top of the curb elevation, within a triangular area formed by extending the two (2) curb lines from their point of intersection, for the following minimum distances for the applicable intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines from their point of intersection for a distance as prescribed below, and connecting these points with an imaginary line, thereby making a triangle as shown below.
- (2) Intersection of Two (2) Public Streets. The minimum required distance from the curb shall be 30-feet and the minimum distance from the property line on streets without a curb shall be 20-feet.
- (3) Intersection of a Public Street and an Alley. The minimum required distance measured from the property line shall be 15-feet, or 25-feet from street curb.
- (4) Intersection of Private Drive and Public Street. The minimum required distance from the curb shall be 15-feet and the minimum distance from the property line on streets without a curb shall be ten (10) feet.

(C) Sight Distance Requirements. The City hereby adopts the standards for both vertical and horizontal sight distance requirements set forth in the latest edition of AASHTO green book "a policy on geometric design of highways and streets" for the construction of both public street intersections and private drive intersections, unless otherwise approved by the City Engineer. If, in the opinion of the City Engineer,

a proposed street or drive intersection does not meet these standards, additional engineering information exhibiting how the standards have been addressed may be required for submission and approval by the City's Engineer.

FIGURE 5: SITE DISTANCE REQUIREMENTS



- 1: 30-FOOT FOR ARTERIALS AND COLLECTORS AND 20-FOOT FOR RESIDENTIAL DISTANCE FROM INTERSECTION FOR STREETS
- 2: 10-FOOT DISTANCE FROM INTERSECTION FOR ALLEYS
- 3: VISIBILITY TRIANGLES

NOTES:

- (1) THE TRIANGLE SHOULD BE MEASURED FROM THE EDGE OF THE STREET, AND PROJECTED AT A 45-DEGREE ANGLE TO THE ADJOINING STREET.
- (2) THE UNOBSTRUCTED VERTICAL FIELD OF VISION SHOULD BE BETWEEN TWO (2) FEET AND NINE (9) FEET IN HEIGHT.

SECTION 02 | AGRICULTURAL DISTRICTS

SUBSECTION 02.01: AGRICULTURAL (AG) DISTRICT

(A) Purpose. The Agricultural (AG) District is a zoning designation used for land that is reserved for the anticipated future growth of the City. This district is intended to be used for raw land or land with agricultural land uses, and is intended to be held in these conditions as long as practical and reasonable to promote the orderly growth of the community. This zoning designation is suitable for areas where development is premature due to lack of utilities, capacity, or service. The Agricultural (AG) District is also used to protect areas that are unsuitable for development due to physical constraints or safety issues (e.g. topography, floodplain, ecologically sensitive areas, etc.), or to protect green belts, natural areas and/or open space that might otherwise be developed.

(B) Permitted Uses. All land uses permitted within the Agricultural (AG) District are outlined in [Section 01.01, Land Use Schedule, of Article 04, Permissible Uses.](#)

(C) Area Requirements. All development within an Agricultural (AG) District shall conform to [Subsection 03.01, General Residential District Standards,](#) and the related standards listed within [Subsection 07.01, Residential District Development Standards.](#)

SECTION 03 | RESIDENTIAL DISTRICTS

SUBSECTION 03.01: GENERAL RESIDENTIAL DISTRICT STANDARDS

All residential development shall conform to the following standards:

(A) Construction Standards.

- (1) Roof Pitch. All residential structures shall be constructed with a minimum 3:12 roof pitch.
- (2) Concrete Foundation. All residential structures shall be permanently attached to an engineered concrete foundation.

(B) Accessory Structures.

- (1) Accessory Structure Standards. All accessory structures shall conform to the related standards listed within Subsection 7.04, Accessory Structure Development Standards.

(C) Open Space. On all new subdivisions, ten (10) lots or greater, that are not infill projects (i.e. projects going into an established area as determined by the Director of Planning and Zoning or his/her designee) the following open space requirements shall be applied:

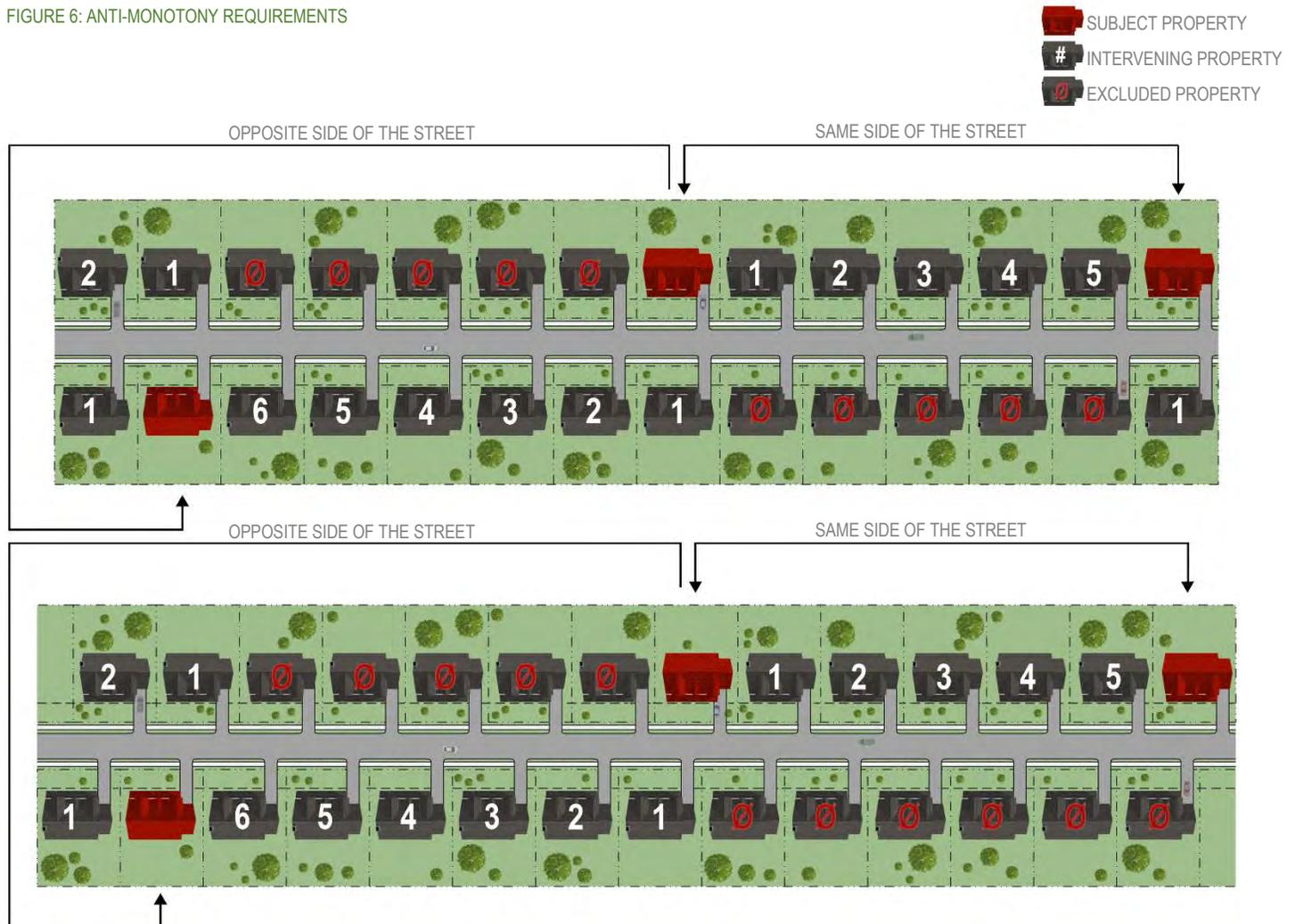
- (1) Unless otherwise provided by this Unified Development Code, a minimum of 20% of the gross land area within a residential subdivision that is five (5) acres or greater shall be devoted to open space. Where floodplain exists in a proposed subdivision, the floodplain may be used to meet the 20% requirement at a rate of one-half (½) acre for every one (1) acre of floodplain dedicated to open space. Open space

requirements for subdivisions may be satisfied by public open space/parkland, or by a combination of public and private open space. Public open space/parkland shall be dedicated to the City, and shall be approved by the Parks and Recreation Board and the City Council during the platting process. Open space requirements specified in this subsection are in addition to requirements for site landscaping and buffering.

- (2) To encourage the provision of open space, the minimum lot sizes in a residential subdivision may be reduced by up to 20% in order to preserve additional public and/or private open space, provided that the lots being reduced face onto a single loaded street (i.e. a street with open space and/or a public park on one side of the street and lots on the other side of the street). This requirement shall be approved by the City Council at the time of preliminary plat, final plat, or site plan whichever comes first.

- (D) Anti-Monotony. The front building elevations of a home shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street (see Figure 6 below). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least five (5) intervening homes of differing appearance. Identical building material blends and colors may not occur on adjacent (side-

FIGURE 6: ANTI-MONOTONY REQUIREMENTS



by-side) properties. Homes are considered to differ in appearance if any three (3) elements are different:

- (a) The number of stories of the home.
 - (b) The garage location/orientation on the home.
 - (c) The roof type and layout of the home.
 - (d) The articulation of the front façade of the home.
- (E) Fencing. All residential fencing shall be subject to the requirements stipulated by [Section 08, Fence Standards, of Article 08, Landscape and Fence Standards](#).

SUBSECTION 03.02: SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT

- (A) Purpose. The Single-Family Estate 1.5 (SFE-1.5) District is the proper zoning classification for rural, estate lots that are a minimum of 1½-acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.
- (B) Permitted Uses. All land uses permitted within the Single-Family Estate 1.5 (SFE-1.5) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (C) Area Requirements. All development within a Single-Family Estate 1.5 (SFE-1.5) District shall conform to [Subsection 03.01, General Residential District Standards](#), and the related standards listed within [Subsection 07.01, Residential District Development Standards](#).

SUBSECTION 03.03: SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT

- (A) Purpose. The Single-Family Estate 2.0 (SFE-2.0) District is the proper zoning classification for rural, estate lots that are a minimum of two (2) acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.
- (B) Permitted Uses. All land uses permitted within the Single-Family Estate 2.0 (SFE-2.0) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (C) Area Requirements. All development within a Single-Family Estate 2.0 (SFE-2.0) District shall conform to [Subsection 03.01, General Residential District Standards](#), and the related standards listed within [Subsection 07.01, Residential District Development Standards](#).

SUBSECTION 03.04: SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT

- (A) Purpose. The Single-Family Estate 4.0 (SFE-4.0) District is the proper zoning classification for rural, estate lots that are a minimum of four (4) acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these

properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage. Developers wishing to restrict their subdivision to a lot size greater than four (4) acres shall be required to use restrictive covenants.

- (B) Permitted Uses. All land uses permitted within the Single-Family Estate 4.0 (SFE-4.0) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (C) Area Requirements. All development within a Single-Family Estate 4.0 (SFE-4.0) District shall conform to [Subsection 03.01, General Residential District Standards](#), and the related standards listed within [Subsection 07.01, Residential District Development Standards](#).

SUBSECTION 03.05: SINGLE-FAMILY 1 (SF-1) DISTRICT

- (A) Purpose. The Single-Family 1 (SF-1) District is the proper zoning classification for larger, single-family lots that are a minimum of one (1) acre in size or clustered developments that have a gross density of one (1) dwelling unit per acre. Cluster developments should conserve open space, floodplains, tree groupings, natural slopes and wildlife habitats to achieve the desired density. The Single-Family 1 (SF-1) District is also intended to be used for developments that incorporate public/private parks, denominational and private schools, and churches that are essential in creating the basic neighborhood unit. These developments are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas, where they will serve as a logical transition to an estate or rural area. These developments should provide access to public roadways, water, wastewater, and drainage.
- (B) Permitted Uses. All land uses permitted within the Single-Family 1 (SF-1) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (C) Area Requirements. All development within a Single-Family 1 (SF-1) District shall conform to [Subsection 03.01, General Residential District Standards](#), and the related standards listed within [Subsection 07.01, Residential District Development Standards](#).

SUBSECTION 03.06: SINGLE-FAMILY 16 (SF-16) DISTRICT

- (A) Purpose. The Single-Family 16 (SF-16) District is the proper zoning classification for larger lot, single-family developments. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.
- (B) Permitted Uses. All land uses permitted within the Single-Family 16 (SF-16) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (C) Area Requirements. All development within a Single-Family 16 (SF-16) District shall conform to [Subsection 03.01, General Residential District Standards](#), and the related standards listed within [Subsection 07.01, Residential District Development Standards](#).

SUBSECTION 03.07: SINGLE-FAMILY 10 (SF-10) DISTRICT

- (A) *Purpose.* The Single-Family 10 (SF-10) District is the proper zoning classification for the majority of the City's existing single-family residential development, and is the appropriate zoning classification for single-family developments with medium sized lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.
- (B) *Permitted Uses.* All land uses permitted within the Single-Family 10 (SF-10) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Single-Family 10 (SF-10) District shall conform to [Subsection 03.01, General Residential District Standards](#), and the related standards listed within [Subsection 07.01, Residential District Development Standards](#).

SUBSECTION 03.08: SINGLE-FAMILY 8.4 (SF-8.4) DISTRICT

- (A) *Purpose.* The Single-Family 8.4 (SF-8.4) District is the proper zoning classification for areas of undeveloped land remaining in the City deemed appropriate for medium sized, single-family lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.
- (B) *Permitted Uses.* All land uses permitted within the Single-Family 8.4 (SF-8.4) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Single-Family 8.4 (SF-8.4) District shall conform to [Subsection 03.01, General Residential District Standards](#), and the related standards listed within [Subsection 07.01, Residential District Development Standards](#).

SUBSECTION 03.09: SINGLE-FAMILY 7 (SF-7) DISTRICT

- (A) *Purpose.* The Single-Family 7 (SF-7) District is the proper zoning classification for single-family developments with smaller lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas adjacent to low intensity non-residential land uses, in and around the Old Town Rockwall (OTR) Historic District, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

- (B) *Permitted Uses.* All land uses permitted within the Single-Family 7 (SF-7) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).

- (C) *Area Requirements.* All development within a Single-Family 7 (SF-7) District shall conform to [Subsection 03.01, General Residential District Standards](#), and the related standards listed within [Subsection 07.01, Residential District Development Standards](#).

SUBSECTION 03.10: ZERO LOT LINE (ZL-5) DISTRICT

- (A) *Purpose.* The Zero Lot Line (ZL-5) District is the proper zoning classification for medium-density residential developments that are on separate lots (i.e. single-family), and are typically owner occupied. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, adjacent to low intensity non-residential land uses, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, and drainage due to their density.
- (B) *Permitted Uses.* All land uses permitted within the Zero Lot Line (ZL-5) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Zero Lot Line (ZL-5) District shall conform to [Subsection 03.01, General Residential District Standards](#), and the related standards listed within [Subsection 07.01, Residential District Development Standards](#).

SUBSECTION 03.11: TWO-FAMILY (2F) DISTRICT

- (A) *Purpose.* The Two-Family (2F) District is the proper zoning classification for medium-density, duplex developments (i.e. two [2] dwelling units per lot). This zoning district accommodates low to medium-density developments and allows public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, but may be located directly adjacent to low intensity non-residential land uses. These areas are also located where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, drainage, open space and fire protection due to their density.
- (B) *Permitted Uses.* All land uses permitted within the Two-Family (2F) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Two-Family (2F) District shall conform to [Subsection 03.01, General Residential District Standards](#), and the related standards listed within [Subsection 07.01, Residential District Development Standards](#).

SUBSECTION 03.12: MULTI-FAMILY 14 (MF-14) DISTRICT

- (A) *Purpose.* The Multi-Family 14 (MF-14) District is the proper zoning classification for higher density developments. This zoning district should be located within 1,200-feet of retail and other services, and

should not contain more than 500-units within one (1) mile of another multi-family development. These standards are intended to create a strong market for multi-family units, and provide for the ongoing reinvestment in these types developments while helping to ensure that inappropriate concentrations of higher density residential developments are not created. The downtown area shall be exempted from the spacing requirements.

The Multi-Family 14 (MF-14) District allows high density developments that are extremely amenitized, and that necessitate additional requirements for public roadways, water, wastewater, drainage, open space and fire protection. These types of developments should not run traffic through single-family neighborhoods, and should be located close to an arterial or collector street that is capable of carrying the additional traffic.

(B) Permitted Uses. All land uses permitted within the Multi-Family 14 (MF-14) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).

(C) Area Requirements. All development within a Multi-Family 14 (MF-14) District shall conform to [Subsection 4.01, General Commercial District Standards](#), and the related standards listed within [Subsection 7.02, Multi-Family District Development Standards](#).

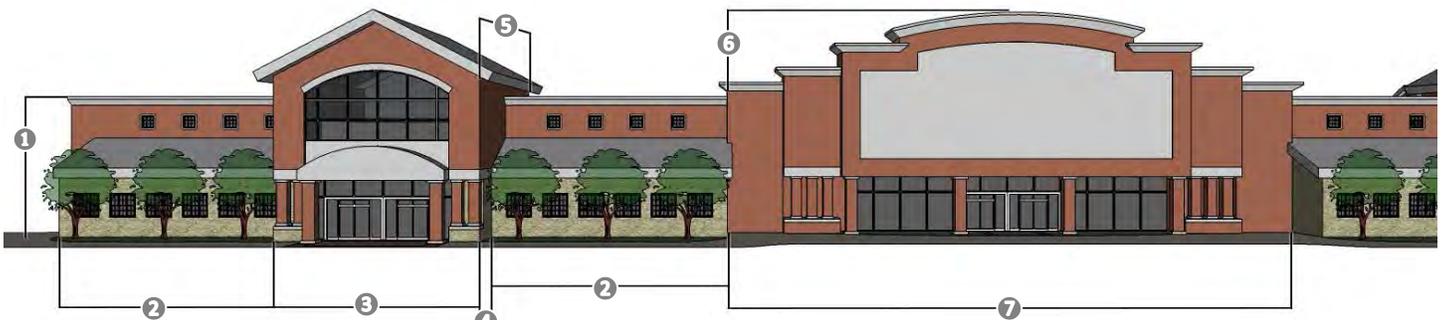
SECTION 04 | COMMERCIAL DISTRICTS

SUBSECTION 04.01: GENERAL COMMERCIAL DISTRICT STANDARDS

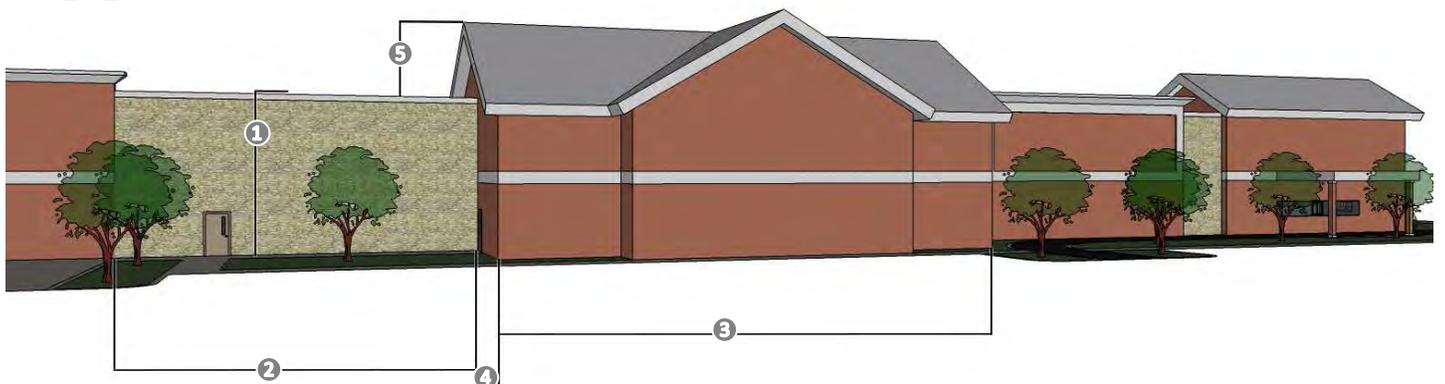
All commercial development shall conform to the following standards:

(A) Construction Standards.

FIGURE 7: COMMERCIAL BUILDING ARTICULATION STANDARDS



- 1: WALL HEIGHT. THE WALL HEIGHT SHALL BE MEASURED FROM GRADE TO THE TOP OF THE WALL.
- 2: WALL LENGTH. THE MAXIMUM WALL LENGTH SHALL NOT EXCEED THREE (3) TIMES THE WALL HEIGHT (I.E. $3 \times 1 \geq 2$).
- 3: SECONDARY ENTRYWAY/ARCHITECTURAL ELEMENT LENGTH. THE MINIMUM LENGTH OF THE SECONDARY ENTRYWAY OR PROJECTING ARCHITECTURAL ELEMENT SHALL BE 25% OF THE WALL LENGTH (I.E. $25\% \times 2 \leq 3$).
- 4: WALL PROJECTION. THE MINIMUM WALL PROJECTION FOR A PRIMARY AND/OR SECONDARY ENTRYWAY/ARCHITECTURAL ELEMENT SHALL BE 25% OF THE WALL HEIGHT (I.E. $25\% \times 1 \leq 4$).
- 5: PRIMARY AND/OR SECONDARY ENTRYWAY/ARCHITECTURAL ELEMENT WIDTH. THE MINIMUM WALL WIDTH OF THE PRIMARY AND/OR SECONDARY ENTRYWAY/ARCHITECTURAL ELEMENT SHALL EXTEND TWICE THE REQUIRED WALL PROJECTION (I.E. $2 \times 4 \geq 5$).
- 6: PROJECTION HEIGHT. THE PRIMARY AND SECONDARY ENTRYWAYS/ARCHITECTURAL ELEMENT SHALL EXTEND A MINIMUM OF 25% OF THE WALL HEIGHT ABOVE THE TOP OF THE WALL (I.E. $25\% \times 1 \leq 6$).
- 7: PRIMARY ENTRYWAY/ARCHITECTURAL ELEMENT LENGTH. THE PRIMARY ENTRYWAY/ARCHITECTURAL ELEMENT SHALL MEET ALL OF THE SAME PROJECTIONS AS THE SECONDARY ENTRYWAYS/ARCHITECTURAL ELEMENT, BUT SHALL EXTEND A MINIMUM OF TWICE THE LENGTH OF THE SECONDARY ELEMENT (I.E. $2 \times 3 \geq 7$).



- 1: WALL HEIGHT. THE WALL HEIGHT SHALL BE MEASURED FROM GRADE TO THE TOP OF THE WALL.
- 2: WALL LENGTH. THE MAXIMUM WALL LENGTH SHALL NOT EXCEED THREE (3) TIMES THE WALL HEIGHT (I.E. $3 \times 1 \geq 2$).
- 3: SECONDARY ENTRYWAY/ARCHITECTURAL ELEMENT LENGTH. THE MINIMUM LENGTH OF THE SECONDARY ENTRYWAY OR PROJECTING ARCHITECTURAL ELEMENT SHALL BE 15% OF THE WALL LENGTH (I.E. $15\% \times 2 \leq 3$).
- 4: SECONDARY ENTRYWAY/ARCHITECTURAL ELEMENT WIDTH. THE MINIMUM WALL PROJECTION FOR A SECONDARY ENTRYWAY/ARCHITECTURAL ELEMENT SHALL BE 15% OF THE WALL HEIGHT (I.E. $15\% \times 1 \leq 4$).
- 5: PROJECTION HEIGHT. THE SECONDARY ENTRYWAY/ARCHITECTURAL ELEMENT SHALL EXTEND A MINIMUM OF 15% OF THE WALL HEIGHT ABOVE THE TOP OF THE WALL (I.E. $15\% \times 1 \leq 5$).

- (1) Roof Design Standards. All structures shall have the option of being constructed with either a pitched (minimum of a 6:12 roof pitch), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.
- (B) Maximum Building Height.
- (1) Setback Exceptions for Building Height in Commercial Districts. All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by [Subsection 07.03, Non-Residential District Development Standards](#); however, the following features may be constructed 12-feet higher than the maximum height requirement if they [1] are not more than 33% of the total roof area, and [2] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof:
- Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
 - Flag Poles.
 - Solar Collectors and/or Similar Equipment, Fixtures, and Devices.
- (C) Building Articulation.
- (1) Primary Building Façades. A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the standards for articulation on primary building façades as depicted in [Figure 7](#).
- (2) Secondary Building Façade. A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the standards for articulation on secondary building façades as depicted in [Figure 7](#).
- (D) Open Space Guidelines. Commercial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (unless necessary). This should be achieved by making commercial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.
- (E) Commercial Buildings 25,000 SF or Greater.
- (1) Applicability. These criteria shall apply to new retail/commercial building construction in all commercial zoning districts. This criterion shall not be applied to the use, re-use, modification or consolidation of existing retail and/or commercial space developed on or before April 2, 2001, or to the expansion of retail space in existence on or before April 2, 2001, that is being expanded by less than ten (10) percent of the existing floor area.
- (2) Loading Docks. Loading docks shall not be oriented towards a residential zoning district or residentially used property. Where loading areas are located parallel to a residential zoning district or residentially used property, they must be screened by an architecturally integrated masonry screening wall that is a minimum 14-foot in height and that runs the entire length of the loading space. As an alternative, the Planning and Zoning Commission may approve the use of a berm in conjunction with landscape screening standards detailed in [Subsection 5.02, Landscape Screening, of Article 08, Landscape and Fence Standards](#), if it is determined that this screening method will [1] provide a suitable substitute to a masonry wall, and [2] if the screening method will completely screen the proposed loading docks.
- (3) On-Site Circulation Guidelines.
- On-site circulation standards should try to minimize the conflict between pedestrians and vehicles by placing driveways and service areas in locations that reduce the chance of interrupting on-site vehicle movement.
 - Buildings should be placed in a manner that screens the drive-through lane and creates pedestrian pathways and spaces.
 - In order to maintain on-site circulation, each drive-through lane is to be separate from pump islands and from routes necessary for entering and exiting the property.
- (4) Residential Adjacency Standards. Where the property immediately abuts a residential zoning district or residentially used property -- unless separated by an M4D (major collector, four [4] lane, divided roadway) or larger thoroughfare -- a minimum 25-foot wide landscaped buffer must be installed for buildings with a building footprint of 25,000 SF to 49,999 SF in area, a minimum of a 50-foot wide landscaped buffer for buildings with a building footprint of 50,000 SF or greater. This shall be in place of the buffer required by [Subsection 5.02, Landscape Screening, of Article 08, Landscape and Fence Standards](#). The landscaped buffer must include a combination of berm and evergreen shrubs in addition to the requirements of [Subsection 5.02, Landscape Screening, of Article 08, Landscape and Fence Standards](#). Planting may be grouped if approved by the Planning and Zoning Commission.
- (5) Outside Storage. Open storage areas shall be connected to the building and screened with a wall that is constructed of the same building materials as the remainder of the primary structure.
- (6) Adaptive Reuse Standards. For those buildings over 80,000 SF in area, the applicant must demonstrate that the building can be subdivided in a reasonable manner by submitting a plan

indicating potential entrances and exits and loading areas for multiple tenants. This plan will need to be submitted at the time of site plan.

- (F) Exceptions. The Planning and Zoning Commission may consider exceptions to the General Commercial District Standards pending a recommendation from the Architectural Review Board (ARB), and in accordance with [Section 9.01, Exceptions to the General Standards, of Article 11, Development Applications and Review Procedures](#).

SUBSECTION 04.02: RESIDENTIAL-OFFICE (RO) DISTRICT

- (A) Purpose. The Residential-Office (RO) District is a zoning district intended to recognize the existence of older residential areas of the City, where larger houses have been or can be converted from single-family and multi-family residences to low-intensity office uses in order to extend the economic life of these structures, and to allow the owners to justify the expenditures for repairs and modernization. The intent of this district is to allow for low intensity office development providing professional, medical and other office services and limited retail businesses to residents in adjacent neighborhoods. The Residential-Office (RO) District shall have principle access to major or secondary thoroughfares, and may serve as an area of transition between residential and high-intensity, non-residential uses or busy arterial thoroughfares.
- (B) Permitted Uses. All land uses permitted within the Residential-Office (RO) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (C) Area Requirements. All development within a Residential-Office (RO) District shall conform to [Subsection 04.01, General Commercial District Standards](#), and the related standards listed within [Subsection 07.03, Non-Residential District Development Standards](#).

SUBSECTION 04.03: NEIGHBORHOOD SERVICES (NS) DISTRICT

- (A) Purpose. The Neighborhood Services (NS) District is a zoning district intended to provide limited retail land uses near neighborhoods for the purpose of supplying the day-to-day retail and personal service needs of residents. The Neighborhood Services (NS) District is typically located at limited corner locations on arterials in existing developments, and is intended to serve small service areas. The average site is from one-half (1/2) acre to a maximum of two (2) acres. Since these sites are typically small and surrounded by residential development they can appear to be spot zones; however, the Comprehensive Plan acknowledges the need to create neighborhood units, which involve the need for limited retail and service uses in close proximity to neighborhoods. These convenience centers should be constructed to a residential scale, and be visually and dimensionally compatible to adjacent residential developments. The Neighborhood Services (NS) District should not contain uses that create excessive amounts of traffic, noise, litter or that would not be conducive to residential adjacency. Due to the residential adjacency of this zoning district, increased landscaping and buffering requirements are necessary.
- (B) Permitted Uses. All land uses permitted within the Neighborhood Services (NS) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).

- (C) Area Requirements. All development within a Neighborhood Services (NS) District shall conform to [Subsection 04.01, General Commercial District Standards](#), and the related standards listed within [Subsection 07.03, Non-Residential District Development Standards](#).

SUBSECTION 04.04: GENERAL RETAIL (GR) DISTRICT

- (A) Purpose. The General Retail (GR) District is a zoning district intended to provide limited retail and service uses for one (1) or more neighborhoods. The land uses specified in this district include most types of retail and office activity, and are typically located on/at the intersections of major thoroughfares. This district does not include strip commercial/retail centers, large shopping centers, wholesaling operations, lumberyards, contractor yards, and/or warehouses with high volumes of commercial truck traffic. The General Retail (GR) District is not a major commercial/retail district, and should try to avoid intensive commercial land uses that carry large volumes of retail traffic. The noise, traffic, litter, late night hours, and other influences that could be harmful to residential areas require adequate buffering and screening from residential areas. Traffic from land uses in this district should not pass through residential areas, except on arterial or major collectors. There are restrictions on access to prevent traffic congestion or an adverse effect on major thoroughfares adjacent to residential areas. Areas should not be zoned General Retail (GR) District unless they are located on or close to an arterial or major collector that is capable of carrying increased traffic. Since the General Retail (GR) District will be located close to residential areas, the development standards are stringent and require high standards of development similar to the Residential-Office (RO) and Neighborhood Services (NS) Districts.
- (B) Permitted Uses. All land uses permitted within the General Retail (GR) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (C) Area Requirements. All development within a General Retail (GR) District shall conform to [Subsection 04.01, General Commercial District Standards](#), and the related standards listed within [Subsection 07.03, Non-Residential District Development Standards](#).

SUBSECTION 04.05: COMMERCIAL (C) DISTRICT

- (A) Purpose. The Commercial (C) District is the proper zoning classification for most types of commercial development (e.g. larger shopping centers at major intersections, commercial strips along arterial roadways, etc.). The land uses specified for the Commercial (C) District include most types of office and retail activity with some special provisions for wholesale land uses. This district mostly excludes land uses that are not compatible with retail shopping (e.g. lumberyards, contractor yards, warehousing, or other land uses with high volumes of truck traffic and low volumes of retail traffic). The noise, traffic, litter, late night hours, and other influences that could be harmful to neighborhoods require adequate buffering and mitigating factors when locating adjacent to residential areas. Areas should not be zoned to Commercial (C) District unless they are located on or close to an arterial or major collector that is capable of carrying the additional traffic generated by land uses in this district. In addition, these areas may require increased water,

fire protection, wastewater and drainage capacity. The Commercial (C) District is a general business zone, and is intended to service most commercial land uses, with the exception of land uses that would fall into the Heavy Commercial (HC) District. Since the Commercial (C) District is general in nature, the development standards are less stringent and do not require as high of standards of development as the Residential-Office (RO), Neighborhood Services (NS) and General Retail (GR) Districts.

- (B) Permitted Uses. All land uses permitted within the Commercial (C) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (C) Area Requirements. All development within a Commercial (C) District shall conform to [Subsection 04.01, General Commercial District Standards](#), and the related standards listed within [Subsection 07.03, Non-Residential District Development Standards](#).
- (D) Special District Requirements.

- (1) Business Operations and Storage. All business operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as stipulated in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#). This excludes off-street parking and loading, incidental display of retail items for sale, retail outlets where gasoline products are sold and drive-in businesses.

SUBSECTION 04.06: HEAVY COMMERCIAL (HC) DISTRICT

- (A) Purpose. The Heavy Commercial (HC) District is the proper zoning classification for commercial establishments that may involve uses that would not be suitable in the other commercial zoning districts. Included in this district are commercial uses that involve large volumes of commercial truck traffic, outside operations, outside storage of materials and equipment, excessive noise from heavy service operations, and/or any other possibly adverse operations. The Heavy Commercial (HC) District is commercial in nature, but has some aspects that are similar to industrial land uses. The zoning district allows noise, traffic, litter, late night hours, outside storage of materials and equipment, and other influences that could be harmful if directly adjacent to residential areas, and will require adequate buffering and other mitigating factors if such an adjacency exists. Areas should not be zoned to Heavy Commercial (HC) District unless they are located on or close to an arterial that is capable of carrying large volumes of commercial truck traffic. Businesses locating in the Heavy Commercial (HC) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property, and that streets in and adjacent to this district are of a size and strength to accommodate commercial truck traffic.
- (B) Permitted Uses. All land uses permitted within the Heavy Commercial (HC) District are outlined in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (C) Area Requirements. All development within a Commercial (C) District shall conform to [Subsection 04.01, General Commercial District Standards](#), and the related standards listed within [Subsection 07.03, Non-Residential District Development Standards](#).

- (D) Special District Requirements.

- (1) Outside Storage.

- (a) All outside storage shall be placed behind the front facade of the main structure. This does not apply to uses that allow incidental display, in which case only the amount of goods necessary for display purposes shall be exempt from this requirement.
 - (b) All outside storage shall be screened from streets and public areas in accordance with the requirements of [Subsection 01.05, Screening Standards](#).

SUBSECTION 04.07: DOWNTOWN (DT) DISTRICT

- (A) Purpose, Goals and Intent.

- (1) Purpose. The purpose of the Downtown District is to implement the adopted recommendations of the comprehensive plan and Downtown Plan by encouraging new development and redevelopment in the Downtown area.

The goals of this zoning district are:

- (a) To make the downtown area a sustainable “Great Place” within the region that will attract high quality investment and reinvestment over time.
 - (b) To capitalize on the existing historic character of the downtown and provide Rockwall with a thriving downtown center.
 - (c) To provide development and land use flexibility within the framework of a form-based development zoning district.
 - (d) To provide a mix of residential, retail and office uses in a pedestrian-friendly environment.

The intent of this zoning district is:

- (a) To provide a comfortable and attractive environment for pedestrians which include such things as buildings framing public space, street trees, lighting and awnings that will attract pedestrians.
 - (b) To construct continuous building frontage along block faces except where it is desirable to provide for pedestrian and auto pass-throughs to parking at mid-block.
 - (c) To provide shared and consolidated parking both on-street and in the center of blocks that will benefit the entire district.
 - (d) To contribute to the definition and use of public sidewalks, parks and plazas.
 - (e) To design and build an infrastructure of buildings to accommodate a range of uses over time without the need to destroy older buildings and rebuild them for each successive use.
 - (f) To design streets and buildings which will contribute to creating a safe environment.

- (B) Definitions.

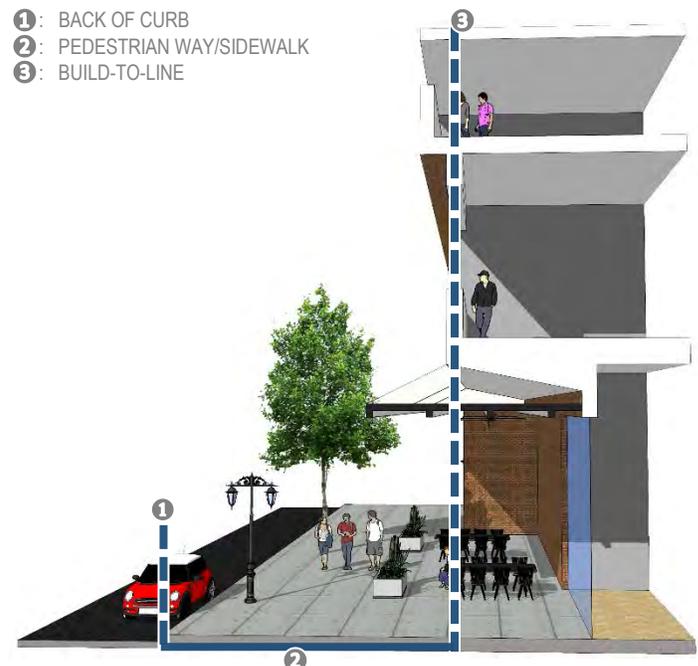
- (1) Purpose. For the purposes of this section, the following definitions shall apply.
- (a) Primary Building Facade. Any facade that faces a public street or open space.
 - (b) Downtown District Engineering and Landscape Standards. Any approved city standards which govern such items as street, streetscape, drainage, signage and other public improvements in the Downtown (DT) District.
 - (c) Primary Entry. The main entry to a building on a block face. There must be at least one (1) main building entry for each ground floor use, tenant or lobby on each block face which contains the use or tenant. Any additional building entries may be considered a secondary entry.
 - (d) Feature Buildings. Buildings which are located on axis with a terminating street or open space, or at the intersection of streets. Such buildings shall incorporate architectural features which address height and articulation that emphasize the importance of such a location.
 - (e) Historic Core. See the regulating plan for historic core boundaries which is on file in the City secretary's office.
 - (f) Long-Term Parking. Customer or tenant parking which is intended for the primary use of vehicles parked for a duration of more than two hours and neither priced nor managed to encourage turnover.
 - (g) Reserved Parking. Parking which is assigned or reserved for tenants or visitors of a building or business.
 - (h) Shared Parking. Parking which is shared by tenants, visitors and the public. Hours of availability may be further defined in cooperation with the City.
 - (i) Short-Term Parking. Customer or tenant parking which is intended to serve commercial businesses or residential uses that has a regular turnover of two hours or less.
 - (j) Regulating Plan. The plan approved by the City which applies the Downtown District and which identifies certain subdistricts and the location of required retail at grade, among other items.
 - (k) Stoop. A structure that is located approximately at the level of the first floor of the structure and intended to provide access to a residential unit.
 - (l) Story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling above the floor of such story. This includes any mezzanine or loft which may comprise only a portion of a full floor plate.
 - (m) Major Waiver to Design Standards. A significant change to both the standards and intent of this zoning district, and involves Planning and Zoning Commission and City Council approval.
 - (n) Minor Waiver to Design Standards. A minor change to the standards, but not the intent, of this zoning district and involves staff approval.
- (C) General District Standards.
- (1) Regulating Plan.
 - (a) Authority. A regulating plan is the coding key for application of this district's provisions to properties, and shall be considered part of this zoning district. It may establish such things as:
 - (1) Major street types within the district;
 - (a) Sub-district areas;
 - (b) Required at-grade retail construction;
 - (c) Public open space and plazas; and
 - (d) Regional hike and bike corridors.
 - (b) Zoning of Property.
 - (1) Downtown Development Plan Required. An approved downtown development plan which is consistent with this Unified Development Code (UDC) and the regulating plan shall be required prior to issuance of any building permit.
 - (2) Nonconformity. Uses which are legal and conforming at the time of rezoning to the Downtown District shall continue as legal conforming uses under their current standards until those uses are deemed abandoned. For example:
 - (a) They have been replaced with a conforming use;
 - (b) Such building or structure is or hereafter becomes vacant and remains unoccupied or out of use for a continuous period of six months, or the special equipment and furnishings peculiar to the nonconforming use have been removed from the premises and have not been replaced within such six-month period; or
 - (c) The intention of the owner to permanently discontinue the use is apparent.
 - (2) Waivers of Design Standards. In order to provide flexibility and create high quality projects, standards in the Downtown District may receive a waiver from City staff, the Planning and Zoning Commission, and/or the City Council. (See subsection VIII.B, *Waivers, below, for applicability, processes and procedures.*)
 - (a) Minor waivers are limited to the following:
 - (1) Depth or height of required retail space.
 - (2) Requirement to line a parking garage with buildings.
 - (3) Requirement for continuous building frontage.
 - (4) Establishment of build-to line.
 - (5) Encroachment into the build-to line.
 - (6) Residential landscape requirement.

- (7) Increased building height for “feature” buildings.
 - (8) Design of buildings without tri-partite architecture.
 - (9) Required frequency of building entries along a street edge.
 - (10) Window detailing.
 - (11) Exterior building materials.
 - (12) Exterior building color.
 - (13) Retail at grade design standards.
 - (14) Balcony and patio railing.
 - (15) Landscape standards.
 - (16) Location of bicycle parking.
- (b) Major waivers may include, but are not limited to, the following:
- (1) Required retail construction.
 - (2) Building height for non-feature buildings.
 - (3) Exceeding the maximum leasable retail area.
 - (4) Required setback of the fourth floor and above.
 - (5) Residential at grade design standards.
 - (6) Parking requirements.
 - (7) Parking garage design standards.
- (3) Function/Land Use.
- (a) Land Use.
- (1) Retail, personal service, residential and office uses shall be allowed throughout the district. For a specific list of permitted uses, see [Article 04, Permissible Uses, of the Unified Development Code \(UDC\)](#).
 - (2) Where *Required Retail Construction* is designated on the regulating plan, the ground floor adjacent to the street shall be constructed to retail building standards for a depth of at least 50-feet, however, a smaller depth may be allowed if the retail is serving as a *liner* use which is masking a parking garage by minor waiver.
 - (3) All access drives shall require a minor waiver.
- (4) Block Face. It is intended that building walls should be continuous along block faces to create a strong edge to the street and contribute to creating an attractive and active pedestrian environment. Contributing to that goal, however, is to allow some limited variation and opportunities for outside dining, pocket parks and special building entry features.
- (a) Block Length. The length of new blocks should not be less than 200-feet, nor more than 600-feet.
- (b) Block Faces. Block faces shall contain continuous building frontage with the exception of a mid-block access to parking which is no greater than 34-feet in width and 16-feet in height.

Continuous Building Frontage will be considered to be met if the primary building facade is located within five feet of the build-to line requirement. However, administrative approval of a minor waiver will permit up to 15% of the building frontage to be up to 15 feet behind the build-to line provided that it results in an attractive outdoor dining area, building entry feature or other amenity which contributes to the streetscape. A greater increase shall require approval of a major waiver.

- (c) Façades. Façades shall generally be built parallel to the street frontage, except at street intersections, where a corner facade containing a primary building entrance may be curved or angled toward an intersection.
- (d) Build-To-Lines (i.e. Setbacks).
- (1) Build-to lines shall be measured from the planned street back-of-curb, as established on the approved regulating plan for the district and the standards in the Unified Development Code (UDC) [see *Table 1, 2 & 3 for Downtown District Standards below*], or the City’s approved Master Thoroughfare Plan. The entire area between the back-of-curb and the primary building facade shall be dedicated as public right-of-way or have a public easement placed upon it.
 - (2) Awnings may encroach above the public sidewalk without limit, provided they leave a minimum clearance of 7.5-feet above the sidewalk, and are set back a minimum of 18-inches from the back of curb and will not impede street tree growth.

FIGURE 8: EXAMPLE OF A BUILD-TO-LINE



- (5) Streetscape and Landscape.

- (a) Streetscape standards shall be established by the City for sidewalk paving, street trees, tree grates, lighting fixtures, trash receptacles and benches for both residential and nonresidential ground-level frontages.
- (b) Non-residential ground floor frontages shall not be required to provide additional landscaping beyond that required in the Downtown District engineering and landscape standards.
- (c) Residential ground floor frontages shall be required to landscape a minimum of five feet between the edge of sidewalk and the primary building facade, excluding access to sidewalks, stairs, stoops, porches and patios. This area may be landscaped with ground cover, low shrubs, ornamental trees and street trees. In addition, street tree wells may also be landscaped. Landscaping for tree wells is limited to ground cover and low shrubs.

TABLE 1: DOWNTOWN DISTRICT STANDARDS FOR BUILDING HEIGHT

BUILDING HEIGHT (1) & (3)	BLOCKS FACING		ALL OTHER BLOCKS
	BLOCKS FACING THE SQUARE	SINGLE-FAMILY ZONING	
MAXIMUM # OF STORIES	4	2 (1)	4
MINIMUM # OF STORIES	2	2	2

TABLE 2: DOWNTOWN DISTRICT STANDARDS FOR BUILD-TO-LINE

BUILD-TO LINE (2)	BLOCKS FACING		ALL OTHER BLOCKS
	BLOCKS FACING THE SQUARE	SINGLE-FAMILY ZONING	
GOLIAD STREET AND ALAMO STREET (4)	20-Feet	20-Feet	18-Feet
RUSK, WASHINGTON AND DENNISON (5)	20-Feet	20-Feet	24-Feet
ALL OTHER ROADS	18-Feet	18-Feet	18-Feet

TABLE 3: DOWNTOWN DISTRICT STANDARDS FOR PEDESTRIAN ACCESS

PEDESTRIAN WALKWAY WIDTH	BLOCKS FACING		ALL OTHER BLOCKS
	BLOCKS FACING THE SQUARE	SINGLE-FAMILY ZONING	
NON-RESIDENTIAL	10-Feet	10-Feet	10-Feet (5)
RESIDENTIAL (6)	6-Feet	6-Feet	6-Feet

NOTES:

- (1): MAXIMUM OF TWO (2) STORIES WHEN THE BUILDING IS WITHIN 200-FEET OF SINGLE-FAMILY ZONED PROPERTY.
- (2): BUILD-TO-LINES ARE MEASURED FROM THE BACK OF CURB OF THE PLANNED STREET AS SET OUT IN THE APPROVED REGULATING PLAN FOR THE DISTRICT. THE SETBACK RANGE IS ESTABLISHED FOR THE BLOCK FACE. [SEE SUBSECTION 04.07(C)(4), BLOCK FACE].
- (3): INCREASED HEIGHT FOR FEATURE BUILDINGS MAY BE APPROVED AS PART OF SITE PLAN APPROVAL BY MINOR WAIVER. ADDITIONAL HEIGHT FOR OTHER BUILDINGS SHALL BE CONSIDERED A MAJOR WAIVER.
- (4): EXCEPT ALONG GOLIAD STREET BETWEEN WASHINGTON STREET AND KAUFMAN STREET, WHERE EXISTING BUILDING LINES WILL BE ENFORCED.
- (5): SIDEWALK TABLES MAY BE ALLOWED BY THE CITY IN RETAIL AREAS.
- (6): EXCEPT RUSK STREET BETWEEN ST. AUGUSTINE STREET AND ALAMO STREET WHERE EXISTING HISTORIC BUILDING LINES WILL BE ENFORCED.

(D) Buildings.

- (1) Intent. It is the intent of this zoning district to create an attractive and active village style district and the size, disposition, function, and design of buildings, play an important role in achieving that goal.
 - (a) Buildings should directly contribute to the attractiveness, safety and function of the street and other public areas.
 - (b) Buildings that accommodate retail at grade should feature the retail activity over the building's architecture.
 - (c) Buildings should be constructed in a manner, and with materials, that are highly durable and will continue to endure and be attractive over a long time, especially adjacent to public and pedestrian areas.
 - (d) It is intended by this zoning district to encourage a variety of building and design solutions in response to the standards and regulations outlined herein.

(2) Building Standards.

(a) Building Form.

- (1) The maximum retail area allowed for a single user shall be 40,000 square feet. Any lease which exceeds this size shall require approval of a major waiver.
- (2) All buildings shall be designed and constructed in tripartite architecture so that they have a distinct base, middle and top.

FIGURE 9: EXAMPLE OF TRI-PARTITE ARCHITECTURE



①: TOP; ②: MIDDLE; ③: BASE

- (3) Buildings which are located on axis with a terminating street or at the intersection of streets shall be considered a feature building. Such buildings shall be designed with features which take advantage of that location, such as an accentuated entry and a unique building articulation which is off-

set from the front wall planes and goes above the main building eave or parapet line.

(b) Architectural Features.

- (1) Buildings which are greater than three (3) stories in height must be set back at the fourth floor at least eight feet behind the building face of the first three floors along street frontages. Any change to this standard shall be considered a major waiver.

FIGURE 10: 4TH FLOOR SETBACK REQUIREMENT



- (2) Windows shall have at least a four (4) inch reveal and except for retail at grade, shall be vertical in proportion.
- (3) No glass curtain wall shall be permitted except by approval of major waiver.
- (4) Each building and separate lease space at grade along the street edge shall have a functioning primary entry from the sidewalk. Such entries must be inset from the front building plane by at least five feet. Secondary entries may be set back as little as three feet. Functioning entries must be located no greater than 30-feet apart. Corner entries may count as a primary entry for both intersecting street frontages.
- (5) Architectural elements of the primary building facade may encroach beyond the build-to line by up to five feet provided that pedestrian flow will not be significantly impeded, with a minor waiver. These elements may include stoops, porches, bay windows, eaves, planters and light wells for a below grade floor. Balconies, canopies and awnings are not limited in their encroachment, provided that they do not substantially interfere with pedestrian movement and street tree growth. This does not apply to the historic core.

(c) External Facade Materials. The following shall apply to all exterior walls of buildings and parking structures which

are clearly visible from a public street, walkway or open space:

- (1) Ground floor exterior walls, excluding windows, doors, and other openings, shall be constructed of 100% brick, natural or cast stone on the exterior facade.
- (2) Overall, a minimum of 85% of exterior walls which face on a street right-of-way, plaza or open space, excluding windows, doors, and other openings, shall be constructed of brick, natural or cast stone. Where such a wall turns a corner, the surface materials shall continue around the corner a minimum of eight feet.
- (3) The remainder may be constructed of noncombustible materials including exterior stucco and class PB exterior insulating and finishing systems (EIFS). Stucco and EIFS shall be used only for walls, architectural features, and embellishments not subject to pedestrian contact. On wholly residential structures, cementitious fiberboard may be used for up to ten (10) percent of the facade provided it is above the ground floor.
- (4) Unpainted metal, or metal subject to ordinary rusting shall not be used as a building material. Factory finished metal elements as well as metals that develop an attractive oxidized finish, such as copper, galvanized metal, stainless steel or weathering steel, may be used as architectural accents by minor waiver approval.
- (5) Windows and glazing shall be a minimum of 30% up to a maximum of 70% of each building elevation. [See [Subsection \(D\)\(2\)\(f\), Non-Residential at Grade](#), below for special requirements for retail at grade].
- (6) A variation of up to 15% of the standards above, and the material type may be approved by administrative approval of a minor waiver, provided that the change will result in an improved architectural design without degrading the quality of public areas or increasing the need for maintenance.

(d) Color.

- (1) The dominant color of all buildings (including above grade parking structures) shall be muted shades of warm gray, red, green, beige and/or brown. Black, gold and stark white shall not be used except as an accent color. There are no restrictions on accent colors which comprise less than one (1) percent of the building face, except that fluorescent colors are prohibited.
- (2) Roof colors shall be a shade of cool gray, warm gray, brown or red.

(e) Residential at Grade.

- (1) All buildings which are constructed for residential units at grade shall include a primary front door entrance into the unit which may be accessed from

the sidewalk. Any change to this standard shall be considered a major waiver.

- (2) The entry shall be located a minimum of two (2) feet above the sidewalk elevation and include a minimum 24-square-foot stoop. Any change to this standard shall be considered a major waiver.
- (3) Units must also include windows which provide residents a view of the street and sidewalk area. Any change to this standard shall be considered a major waiver.
- (4) Lobbies to upper stories may be located at grade level.
- (5) Balcony and patio railings and fences shall be constructed of wrought iron or metal. Wood fences and railings and chain-link fencing are prohibited. Masonry columns may be used on patios provided that they are used as accents.

FIGURE 11: EXAMPLE OF RESIDENTIAL AT GRADE



- ❶: RESIDENTIAL LANDSCAPE/PATIO SETBACK;
- ❷: CLEAR SIDEWALK
- ❸: TREE, LIGHTING AND BIKE RACK ZONE
- ❹: ONE (1) FOOT DISMOUNT STRIP
- ❺: ELEVATED PRIVATE PATIO

(f) Non-Residential at Grade.

- (1) The ground floor entry must be located at the approximate elevation of the adjacent sidewalk.
- (2) Retail uses adjacent to the sidewalk at grade shall:
 - (a) Be constructed to meet fire code separation from any other uses constructed above;
 - (b) Have a minimum clear height of 16-feet between finished floor and the bottom of the structure above. Mezzanines within the retail space shall be allowed per building code;
 - (c) Have a canopy which extends at least six feet over the sidewalk for at least 75% of the frontage on any portion of a building located on

the north, east or west side of a street and public sidewalk; and

- (d) Have clear glass windows for at least 60%, but no greater than 80%, of the ground floor facade.
- (e) No outdoor storage is permitted. Outdoor retail display or sales shall require a permit from the City.

FIGURE 12: EXAMPLE OF RESIDENTIAL AT GRADE



- ❶: SIDEWALK WITH POSSIBLE OUTDOOR SEATING AND DINING
- ❷: TREE, LIGHTING AND BIKE RACK ZONE
- ❸: ONE (1) FOOT DISMOUNT STRIP

(D) Parking.

(1) Automobile Parking.

(a) Intent. The following is the intent of the City's parking policies and the Downtown Zoning District:

- (1) Support the creation of shared parking in order to enable visitors to park once at a convenient location and to access a variety of commercial enterprises in a pedestrian-friendly environment.
- (2) Manage parking so that it is convenient and efficient, and supports an active and vibrant retail environment.
- (3) Ensure visibility and ease of access to parking.
- (4) Maximize on-street parking.
- (5) Provide flexibility for changes in land uses which have different parking requirements within the district.
- (6) Provide flexibility for the redevelopment of small sites.
- (7) Design parking structures so that they do not dominate the public environment by lining the edge of structures with residential or commercial uses.
- (8) Avoid diffused, inefficient single-purpose reserved parking.
- (9) Avoid adverse parking impacts on residential neighborhoods.

(b) Parking Requirements. Off-street and on-street facilities shall be provided as required in [Article 06, Parking and Loading, of the Unified Development Code \(UDC\)](#).

(1) Parking Reductions.

- (a) Properties in the historic core shall receive a credit for the number of parking spaces which would normally be required for retail use on the ground floor of any existing or new structure. To achieve this credit, however, retail or restaurant use must be located on the ground floor.
- (b) In the remainder of the district, on-street parking which is directly in front of the development site may be counted toward the parking requirement for the development.

(2) Achieving Automobile Parking.

- (a) Parking requirements may be met on-site, curbside, by lease from the City or its designated authority or by payment of cash-in-lieu of parking to the City or its designated authority.
- (b) Due to the limited land area within the historic core and the need to provide off-site parking, development shall be eligible to receive a reduction in the cost for the payment to the City for the required cash fee or the lease payments. The amount and the terms of the reduction shall be determined by the City manager or his designee by individual agreements.
- (c) The City manager or designee shall annually establish the following:
 - (1) The leasing rates for city-provided parking spaces as a result of the need to provide such spaces for new development; and
 - (2) The cost of construction of a parking space in a parking structure for the purposes of establishing cash-in-lieu payments.

(3) Parking Location. All off-street parking shall be located behind buildings which face on a street or public open space. Any change to this standard shall be considered a major waiver.

(4) At-Grade Parking. Any at-grade parking lots fronting roadways which may be approved shall be set back not less than ten feet from the right-of-way line of such roadways, and screened from view as outlined in [Subsection \(F\), Landscaping Requirements](#).

(5) Parking Garages. Parking garages that have frontage on public streets shall comply with all setback and build-to standards as established in [Tables 1, 2 & 3, Downtown District Standards](#), and [Subsection \(D\)\(2\)\(c\), External Facade Materials](#). However:

- (a) Parking garages which are adjacent to a street shall be set back a minimum of 50-feet and lined

with buildings containing any permitted use but parking.

(b) All parking garages shall be constructed with flat parking decks for ease in re-use of all or portions of the structure when parking demand wanes, unless otherwise approved by major waiver.

(c) Off-street below grade parking is permitted to the lot lines, but must be designed to allow for utilities and planting of landscape as defined in [Subsection \(F\), Landscaping Requirements](#).

(6) Shared Parking.

(a) Uses may join in establishing shared parking areas if it can be demonstrated that the parking for two (2) or more specific uses occurs at alternating time periods. Required parking shall be determined based on parking demand for the peak parking period, as determined by a parking analysis study approved by the Director of Planning and Zoning.

(b) Shared parking shall be clearly designated with signs and markings.

(2) Bicycle Parking.

(a) Goals. Bicycle parking is required in order to encourage the use of bicycles by providing safe and convenient places to park bicycles.

(b) Required bicycle parking. Bicycle parking shall be provided based on at least one (1) space for each ten automobile parking spaces required as part of the base parking requirements above.

(c) Bicycle Parking Standards.

(1) Location.

(a) Required bicycle parking must be located within 50 feet of an entrance to the building. With approval of a minor waiver, bicycle parking may be located in the public right-of-way.

(b) Bicycle parking may be provided within a building, but the location must be easily accessible to bicycles.

(2) Covered Spaces. If covered spaces for motor vehicles are provided on-site, then 50% of the bicycle parking shall also be covered, unless otherwise approved by minor waiver.

(3) Signs. If the bicycle parking is not visible from the street, then a sign must be posted indicating the location of the bicycle parking facilities.

(4) Rack Types and Required Areas. Bicycle racks and the area required for parking and maneuvering must meet the Downtown District engineering and landscape standards or be approved by minor waiver

(see below). Bicycle lockers may also be allowed as part of meeting the bicycle parking requirement, but must be approved as to type and location.

(d) Standards for Bicycle Rack Types and Dimensions.

(1) Rack Type.

(a) Bicycle rack types and standards shall be approved by the City.

(b) Parking Space Dimensions.

(1) Bicycle parking spaces must be at least six feet long and two feet wide, and in covered situations, the overhead clearance must be at least seven feet.

(2) An aisle for bicycle maneuvering must be provided and maintained beside or between each row of bicycle parking. This aisle must be at least five feet wide.

(3) Each required bicycle parking space must be accessible without moving another bicycle.

(4) Areas set aside for bicycle parking must be clearly marked and reserved for bicycle parking only.

(E) Streetscape, Lighting and Mechanical.

(1) Intent.

(a) It is the intent of this zoning district to provide a level and consistency of lighting that supports pedestrian activity and promotes safety.

(b) The entire district shall utilize the basic fixtures and furnishings in the public areas as may be approved by the City for this district.

(c) Mechanical equipment shall not be clearly visible from the street or other public area.

(2) Standards.

(a) For streetscape and lighting specifications, see the Subsection (H), Downtown District Engineering and Landscape Standards.

(b) Lighting elements shall be incandescent, metal Halide, or halogen only. No HID or fluorescent lights (*except fluorescent bulbs that screw into standard socket fixtures*) may be used on the exterior of buildings.

(c) All lighting shall be focused downward or narrowly focused on its intended target such as signing, parking and pedestrian walkways. No lighting source from a commercial activity shall be visible by a residential unit.

(d) Mechanical and electrical equipment, transformers, meters, garbage containers and loading areas shall be located and screened so that they are not visible from the street or other public area.

(1) Mechanical equipment shall be screened from view from all public roadways and located to minimize noise intrusion to adjacent properties. The required screening must be composed of the same exterior materials as the buildings on the lot, or through the use of masonry walls, ornamental fence (80% opaque), evergreen landscape material, or combination thereof.

(2) All roof-mounted mechanical elements must be screened from view from the public right-of-way and neighboring properties. Screening must be architecturally compatible with the building design.

(3) Loading, service and trash storage areas shall be screened from all public roadways. Refuse containers must be placed on a designed, reinforced concrete pad and approach. The required screening must be composed of the same exterior materials as the buildings on the lot, or through the use of masonry walls, ornamental fence (80% opaque), evergreen landscape material, or combination thereof.

(e) Any bicycle parking in the public right-of-way shall be located within the band created by street trees and pedestrian street lights; however, it must be placed in a manner that avoids conflicts with pedestrian and vehicular paths.

(F) Landscape Requirements. Landscaping within the Downtown District shall comply with the provisions in this subsection, the City's streetscape standards and the standards contained in Article 08, Landscaping and Fence Standards, of this Unified Development Code (UDC). Where conflicts exist between this district and Article 08, Landscaping and Fence Standards, of this Unified Development Code (UDC), the requirements in this district shall be applied.

(1) Street Trees. Street trees shall be large shade tree species having a minimum caliper of four inches, selected in accordance with the City's landscape standards. Street trees shall be planted at least 20-feet on center.

(2) Plant Material. Front yards shall be landscaped adjacent to residential at grade per the diagram in Subsection (D)(2)(e), Residential at Grade, above. Plant materials shall consist of shade trees, ornamental trees, shrubs, evergreen ground covers, vines, and seasonal color.

(3) Paving Material.

(a) Paving material shall be warm toned, natural materials such as brick, stone and concrete. Asphalt may be approved as part of a minor waiver.

(b) Gravel as a paving material is prohibited.

(4) Parking Lot Landscape.

(a) Landscaping of the internal surface parking area shall not be required unless it is planned to serve as long-term parking. In which case, such long-term surface parking areas shall meet the requirements of Subsection (F), Landscaping Requirements. For the purpose of this subsection, long-term parking shall be determined by the

Director of Planning and Zoning, and may include parking which has a likelihood of being in place for a period of ten years or more.

- (b) Surface parking lots shall be screened from all adjacent public streets and neighboring sites. The screen must extend along all edges of the parking lot and must be three feet in height, 80% opaque, and may be accomplished through the use of masonry walls, ornamental metal, evergreen plant materials, or a combination thereof. Planting beds for screen planting shall be a minimum of three feet in width.
- (c) Interior parking lot landscape shall be consistent with [Article 08, Landscape Standards, of the Unified Development Code \(UDC\)](#).
- (d) Parking spaces shall not exceed ten spaces in a row without being interrupted by a landscaped island (nine [9] foot minimum). Islands shall be planted with a minimum of one (1) shade tree for every ten (10) cars.

(G) Administration.

- (1) Intent. It is the intent that a developer or builder who wishes to develop under this zoning district will be processed in an expedited manner with administrative approvals, and may in fact qualify for incentives under other separate city programs. However, if there are substantial major waivers requested, additional approvals shall be required which may delay development progress.
- (2) Waivers of Design Standards.
 - (a) For the purposes of this district, there shall be two types of waivers of design standards: minor and major. Requests for waivers shall not be subject to review or decision by the zoning board of adjustment. A waiver request may only be made in conjunction with an application for a downtown development plan.
 - (b) Minor waivers are those changes to design standards in the Downtown District identified in Subsection (C)(2), Waivers of Design Standards, may be approved administratively by the Director of Planning and Zoning or his designee in conjunction with a decision on an application for approval of a downtown development plan. All minor waivers must meet the full intent of this zoning district as stated in section I. Appeals to decisions concerning minor waivers may be made to the Planning and Zoning Commission.
 - (c) Major waivers are major changes to the design standards in the Downtown District. Major waivers may only be approved by the City Council, following a recommendation by the Planning and Zoning Commission, in conjunction with a decision on an application for approval of a downtown development plan. Examples of major waivers are listed in Subsection III.B above; however, the City Council reserves the right to grant a major waiver to any standard not specifically designated as a minor waiver contained in this Article pending the City Council finds that the waiver:

- (1) Meets the general intent of this district in which the property is located;
 - (2) Will result in an improved project which will be an attractive contribution to the district; and
 - (3) Will not prevent the realization of the intent of this district.
- (d) The City may impose conditions on granting any waiver to mitigate negative impacts neighboring properties or public streets or open space.
- (3) Downtown Development Plan Approval.
 - (a) Prior to obtaining a building permit, a downtown development plan must be approved by the Director of Planning and Zoning or his designee, to certify that it meets the purpose, intent and standards contained in this zoning district.
 - (b) Downtown development plans must include the following information:
 - Site Plan
 - Building Elevations and Sections
 - Building Function/Proposed Use
 - Parking Standards Being Met
 - Landscape Plan
 - Any Waivers being Requested
 - (c) Applications for downtown development plan approval shall be reviewed within 30-days of being formally accepted by the City. At such time, the approval, approval with conditions or denial shall be forwarded to the applicant. However, applications including a request for a major waiver shall be scheduled for Planning and Zoning Commission and City Council action.
 - (d) Denial of a downtown development plan may be appealed to the Planning and Zoning Commission and City Council within 30-days of notification of such denial
 - (4) Lapse of Approval. If a building permit has not been obtained within two years following approval of the downtown development plan, such plan shall lapse unless the property owner requests an extension prior to the expiration of the two-year period. The request for an extension shall be considered by the planning director, or he may at his discretion refer the decision to the Planning and Zoning Commission and City Council in the same manner as for approval of the downtown development plan. The Director of Planning and Zoning (or the City Council, upon recommendation by the commission) may grant an extension of the time for expiration of the downtown development plan for a period not to exceed one (1) year from the date of initial approval of the application. Every request for an extension shall include a statement of the reasons why the expiration date should be extended. The decision-maker may grant a request for extension upon demonstration that circumstances beyond the control of the applicant have resulted in the applicant's inability to perform the tasks necessary to prevent the downtown development plan from expiring before the lapse date. The commission or the City

Council also may terminate the downtown development plan or may attach additional conditions to the extension of the plan.

- (5) Platting in the Downtown District. Plats in the Downtown District shall ensure public access easements over sidewalk areas and shared drive access.

(H) Downtown District Engineering and Landscape Standards.

- (1) Downtown Plan. The Downtown District Engineering and Landscape Standards shall be in accordance with the approved Rockwall Downtown Plan.
- (2) Street Trees.
 - (a) Trees which may be planted adjacent to sidewalks, alleys and streets are limited to the trees depicted in the tables contained in [Appendix C, Landscaping Guidelines and Requirements, of this Unified Development Code \(UDC\).](#)
 - (b) Shade trees shall be used for all formal street tree planting unless prohibited by the Texas Department of Transportation, in which case smaller ornamental trees may be used.
 - (c) Each street shall be planted with a focus on one (1) species to reinforce street character

(3) Street Furniture.

- (a) The Downtown District shall utilize the following *street furniture* in accordance with *Map 1: Downtown District*:

- (l) Streetscape Elements. All streetscape elements described here within, are not intended to be the final product specification. The electrical engineer, architect, landscape architect or other professional designer should verify the product color, material and style number, prior to placing the final streetscape element order with manufacturer and supplier. Lighting fixture and traffic signal electrical voltage supply, circuiting, photometrics and final fixture location needs to be specified by a registered electrical engineer, with all fixture footings checked by a registered structural engineer, prior to installation.

(1) Downtown Square and Downtown Core Streets.

- (a) Light Standard: A1. All commercial streets in the *Downtown Core.*

- (1) Catalog Number. AAL/2-PRMN H3 or H5/150 to 175-watt MH lamp (voltage)/2-TRA5U arms/DB6 base with 4" round 15' ht. pole/PN A50596-1
- (2) Description. Architectural Area Lighting (AAL); Promenade Series, Fixture: 2-PRMS Double Pedestrian Light Standard with a H3 or H5 horizontal lamp reflector, 150-watt to 175-watt metal halide lamp, medium base socket for use with E17 lamps; (voltage); CHM glass chimney, with brass holder, and DBZ dark bronze color. Arm: # 2-TRA5U period arm, one-piece cast aluminum, and DBZ dark bronze color. Pole, base and pole cap: DB6 4R16-125, 4" OD round straight aluminum, 15' tall (special) with a DB6 base, 36" ht. x 15" base diameter; P/N A50596-1, Small cast final at pole top, DBZ dark bronze color.



- (b) Light Standard: A2. Limited to the *Downtown Square* and *San Jacinto Street* pedestrian ways.

- (1) Description. Same as A1 above except with the optional BPS fixture struts are finished in a brass colored powder coating.

- (c) Traffic Signal: D1. All commercial streets of the *Downtown Core*, if needed.

- (1) Description. Valmont traffic structures. Pole/base/pole sphere final: Tapered, round standard galvanized steel pole, with an aluminum ball final on the pole top (Ball Top FCA-BL Series #

MAP 1: DOWNTOWN (DT) DISTRICT



GREEN: DOWNTOWN CORE; GRAY: PERIMETER ZONE; RED: DOWNTOWN SQUARE; DARK GREY LINE: MAJOR THOROUGHFARES.

FCA/BL/A/ (Estimate a 10" diameter ball, verify final size with top diameter range at top of pole/DB, dark bronze); pole base has an ornamental cast nut cover, color of complete traffic structure is a galvanized + powder coated finish, color = dark bronze to match Historic District street sign blades. Arm: Tapered, round standard arm, with an aluminum ball final on the end of the arm (ball top FCA-BL Series # FCA/BL/A/(estimate a 5" diameter ball, verify final size with top diameter range at the end of the arm after arm length is specified)/DBZ, dark bronze color. Signals: TXDOT standard signal, black color with black silhouettes, mount tightly to signal arm with black connections, so as to eliminate any visible gaps between silhouette and arm. Street Sign: Sign blade to match Historic District colors, font and sign format.

(d) Traffic Signal with Light Standard: D2. All commercial streets of the *Downtown Core*, if needed.

(1) Description. Same as D1 traffic signal, except pole is typical "standard combination structure" with AAL (B2 type) light; arm is a (modified) WMA 12 "shepherd's crook" contemporary arm modified to accept the Valmont pole, DBZ, dark bronze color.

(e) Light Standard Banner Brackets. At selected streets.

(1) Description. Architectural area lighting (AAL). Breakaway banner arm 2-BBD4-18, clamps onto a 4" O.D. pole and adjustable to desired position. Banner size should not exceed five (5) SF - maximum 70 mph wind. Verify banner bracket locations and mounting height; DBZ, dark bronze color, polyester powder finish.

(f) Benches. All commercial streets in the *Downtown Core*.

(1) Catalog Number. Du Mor Bench # 140 - 60 and # 140-80

(2) Description. Du Mor Site Furnishings. Bench 140 – in six (6) feet and eight (8) feet lengths, All welded seat assembly, Seating Surface: 1/4" x 1 1/2" HR steel bar 2-3/8" O.D. Sch 40 steel pipe, cast iron supports, bracing 1 1/16" O.D. steel pipe, stainless steel fasteners, dark bronze color polyester powder finish.

(g) Trash Receptacles. All commercial streets in the *Downtown Core*.

(1) Catalog Number. Du Mor Receptacle 84-22DM

(2) Description. Du Mor Site Furnishings. Trash receptacle 84-22, 22-gallon all steel receptacle, 150 lbs., top edge: 5/8 " diameter steel bar; vertical straps: 1/4; " x 3" steel bar with a 22-gallon plastic liner, cover; spun 14-gauge steel with vinyl coated cable; and a dome top, dark bronze color in a polyester powder finish.



(h) Street Sign Blades.

(1) Description. Match Historic District street sign blades (dark bronze color with white lettering).

(i) Street Sign Brackets. At non-signalized intersections. Street signs can be mounted to light standard poles.

(1) Description. Architectural area lighting (AAL). (Special) Each bracket is bolted to pole, dark bronze color to match fixture in polyester powder finish. (Verify bracket size with sign blade used as well as sign mounting height).

(j) Street Regulatory Sign and Poles.

(1) Description. Paint the backs of all sign blades and all poles, dark bronze color to match the Historic District street sign blades.

(k) Bollards. Limited to the *Downtown Square*.

(1) Catalog Number. Sternberg Vintage Lighting, ornamental bollard #4501

(2) Description. Sternberg Vintage Lighting. Ornamental steel bollard #4501, 5¼" diameter straight tubing (no fluting), 30" high, 8" dia. base, no internal light, DBZ, dark bronze color to match the Historic District street sign blades.



(2) Downtown Perimeter Zone Streets.

(a) Light Standard: B1. All neighborhood residential streets.

(1) Description. Same as A1 above except as a single headed fixture.

(b) Light Standard: B2. Limited to north and south sections of Goliad Street inside the *Downtown Zone* and at the intersections of Clark Street, Washington Street and Denison Streets inside the *Downtown Zone*.

(1) Catalog Number. AAL/PRM2 (H2, H3, H4, H5)/250 watt MH horizontal lamp (Voltage)/ARM: (modified)

SLA 4 arm to accept the 5" dia. post/tendon/5" O.D. smooth round aluminum pole/DB 10 base/P/N A50575 large cast finial.

- (2) Description. Architectural area lighting (AAL). Promenade Series, fixture: PRM2 (H2, H3, H4 and H5), 250-watt metal halide horizontal lamp, (voltage), DBZ dark bronze color, arm: (modified) SLA 4 arm (shepherd's crook) to accept the 5" dia. post/tendon, DBZ, dark bronze color, polyester power finish. Pole, base and pole cap: 5" O.D. diameter, smooth round aluminum pole, with a DB 10 ornamental base that is 48" high with an 18" base diameter, large cast finial #P/N A50575 20" high x 5½" O.D. that fits on top of pole, DBZ dark bronze color, polyester powder finish.

- (c) Light Standard: C. Current standards. All thoroughfares (i.e. SH-66, Goliad Street, Washington Street, and Denison Street) inside the Downtown Perimeter Zone (existing and new routed thoroughfares).

- (1) Description. Existing Shoe Box style light standard.



- (d) Light Standard Banner Brackets. At selected streets.

- (1) Catalog Number. AAL—Banner arm 2-BBD4-18
- (2) Description. Architectural area lighting (AAL). Breakaway banner arm 2-BBD4-18, clamps onto a 4" O.D. pole and adjustable to desired position. Banner size should not exceed 5 SF - Maximum 70 mph wind. Verify banner bracket locations and mounting height. DBZ dark bronze color.

- (e) Street Sign Blades.

- (1) Description. Match Historic District street sign blades (dark bronze color with white lettering).

- (f) Street Sign Brackets. At non-signalized intersections. Street signs can be mounted to light standard poles.

- (1) Description. Architectural area lighting (AAL). (Special) Each bracket is bolted to pole, dark bronze color to match fixture in polyester powder finish. Verify bracket size with sign blade used as well as sign mounting height.

- (g) Street Regulatory Signs and Poles.

- (1) Description. Paint the backs of all sign blades and all poles, dark bronze to match the Historic District street sign blades.

- (3) Major Thoroughfares and Parkways.

- (a) Light Standard: C. Current standards.

- (1) Description. Existing "shoe box" style light standard painted dark bronze.



- (b) Street Signs.

- (1) Description. Paint the backs of all sign blades and all poles, dark bronze to match the Historic District street sign blades.

SECTION 05 | INDUSTRIAL DISTRICTS

SUBSECTION 05.01: GENERAL INDUSTRIAL DISTRICT STANDARDS

All industrial development shall conform to the following standards:

- (A) Construction Standards.

- (1) Materials and Masonry Composition. Each exterior wall of a building's façade shall consist of a minimum of 90% Primary Materials and/or a maximum of 10% Secondary Materials -- excluding doors and windows -- as defined below.

- (a) Primary Materials. Primary Materials shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited). Specific requirements for Primary Materials are as follows:

- (1) Stone. A minimum of 20% stone (i.e. natural or synthetic/cultured) is required on all building façades.

- (2) Cementitious Materials. The use of cementitious materials (e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning and Zoning or his/her designee) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade. The use of concrete tilt-up walls may be permitted on a case-by-case basis in accordance with the exception requirements outlined below.

- (b) Accent Brick and Stone. Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size,

and/or texture to the planes of the primary brick or stone materials used on each building elevation.

(c) Secondary Materials. Secondary Materials are any material that is not deemed to be a Primary Material as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (i.e. EIFS products) cast stone, or other materials identified by the Director of Planning and Zoning or his/her designee.

(2) Roof Design Standards. All structures shall have the option of being constructed with either a pitched (minimum of a 6:12 roof pitch), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and

parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.

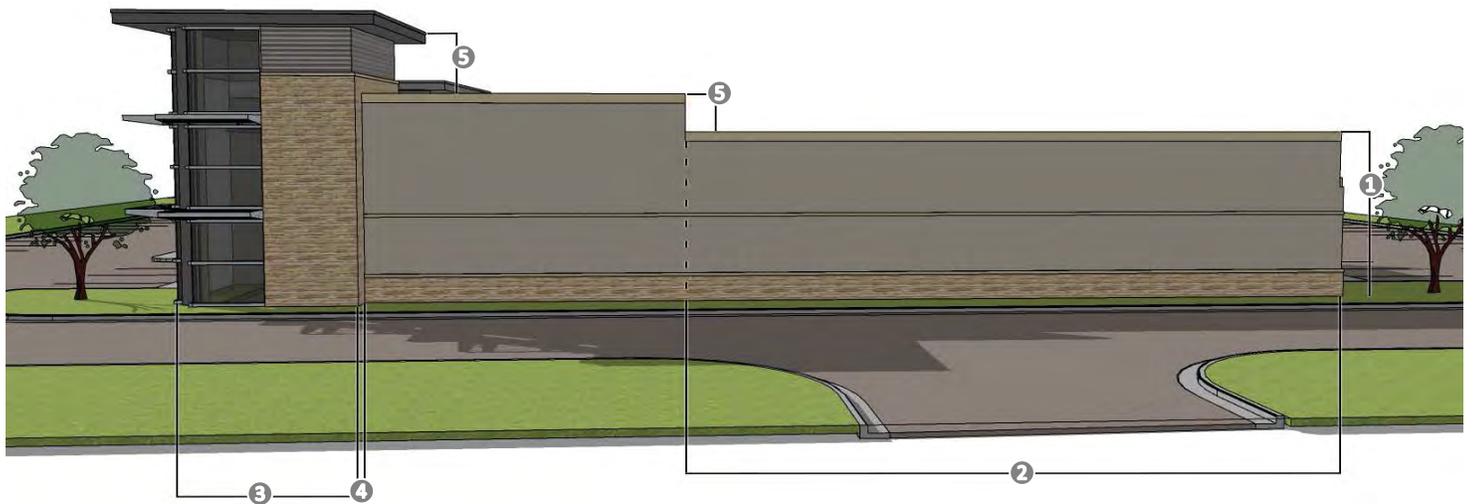
(B) Maximum Building Height.

(1) Setback Exceptions for Building Height in Industrial Districts. All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by Section 7.03, Non-Residential District Development Standards; however, the following features may be constructed 12-feet higher than the maximum height requirement if they [1] are not more than 33% of the total roof area, and [2] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof.

FIGURE 13: INDUSTRIAL BUILDING ARTICULATION STANDARDS



- 1: WALL HEIGHT. THE WALL HEIGHT SHALL BE MEASURED FROM GRADE TO THE TOP OF THE WALL.
- 2: WALL LENGTH. THE MAXIMUM WALL LENGTH SHALL NOT EXCEED FOUR (4) TIMES THE WALL HEIGHT (I.E. $4 \times 1 \geq 2$).
- 3: WALL PROJECTION. THE MINIMUM WALL PROJECTION FOR AN ENTRYWAY/ARCHITECTURAL ELEMENT SHALL BE 25% OF THE WALL HEIGHT (I.E. $25\% \times 1 \leq 3$).
- 4: ENTRYWAY/ARCHITECTURAL ELEMENT LENGTH. THE MINIMUM LENGTH OF AN ENTRYWAY/ARCHITECTURAL ELEMENT SHALL BE 33% OF THE WALL HEIGHT (I.E. $33\% \times 2 \leq 4$).
- 5: PROJECTION HEIGHT. THE ENTRYWAYS/ARCHITECTURAL ELEMENT SHALL EXTEND A MINIMUM OF 25% OF THE WALL HEIGHT ABOVE THE TOP OF THE WALL (I.E. $25\% \times 1 \leq 5$).
- 6: ENTRYWAY/ARCHITECTURAL ELEMENT WIDTH. THE MINIMUM WALL WIDTH OF THE ENTRYWAY/ARCHITECTURAL ELEMENT SHALL EXTEND TWICE THE REQUIRED WALL PROJECTION (I.E. $2 \times 4 \geq 5$).



- 1: WALL HEIGHT. THE WALL HEIGHT SHALL BE MEASURED FROM GRADE TO THE TOP OF THE WALL.
- 2: WALL LENGTH. THE MAXIMUM WALL LENGTH SHALL NOT EXCEED THREE (3) TIMES THE WALL HEIGHT (I.E. $3 \times 1 \geq 2$).
- 3: SECONDARY ENTRYWAY/ARCHITECTURAL ELEMENT LENGTH. THE MINIMUM LENGTH OF THE SECONDARY ENTRYWAY OR PROJECTING ARCHITECTURAL ELEMENT SHALL BE 15% OF THE WALL LENGTH (I.E. $15\% \times 2 \leq 3$).
- 4: SECONDARY ENTRYWAY/ARCHITECTURAL ELEMENT WIDTH. THE MINIMUM WALL PROJECTION FOR A SECONDARY ENTRYWAY/ARCHITECTURAL ELEMENT SHALL BE 15% OF THE WALL HEIGHT (I.E. $15\% \times 1 \leq 4$).
- 5: PROJECTION HEIGHT. THE SECONDARY ENTRYWAY/ARCHITECTURAL ELEMENT SHALL EXTEND A MINIMUM OF 15% OF THE WALL HEIGHT ABOVE THE TOP OF THE WALL (I.E. $15\% \times 1 \leq 5$).

- (a) Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
- (b) Flag Poles.
- (c) Solar Collectors and/or Similar Equipment, Fixtures, and Devices.

(C) Building Articulation.

- (1) Primary Building Façades. A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All industrial buildings shall meet the standards for articulation on primary building façades as depicted in Figure 8.
- (2) Secondary Building Façade. A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residentially zoned district or residentially used property. All industrial buildings shall meet the standards for articulation on secondary building façades as depicted in Figure 8.

- (D) Open Space Guidelines. Industrial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (unless necessary). This should be achieved by making industrial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.

- (E) Exceptions. The Planning and Zoning Commission may consider exceptions to the General Industrial District Standards pending a recommendation from the Architectural Review Board (ARB), and in accordance with Section 09.01, Exceptions to the General Standards, Article 11, Development Applications and Review Procedures.

SUBSECTION 5.02: LIGHT INDUSTRIAL (LI) DISTRICT

- (A) Purpose. The Light Industrial (LI) District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses. With the exception of hazardous materials/manufacturing, this zone allows the same uses as the Heavy Industrial (HI) District. Limitations have been placed on the uses in this district to significantly restrict outside activities and the storage of materials, noise, vibration, smoke, pollution, fire and explosive hazards, glare and any other potentially adverse externalities. The Light Industrial (LI) District is intended for industrial parks and larger, cleaner types of industries. The manufacturing uses should be conducted within a totally enclosed building, and any activities conducted outside should be screened and buffered to ensure no external effects (e.g. excessive noise or odor) extend beyond the property lines. The locations for these types of industrial land uses are typically a minimum of two (2) acres

and average of five (5) to ten (10) acres. These types of development also incorporate open space and significant amounts of land dedicated to landscaping.

Since this zoning district accommodates limited industrial activities that require substantial screening and buffering requirements, the Light Industrial (LI) District is a suitable zoning designation for high visibility locations (e.g. IH-30 and SH-276) or within a reasonable distance of residential areas as long as they are separated by an appropriate amount of open space. Residential uses should be discouraged from locating directly adjacent to or near the Light Industrial (LI) District to protect these types of businesses from excessive complaints about performance standards. Areas should not be zoned to Light Industrial (LI) District unless they are located on or close to an arterial capable of carrying commercial truck traffic. In industrial parks, internal streets should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Light Industrial (LI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.

- (B) Permitted Uses. All land uses permitted within the Light Industrial (LI) District are outlined in Section 01, Land Use Schedule, of Article 04, Permissible Uses.
- (C) Area Requirements. All development within a Light Industrial (LI) District shall conform to Subsection 05.01, General Industrial District Standards, and the related standards listed within Subsection 7.03, Non-Residential District Development Standards.
- (D) Special District Requirements.
 - (1) Manufacturing Operations and Storage. All business and manufacturing operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as listed in Section 01, Land Use Schedule, of Article 04, Permissible Uses.

SUBSECTION 5.03: HEAVY INDUSTRIAL (HI) DISTRICT

- (A) Purpose. The City of Rockwall recognizes that some industrial uses cannot be conducted within a totally enclosed building, are not visually attractive, may involve hazardous materials, and could have adverse impacts to adjacent land uses due to noise, odor, pollution, and truck traffic. The Heavy Industrial (HI) District is intended to provide adequate space and site diversification for these types of developments. The development standards in the Heavy Industrial (HI) District are minimal, and allow both large and small industrial uses either on separate small lots or as part of a larger industrial park. Some screening is required, but because of the potential for hazardous or possibly adverse uses, this district should not be located close to residential areas of any type. Areas should not be zoned Heavy Industrial (HI) District unless they are located on or close to an arterial roadway capable of carrying commercial truck traffic. Internal streets in the Heavy Industrial (HI) District should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Heavy Industrial (HI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.
- (B) Permitted Uses. All land uses permitted within the Heavy Industrial (HI) District are outlined in Section 01, Land Use Schedule, of Article 04, Permissible Uses.

- (C) Area Requirements. All development within a Heavy Industrial (HI) District shall conform to [Subsection 05.01, General Industrial District Standards](#), and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards](#).

SECTION 06 | OVERLAY DISTRICTS

SUBSECTION 6.01: OVERLAY DISTRICTS

Overlay districts are applied to land that has a traditional zoning district designation already applied to it. It establishes additional uses and standards, which may be either more or less restrictive than the underlying zoning district. The overlay district governs in all cases where it sets out a particular use or standard that conflicts with other sections of this Unified Development Code (UDC). In cases where the overlay district does not specifically address a standard or requirement, the underlying zoning district will govern.

SUBSECTION 6.02: GENERAL OVERLAY DISTRICT STANDARDS

- (A) Applicability. The General Overlay District Standards shall be applied to the following overlay districts:

- IH-30 Overlay (IH-30 OV) District
- SH-205 Overlay (SH-205 OV) District
- Scenic Overlay (SOV) District
- SH-66 Overlay (SH-66 OV) District
- SH-205 By-Pass Overlay (SH-205 BY OV) District
- North SH-205 Overlay (N. SH-205 OV) District
- East SH-66 Overlay (E. SH-66 OV) District
- FM-549 Overlay (FM-549 OV) District
- SH-276 Overlay (SH-276 OV) District

All other overlay district standards are detailed in Sections 6.03 – 6.15.

- (B) Special Use Standards. Development within the Scenic Overlay (SOV) District and the SH-66 Overlay (SH-66 OV) District shall comply with the [Land Use Schedule](#) contained in [Article 04, Permissible Uses, of this Unified Development Code \(UDC\)](#); however, the following land uses may be considered on a case-by-case basis through a Specific Use Permit:

- (1) Retail Store with Gasoline Sales (*Any Number of Dispensers or Vehicles*)
- (2) Car Wash (*Any Type*)
- (3) Structures Over 36-Foot in Height

- (C) Architectural Standards.

- (1) Materials and Masonry Composition. Each exterior wall of a building's façade shall consist of a minimum of 90% Primary Materials and/or a maximum of 10% Secondary Materials -- excluding doors and windows -- as defined below.

- (a) Primary Materials. Primary Materials shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be

prohibited). Specific requirements for Primary Materials are as follows:

- (1) Stone. A minimum of 20% natural or quarried stone is required on all building façades; however, the Planning and Zoning Commission, upon recommendation from the Architectural Review Board (ARB), may grant the use of a high quality manufactured or cultured stone in lieu of natural or quarried stone if it is determined that the application of the manufactured or cultured stone will be complimentary and integral to the design of the building. In making this determination, both the Architectural Review Board (ARB) and the Planning and Zoning Commission should consider the shape, texture, size, quality and warranty of the product being proposed.

- (2) Cementitious Materials. The use of cementitious materials (e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning and Zoning or his/her designee) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade.

- (3) Accent Brick and Stone. Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of primary brick or stone materials in an elevation.

- (a) Secondary Materials. Secondary Materials are any material that is not deemed to be a Primary Material as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (i.e. EIFS products) cast stone, cultured stone or other materials identified by the Director of Planning and Zoning or his/her designee.

- (2) Roof Design Standards. All structures that have a building footprint of less than 6,000 SF shall be constructed with a pitched roof. Those structures having a footprint 6,000 SF or greater shall have the option of being constructed with either a pitched, parapet, or mansard roof system as long as the roof system is enclosed on all sides. Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish to avoid glare. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent public right-of-way shall be prohibited.

- (3) Mechanical Equipment Screening. All buildings shall be designed so that no HVAC, satellite dishes, appurtenances and/or any other mechanical equipment visible from any direction. This shall include equipment located on the roof, on the ground, or otherwise attached to the building or located on the site.

- (a) Screening of rooftop mechanical equipment and/or other rooftop appurtenances shall be accomplished by either

the construction of [1] a roof system described in the Roof Design Standards above, or [2] an architectural feature that is integral to the building's design and ensures that such rooftop mechanical equipment is not visible from any direction. Fencing or the enclosing of individual mechanical units shall not be permitted.

- (b) All rooftop mechanical equipment or architectural features shall be shown on the required building elevations and submitted along with the site plan for review by City Staff, the Architectural Review Board (ARB), and the Planning and Zoning Commission.
- (4) Required Architectural Elements. All buildings that are less than 50,000 SF shall be designed to incorporate a minimum of four (4) architectural elements, buildings over 50,000 SF shall include a minimum of six (6) architectural elements, and buildings over 100,000 SF shall include a minimum of seven (7) architectural elements. The accepted architectural elements for all buildings are as follows:
- Canopies, Awnings, or Porticos
 - Recesses/Projections
 - Arcades
 - Peaked Roof Forms
 - Arches
 - Outdoor Patios
 - Display Windows
 - Architectural Details (e.g. Tile Work and Moldings) Integrated into the Building's Facade
 - Articulated Ground Floor Levels or Bases
 - Articulated Cornice Line
 - Integrated Planters or Wing Walls that Incorporate Landscape and Sitting Areas
 - Offsets, Reveals or Projecting Rib Expressing Architectural or Structural Bays
 - Varied Roof Heights

NOTE: Other architectural features maybe approved by the Director of Planning and Zoning or his/her designee.

- (5) Four (4) Sided Architecture. All buildings shall be architecturally finished on all four (4) sides utilizing the same materials, detailing, articulation and features. In addition, a minimum of one (1) row of trees (*i.e. four [4] or more accent or canopy trees*) shall be planted along perimeter of the subject property to the rear of the building.
- (6) Windows. The color of all windows shall be reviewed by the Architectural Review Board (ARB), and shall have a maximum visible exterior reflectivity of 20%.
- (7) Office Parks, Shopping Centers and Mixed-Use Centers. All buildings within a common retail, commercial or office development shall incorporate complementary architectural styles, materials, and colors. Staff may require a conceptual façade plan and/or sample boards for these types of developments to ensure consistency and compatibility for all buildings within a proposed development. Conceptual façade plans will be used only to ensure compliance to the minimum standards.

(8) Corporate Identity. A company's building corporate identity that conflicts with the General Overlay District Standards shall be reviewed case-by-case basis as a variance in accordance with the requirements of [Subsection 09.02, Variances to the General Overlay District Standards, of Article 11, Development Applications and Review Procedures](#).

(D) Site Design Guidelines and Standards.

- (1) Building Setbacks. The building setbacks adjacent to the Primary Roadway (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) shall be as follows:
- (a) Scenic Overlay (SOV) District: 15-feet
 - (b) SH-66 Overlay (SH-66 OV) District: 15-feet
 - (c) IH-30 Overlay (IH-30 OV) District: 25-feet
 - (d) SH-205 Overlay (SH-205 OV) District: 25-feet
 - (e) North SH-205 Overlay (N. SH-205 OV) District: 25-feet
 - (f) SH-205 By-Pass Overlay (SH-205 BY OV) District:
 - Residential Land Uses: See [Section 06.10, SH-205 By-Pass Overlay \(SH-205 BY OV\) District](#)
 - Retail/Commercial Land Uses: 15-feet
 - Industrial/Office/Technology Land Uses: 50-feet
 - (g) East SH-66 Overlay (E. SH-66 OV) District:
 - Residential Land Uses: 25-feet
 - Retail/Commercial Land Uses: 15-feet
 - Industrial/Office/Technology Land Uses: 50-feet
 - (h) FM-549 Overlay (FM-549 OV) District:
 - Residential Land Uses: 25-feet
 - Retail/Commercial Land Uses: 15-feet
 - Industrial/Office/Technology Land Uses: 50-feet
 - (i) SH-276 Overlay (SH-276 OV) District:
 - Residential Land Uses: 25-feet
 - Retail/Commercial Land Uses: 15-feet
 - Industrial/Office/Technology Land Uses: 50-feet

All other building setback regulations shall be the same as set forth in the underlying zoning district.

- (2) Parking Restrictions. No more than one (1) full row of parking (*i.e. two rows of parking with a drive aisle*) shall be allowed between the primary building façade and the right-of-way of the Primary Roadway (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*).
- (3) Access/Ingress/Egress. In an effort to minimize potential vehicular and pedestrian conflicts, special attention must be given to the location of median breaks along major thoroughfares, the number and location of driveways providing ingress/egress, the design of driveways providing ingress/egress in relation to the parking areas and sight/visibility distances. Taking this into consideration it is important to review all site plans for the following guidelines:
- (a) Driveways should be spaced a minimum of 100-feet from the intersection of any major thoroughfare.
 - (b) The ingress/egress driveways shall have a minimum radius of 30-feet;

- (c) Driveways should maintain an appropriate visibility triangle at ingress/egress driveways.
 - (d) Main entrances should generally be located at median breaks that provide left turn access into the site.
 - (e) Main entrances should connect to a straightway aisle that does not dead end or require an immediate turn to approach the main building.
 - (f) Aisles intersecting with entrance drives should be spaced at a minimum of 20-feet from the property line to provide for smooth turning movements.
- (4) Cross Access. Cross Access Easements may be required by the Planning and Zoning Commission at the time of site plan approval to ensure access to future median breaks and to reduce the number of curb cuts needed along roadways.
- (5) Shared Parking. In all office parks, shopping centers and mixed-use centers cross access and shared parking agreements may be required by the City Council along with final plat approval.
- (6) Loading and Service Areas. All loading and service areas shall be located on the rear and side of buildings where possible. In the event that a loading or service area faces towards the Primary Roadway (i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276), additional screening of the loading and service area may be required by the Architectural Review Board (ARB) and Planning and Zoning Commission. A minimum of a ten (10) foot masonry screening wall shall be required to screen the view of loading docks and loading spaces intended for tractor/semi-trailer delivery from any public right-of-way. This ten (10) foot masonry screening wall must screen the entire loading dock or loading space. Screening materials shall utilize similar masonry materials as the front façade of the primary building. The accommodation of adequate access for service delivery trucks shall be evaluated to determine the extent of screening required.
- (7) Trash/Recycling Receptacles and Dumpster Enclosures. Trash/Recycling Enclosures shall be four (4) sided. These receptacles shall be screened by a minimum eight (8) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building.
- (8) Play Structures. Play structures shall not be placed between the primary building façade and a public right-of-way.
- (9) Plan Review. In addition to the other processes and factors established by this Unified Development Code (UDC), all concept plans, development plans and site plans for property situated within an established overlay district shall be reviewed for the following:
- (a) The conformance of the proposed site plan to the site design guidelines and standards.

- (b) The conformance of the proposed landscape plan to the intent of the landscaping and screening requirements.
- (c) The conformance of the building elevations to the intent of the architectural standards.
- (d) The provision of sufficient cross access and circulation on the site plan.
- (e) The provision of sufficient visibility triangles to avoid congestion at ingress/egress driveways.

(E) Landscape Standards.

(1) Landscape Buffers. The minimum landscape buffer adjacent to Primary Roadways (i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276) [outside of and beyond any required right-of-way dedication] shall be as follows:

- (a) Scenic Overlay (SOV) District: 20-feet
- (b) SH-66 Overlay (SH-66 OV) District: 20-feet
- (c) IH-30 Overlay (IH-30 OV) District: 20-feet
- (d) SH-205 Overlay (SH-205 OV) District: 20-feet
- (e) North SH-205 Overlay (N. SH-205 OV) District: 20-feet
- (f) SH-205 By-Pass Overlay (SH-205 BY OV) District:
 - Residential Land Uses: 50-feet
 - Retail/Commercial Land Uses: 25-feet
 - Industrial/Office/Technology Land Uses: 50-feet
- (g) East SH-66 Overlay (E. SH-66 OV) District:
 - Residential Land Uses: 25-feet
 - Retail/Commercial Land Uses: 15-feet
 - Industrial/Office/Technology Land Uses: 50-feet
- (h) FM-549 Overlay (FM-549 OV) District:
 - Residential Land Uses: 25-feet
 - Retail/Commercial Land Uses: 15-feet
 - Industrial/Office/Technology Land Uses: 50-feet
- (i) SH-276 Overlay (SH-276 OV) District:
 - Residential Land Uses: 25-feet
 - Retail/Commercial Land Uses: 15-feet
 - Industrial/Office/Technology Land Uses: 50-feet

All landscape buffers shall incorporate ground cover, a built-up berm and shrubbery or a combination thereof along the entire length of the frontage. Berms and shrubbery shall each have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage along the Primary Roadway. In the E. SH-66 Overlay (E SH-66 OV), FM-549 Overlay (FM-549 OV), and SH-205 By-Pass Overlay (SH-205 BY OV) Districts the required landscape buffer shall incorporate one (1) additional cedar tree per 100-feet of linear of frontage along the Primary Roadway.

(2) Plant Material Sizes and Selection. All canopy trees, accent trees, shrubs and ground cover proposed to be planted in any overlay district shall be in conformance to the tables depicted in [Appendix C, Landscaping Guidelines and Requirements, of this Unified Development Code \(UDC\)](#) and shall be subject to the following sizes:

- (a) Canopy Trees shall be a minimum of four (4) caliper inches at DBH.
 - (b) Accent Trees shall be a minimum of four (4) feet in total height.
 - (c) Deciduous Shrubs shall be a minimum of five (5) gallons in size.
 - (d) Evergreen Shrubs shall be a minimum of five (5) gallons in size.
- (3) Erosion Control/Retaining Walls. Any slope embankments or retaining walls within the public right-of-way or within the required landscape buffer must be terraced every four (4) feet in height (maximum) with a minimum of a two (2) foot planting area provided between each vertical plane. Materials used for the vertical elements shall be natural stone or any masonry material, which matches the masonry materials used on the primary structure. The planting area must incorporate shrubs, ground cover and grasses.
- (F) Signs. All signage requirements and variances to these requirements shall conform to Chapter 32, Signs, of the Municipal Code of Ordinances; however, approval of any variance to the sign standards for property situated within an established overlay district shall require approval by the City Council by a supermajority vote (i.e. a three-fourths vote of those members present), with a minimum of four (4) votes in the affirmative required for approval.
- (G) Lighting Standards. No light standard, light fixture, light pole, pole base or combination thereof shall exceed 20-feet in total height in any overlay district with the exception of the IH-30 Overlay (IH-30 OV) District, which shall be limited to a maximum height of 30-feet.
- (H) Utility Placement. All overhead utilities within any overlay district shall be placed underground.
- (I) Residential Standards. No screening walls shall be erected adjacent to the Primary Roadway (i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276) in conjunction with any residential development. In addition, eyebrow drives with clusters of lots (i.e. 5 – 12 homes) shall be utilized along the Primary Roadway for residential developments. In lieu of eyebrow drives, a 50-foot landscape buffer may be utilized as an alternative. Farm fencing, including wood rail type and metal pipe and cable fencing, is allowed within the 50-foot landscape buffer. For residential developments within the SH-205 By-Pass Overlay (SH-205 BY OV) District, see Section 6.3.5, SH-205 By-Pass Overlay (SH-205 BY OV) District.

SUBSECTION 6.03: HISTORIC OVERLAY (HO) DISTRICT

- (A) Purpose. The protection, enhancement and perpetuation of districts and landmarks of historical and cultural importance and significance are necessary to promote the economic, cultural, educational and general welfare of the public. It is recognized that within the City numerous areas, sites and structures represent the unique confluence of time and place that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural and cultural resources that constitute their heritage, and therefore this overlay district is intended to:

- (1) Protect and enhance the district and landmarks which represent distinctive elements of the City's historic, architectural and cultural heritage;
 - (2) Foster civic pride in the accomplishments of the past;
 - (3) Protect and enhance the City's attractiveness to visitors and the support and stimulus to the economy thereby provided;
 - (4) Ensure the harmonious, orderly and efficient growth and development of the City;
 - (5) Promote economic prosperity and welfare of the community by encouraging the most appropriate use of such property within the City;
 - (6) Stabilize and improve values of such properties;
 - (7) Promote education of significance and importance of historical preservation including the exploration of tax incentives (federal, state or local) that may apply to individual property owners or properties within the historic district as a whole; and provide guidance to property owners restoring and/or rehabilitating historic significant in an effort to maintain the historical integrity of the area.
- (B) Terms and Definitions. The following terms and definitions are used in the historic district ordinance and the historic guidelines.
- (1) Applicable Property or Applicable Structure. The term used for properties that meet the following criteria, and are subject to the provisions of Unified Development Code:
 - (a) Either be a designated historical landmark or be wholly or partially located within a designated historic district, and
 - (b) Either be a contributing structure or property as defined in this section or be located within 200-feet of a contributing structure or property.
 - (2) Board. The Rockwall Historic Preservation Advisory Board (HPAB).
 - (3) Certificate of Appropriateness (COA). A document approved by the board certifying that the proposed actions meet the intent of the ordinance and guidelines, or that a waiver has been granted.
 - (4) Contributing Structure or Property. A building, site, structure or object which adds to the historical architectural qualities, historical associations or archaeological value for which a property or district is significant because:
 - (a) It was present during the period of significance and possesses historical integrity reflecting its character at that time or is capable of yielding important information about the period, or
 - (b) It independently meets the National Register criteria. The level by which a property is "contributing" (high-, medium- and low-contributing property) was originally determined by a historic survey of the properties within the (HO) Historic Overlay District implemented by the City community development department through the spring and summer of 2000. This survey may be amended from time to time.

- (5) District. A designated area within the preservation district or elsewhere in the City subject to the requirements and standards of the historic district ordinance. An identifying name will precede the word "district".
- (6) Guidelines. The adopted historic district design guidelines as stated in [Appendix D, Historic Preservation Guidelines, of the Unified Development Code \(UDC\)](#).
- (7) Landmark Property. A property or structure(s), not contiguous to or part of an existing historic district that is deemed worthy of preserving.
- (8) Non-Contributing Structure or Property. A building, site, structure, or object which does not add to the historical architectural qualities, historical associations, or archaeological value for which a property or district is significant because
- It was not present during the period of significance, or
 - Due to alterations, disturbances, additions, or other changes it no longer possesses historic integrity reflecting its character at that time or is incapable of yielding important information about the period, or
 - It does not independently meet the National Register criteria.
- (9) Preservation District. The area designated as having structures which may be suitable for inclusion in a historic district or districts.
- (C) Historic Preservation Officer. The Historic Preservation Officer (HPO) shall administer this section and advise the Historic Preservation Advisory Board on matters submitted to it.
- (D) Designation Criteria. The board may recommend to the commission and the City Council that certain properties be "landmark districts" and that specific areas be designated as "historic districts" as provided for in this Unified Development Code (UDC). Any such designation must comply with all limitations expressed Subsections (E)(5) and (E)(6) below. Such a property or district shall bear the word "landmark" or "historic" in their zoning designation.
- Properties that are listed as a Recorded Texas Historic Landmark (RTHL), State Archeological Landmark (SAL) or listed on the National Register of Historic Places (NR) shall be designated as recognized local landmarks.
- (E) Designation Procedures.
- The City Council may designate by zoning ordinance certain areas as landmark or historic districts, providing they meet the criteria in Subsections (E)(5) and (E)(6). When so designated, the area shall bear the word "historic" or "landmark" in their zoning designation.
 - The following steps shall be followed at every level in the recommendation and approval process:
 - Public hearings shall be held and notices of same shall be posted, advertised, and notices sent in the manner prescribed under [Subsection \(G\)\(6\), Public Hearing](#), and other procedures specifically provided in the City's Unified Development Code.
 - Property owners and other interested parties may present testimony or documentary evidence that will become part of a record regarding the historic, architectural, or cultural importance of the proposed district. The record also may contain staff reports, public comments, or other evidence offered outside of the hearing and entered into the record.
 - The board shall make its recommendation to the Planning and Zoning Commission within a reasonable time period, allowing for deliberations and strict adherence to timeframes required for public hearings. The Planning and Zoning Commission shall schedule a public hearing to be held within 45-days of receiving the board's recommendation.
 - Upon designation of an area as a landmark or historic district, the designation should be recorded in the tax records of the City, and the City official zoning maps. All zoning maps should indicate the designated districts by an appropriate mark.
 - A historic landmark property may be a single property or structure not contiguous to or part of an existing historic district, but is deemed worth of preserving. A landmark district may be designated if the property meets one of the following:
 - Possesses significance in history, architecture, archeology, and/or culture;
 - Is associated with events that made a significant contribution to the broad patterns of local, regional, state and/or national history;
 - Is associated with the lives of persons significant in the City's past;
 - Embodies the distinctive characteristics of a type, period, and/or method of construction;
 - Represents the work of a master designer, builder, and/or craftsman; or
 - Represents an established and familiar visual historical feature of the City.
 - The board may recommend a historic district to the City Council to be designated if it:
 - Contains a significant number of properties which meet one or more of the criteria for designation of a landmark as outlined in Subsection (E)(5) above, or
 - Constitutes a distinct historical section of the City.
 - The boundaries of each designated historic district shall be specified in written detail and shall be filed in the City secretary's office for public inspection.
- (F) Certificate of Appropriateness (COA) for Alteration or New Construction.
- Applicability of Ordinance.
 - Included Properties. The provisions of this ordinance shall apply only to those properties, hereinafter referred to as "applicable properties", which meet the following criteria:

- (1) Either be a designated historical landmark or be wholly or partially located within a designated historic district, and
- (2) Either be a contributing property as defined in subsection B or be located within 200-feet of a contributing property.

(b) Excluded Properties. Properties owned by a religious institution or used for religious purposes shall not be considered eligible for designation as a contributing property (and shall not be affected by adjacent contributing properties) unless they derive primary significance from either architectural distinction or historical importance

(2) COA Does Not Replace Other Codes. The Certificate of Appropriateness (COA) is in addition to and does not replace any other city permits or codes that must be followed.

(3) Examples. These are examples of situations that require a Certificate of Appropriateness (COA) for work performed on an applicable property. Additional information is located in the design guidelines contained in [Appendix D, Historic Preservation Guidelines, of the Unified Development Code \(UDC\)](#).

- (a) Construction of a new building.
- (b) Demolition or removal of an existing structure.
- (c) Alterations to the façade, including additions and removals that will be visible from a public street.
- (d) New improvements that would substantially obstruct the view of the main or front elevation as seen from a public street.
- (e) Painting of a masonry surface not previously painted. For other painting, see design guidelines, residential properties.

Any addition or deletion of landscape materials or landscape design elements need not receive a Certificate of Appropriateness (COA) from the City Council. It is recommended, however, that all proposed landscaping used in the district be extracted from the “recommended plant list” as provided in the landscape ordinance of the City. City staff shall maintain a list of plant material that is appropriate for all designated historic areas.

Any person wishing to paint a structure within a historic district may do so without receiving a Certificate of Appropriateness (COA) from the board. City staff and/or the board shall provide review and comment as requested by the property owner about color selection and design. Such review and comment, however, shall not be binding.

The board may recommend guidelines to enable the Historic Preservation Officer (HPO) to issue a Certificate of Appropriateness (COA) for exterior restorations and renovations requiring a building permit.

(G) Application Procedure.

(1) Application Form. Prior to the commencement of any work requiring a COA the owner shall file with the Historic Preservation Officer (HPO) an application for such a certificate. The application shall contain:

- (a) Name, address, telephone number of applicant(s), detailed description of proposed work.
- (b) Location of the proposed work (street address) and photographs of the property and adjacent properties. (Historical photographs also may be helpful.)
- (c) Elevation drawings of the proposed changes, if available, and preferably in color.
- (d) Samples of materials to be used, if requested by the board.
- (e) If applicable, a scale drawing of any signs showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination (if any), and a plan showing the sign’s location on the property.
- (f) Site plan in accordance with the Unified Development Code, if applicable.
- (g) Any other information which the board may deem necessary in order to visualize the proposed work, and any additional material the applicant wishes to submit.

(2) Building Permit. A COA issued by the board is required before a building permit will be issued for any work.

(3) Time Frame for Actions. The board shall deny, approve, or approve the COA with modifications within 60 days from receipt of the completed application and supporting documentation. The board shall hold a public hearing on the application at which an opportunity will be provided for proponents and opponents of the application to present their views.

Should the board not act within the 60-day period, the COA shall be automatically referred to the City Council for their approval or denial, following a public hearing.

(4) Written Decisions. All decisions of the board shall be in writing. An approved Certificate of Appropriateness (COA) shall be sent to the applicant and a copy filed with the City secretary’s office for public inspection. The board’s decision shall state the reasons for denying or modifying any application.

(5) Standards for Approval. The Historic Preservation Advisory Board must approve the application for a Certificate of Appropriateness (COA) if it determines that:

- (a) For contributing structures, the application will not adversely affect the character of the site; and the proposed work is consistent with the regulations contained in this section and proposed preservation criteria; or
- (b) For non-contributing structures, the proposed work is compatible with the historic district.

(6) Public Hearing. A public hearing before the board is required as defined in subsection E.6 before a decision can be made on

a zoning recommendation forwarded to the Planning and Zoning Commission.

- (a) The board shall hold a public hearing on all actions considered and appeals made to it. Said public hearing shall be held, when necessary, on the third Thursday of the month. In cases where this “regularly scheduled” meeting date is not appropriate (*e.g., in cases as set forth under section I, emergency procedure*) an alternative meeting date will be set.
- (b) Written notice of the public hearing shall be sent to the applicant, all persons who are owners of real property lying within 200 feet of the subject property and to all other persons deemed by the board to be affected.
- (c) Written notice shall be given not less than ten days before the date set for the public hearing to all such owners of record as the ownership appears on the current on-line tax roll. The notice may be served by deposition of the same, properly addressed and postage paid, in the U.S. Post Office.

(H) Actions After Board Decision.

- (1) Appeal Process. If the Certificate of Appropriateness (COA) is denied, the applicant may appeal to the City Council by filing a written notice with the Historic Preservation Officer (HPO) within ten business days after the decision of the board. In considering an appeal, the sole issue before the City Council shall be whether the board erred in its decision. The City Council shall consider the same standards and evidence that was considered in making the decision. Appeal to the City Council constitutes the final administrative remedy.

If the Certificate of Appropriateness (COA) is approved, any property owner within the subject historic district aggrieved by any decision of the board may appeal to the City Council. Said appeals may be made by filing a written notice with the Historic Preservation Officer (HPO) within ten business days after the decision of board.

- (2) Reapplication. If an appeal is denied by both the board and the City Council, no further applications may be considered for the subject matter of the denied Certificate of Appropriateness (COA) for one (1) year from the date of the final decision unless:
 - (a) The Certificate of Appropriateness (COA) has been denied without prejudice; or
 - (b) The board waives the time limitation because it that there are changes or circumstances sufficient to warrant a new hearing. A simple majority vote by the board is required to grant the request for the waiver of the time limitation.
- (3) Suspension of Work. After the work authorized by the Certificate of Appropriateness (COA) is commenced, the applicant must make continuous progress towards completion of the work, and shall not suspend or abandon the work for a period of more than 180 days. The Historic Preservation Officer (HPO) and/or building official may, in writing, authorize a suspension of work for a period greater than 180 days upon

written request by the applicant showing circumstances beyond his control.

- (I) Emergency Procedure. If any applicable structure is damaged and the building official determines that it is a public safety hazard or will suffer additional damage without immediate repair, the building official may allow the property owner to temporarily protect the structure whether or not the materials used conform to the guidelines. However, in such a case, the property owner must then apply for a Certificate of Appropriateness (COA) for the restoration, rebuilding, remodeling, demolition or removal of the structure within ten days of the occurrence that caused the damage. The temporary protection authorized under this subsection must not permanently alter the architectural features of the structure.

(J) Demolition.

- (1) Requires a Certificate of Appropriateness (COA). A Certificate of Appropriateness (COA) is required prior to receiving a permit for demolition of a property within a historic district, including secondary buildings. An application for demolition of a contributing structure on the grounds of hardship may be filed. The applicant must establish the following elements to prove hardship:

- (a) The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible; and
- (b) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
- (c) Efforts to find a purchaser interested in acquiring the property and preserving it have failed; and/or
- (d) The structure or property is in such condition as to be irreparably damaged and as such poses a nuisance to the surrounding area and is a “threat” to the health, safety and general welfare of the community.

- (2) Demolition Delay. The Historic Preservation Officer (HPO) upon receipt of an application for a demolition permit of a subject property designation as a historic landmark or located within a designated historic district shall forward on the application for demolition to the Historic Preservation Advisory Board (HPAB) for consideration at their next regularly scheduled meeting.

- (a) The issuing of a demolition permit shall be delayed for minimum of 60-days from the date of approval of an application by the Historic Preservation Advisory Board (HPAB).
- (b) During this 60-day delay, the Historic Preservation Officer (HPO) shall work with the Historic Preservation Advisory Board to notify all potentially interested parties of the pending demolition in order to allow such parties to take whatever steps they deem appropriate to accomplish the preservation of the subject property.
- (c) If it is determined by the Director of Planning and Zoning in consultation with the Historic Preservation Officer (HPO) that a property poses an immediate threat to the

public health and safety, this determination shall be reported to the City manager who may instruct the building official to issue a demolition permit without delay.

- (3) Expiration. A Certificate of Appropriateness (COA) for the demolition or removal expires if the work authorized by the certificate for demolition or removal is not commenced within 180 days from that date of the issuance of the certificate for demolition.
- (K) Enforcement. All work performed pursuant to a Certificate of Appropriateness (COA) issued under this Unified Development Code (UDC) shall conform to all requirements included therein. It shall be the duty of the building inspection department to periodically inspect any such work to assure compliance. In the event work is found that is not being performed in accordance with the Certificate of Appropriateness (COA), the building inspection department may suspend the Certificate of Appropriateness (COA), issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect. A Certificate of Appropriateness (COA) may be reinstated, any stop work order lifted, and work may resume upon assurance that compliance will henceforth exist.
- (L) Ordinary Maintenance. Nothing in this section shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within a historic district that does not involve a change in design or material. In-kind replacement or repair is included in this definition of ordinary maintenance.
- (M) Preservation Incentives. To promote the goal of stabilizing and improving values of properties within the district, and encourage the rehabilitation and stabilization of structures, the City Council by resolution may offer tax incentives.
- (N) Minimum Maintenance Standards. No owner or person with an interest in real property designated as a landmark or a property located within a district shall permit the property to fall into a serious state of disrepair so as to result in the significant deterioration of any exterior architectural feature which would, in the judgment of the HPAB, create a detrimental effect upon the historic character of the landmark or district.
- (1) Serious disrepair and significant deterioration examples. Examples of serious disrepair or significant deterioration include:
- (a) Deterioration of exterior walls, foundations, or other vertical support that causes leaning, sagging, splitting, listing, or buckling.
 - (b) Deterioration of external chimneys that causes leaning, sagging, splitting, listing, or buckling
 - (c) Deterioration or crumbling of exterior plaster finishes, surfaces or mortars.
 - (d) Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors.
 - (e) Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint or other protective covering.
- (f) Rotting, holes, and other forms of material decay.
 - (g) Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes delamination, instability, loss of shape and form, or crumbling.
 - (h) Deterioration that has a detrimental effect upon the special character of the district as a whole or the unique attributes and character of the contributing structure.
 - (i) Deterioration of any exterior feature so as to create or permit the creation of any hazardous or unsafe conditions to life, health, or other property.
- (O) Procedure to Mitigate Demolition by Neglect. Demolition by neglect refers to the gradual deterioration of a property when routine or minimum maintenance is not performed. The HPO and the development services department staff shall work together in an effort to reduce demolition by neglect involving landmarks or properties located within districts within the City. A demolition by neglect citation as determined by the HPAB may be issued against the owner of the property for failure to comply with the minimum maintenance standards by permitting the subject property to exhibit serious disrepair or significant deterioration as outlined in section N herein.
- (1) Due to the time-consuming nature of pursuing enforcement under this section, no more than one (1) property will be under consideration during each of the following quarters (January-March, April-June, July-September, and October- December).
 - (2) While the HPO will act as the point of contact, the development services department staff shall, when needed, assist with inspections. If there is a dispute between the HPO and development services department staff, the City manager may be consulted as a mitigating party.
 - (3) Citation Procedures. The procedure for citing a property for Demolition by Neglect shall be as follows:
 - (a) Initial identification is made by visual inspection of the area by the HPO or an HPAB member or by referral from someone in the area. All referrals shall be made in writing and shall be submitted to the HPO.
 - (b) Once the initial identification is made, followed by a preliminary determination by the HPO, the property owner shall be notified by US mail of the defects of the building and informed of various incentive programs that may be available for repair. The owner is given 30 days in which to respond to the preliminary determination by submitting a stabilization proposal to HPO. The stabilization proposal will be presented to the HPAB at the next available meeting. If the HPAB approves the proposal, a Certificate of Appropriateness (COA), if necessary, may be issued administratively by the HPO. The approval will detail the specific work which is necessary to correct the demolition by neglect conditions, as well as a time period to begin and complete the work. The HPO shall update the HPAB on the status of the property every 30 days once work begins on the property.

- (c) If the property owner receives the letter regarding the preliminary determination, but fails to respond, a second notice shall be sent in the same manner as described above.
- (d) If the property owner fails to receive and/or respond to the letter regarding the preliminary determination after two attempts, the matter returns to the HPAB for a citation hearing. The HPO shall send a third notice via certified mail informing the owner of the hearing, the property is posted with a notice of the violation in accordance with the provisions of this Article, and a public hearing on the citation is scheduled.
- (e) At the public hearing the owner is invited to address the HPAB's concerns and to show cause why a citation should not be issued. The HPAB may act to approve any proposed work, defer the matter to give the owner more time either to correct the deficiencies or make a proposal for stabilization, or issue a citation to the owner of the property for failure to correct the demolition by neglect conditions.
- (f) If the owner is cited for the condition of demolition by neglect of the property, he is given 14 days to submit a stabilization proposal to the HPO, and at the discretion of the HPAB, up to one (1) year to correct the defects. The HPO shall update the HPAB on the status of the property every 30 days once work begins on the property.
- (g) If the owner does respond with a stabilization proposal, the matter is turned over to the City Attorney in which case the citation will be taken forward to the municipal court where the City Attorney shall request the court allow the property owner the time prescribed by the HPAB to correct the defects as described in section F.

SUBSECTION 6.04: - NORTH GOLIAD CORRIDOR OVERLAY (NGC OV) DISTRICT

- (A) *Purpose.* The North Goliad Corridor Overlay District is a specialized zoning district overlay along North Goliad Street beginning north of the Downtown District and terminating at Live Oak Street. This Corridor has been identified as one of the important entry points into the City of Rockwall. The district has been established to protect scenic and historic qualities through the use of additional development criteria. The district establishes design standards to guide the new construction and rehabilitation of buildings, streetscapes and architectural styles consistent with the existing historic residential homes and businesses located along the corridor.
- (B) *Application and Boundaries.* The boundaries of the North Goliad Corridor Overlay District are as established in the official zoning map of the City of Rockwall. The boundary generally extends from Olive Street north to Live Oak and being more particularly described herein as Exhibit "A" [Ord. No. 07-30, Exhibit A which is on file in the City secretary's office]. use or change of use within the North Goliad Corridor Overlay District.

All property developed within the Overlay District must meet both the terms and requirements of the underlying zoning classification

applicable to the property and the provisions set forth in the Overlay District. The most restrictive requirement applicable to the property shall apply.

- (C) *Architectural Standards.* Most of the historic architecture of the district does not follow one specific style, but is influenced by many. The development along the corridor is an eclectic mix of buildings, but there is a similar vocabulary in the building design and construction materials. The development for the residential and commercial buildings shall generally fit within one or more of the following architectural styles.

FIGURE 14: BUNGALOW



- (1) *Bungalow.* The bungalow style is a unique house type that borrows from other cultures, but is a truly American design. Developed on the west coast, the bungalow reduces the distinction between inside and outside space, reflecting open practical living. It is generally a low, small house that used natural materials and relief on simplified design. The roof structure is most often broad gables, often with a separate lower gable covering the porch, although hipped roof structures are also common. There is little ornamentation, and what is found is of simplified design. The first bungalow development period was from 1895 to 1915.

FIGURE 15: COTTAGE



- (2) *Cottage.* A cottage is basically a small frame single-family home that does not use any particular architectural style or ornamentation pattern. Roof styles vary, but most often use gable, hip or a combination of the two. This is a style that often borrows elements from classic styles, but does not incorporate other elements that make the style unique.

FIGURE 16: CRAFTSMAN



- (3) *Craftsman*. An extension of the early bungalow, the craftsman design included a low-pitched gabled roof with a wide, unenclosed eave overhang. Roof rafters are usually exposed and decorative beams or braces are commonly added under gables. Porches are either full or partial-width, with a roof often supported by tapered square columns. The most distinctive features of this are the junctions where the roof joins the wall, where the most ornamentation occurs. This was the dominant style for smaller homes from 1905 to early 1920s. The popularity of the style faded quickly, however, and few were built after 1930.

FIGURE 17: FOLK VICTORIAN



- (4) *Folk Victorian*. The folk Victorian style uses a simple, folk type house style that is often one (1) story and has a roof that is gabled or hipped (pyramidal). It lacks the intricate, irregular roof structure of the Queen Anne style, but includes

ornamentation common to Victorian-style detailing, especially spindle work. Facades are generally symmetrical.

FIGURE 18: QUEEN ANNE



- (5) *Queen Anne*. The Queen Anne architectural style was common from about 1880 to 1910. Identifying features include a steeply pitched, irregular shaped roof, often with a dominant front-facing gable, patterned shingles, cutaway bay windows, and other features to avoid a smooth walled appearance. The decorative detailing is usually of two types:

- (a) Spindle work includes turned posts and may also include decorative gables and ornamentation under the wall overhangs.
- (b) Free classic detailing uses classical columns, instead of delicate turned posts, and other ornamentation is less “lacy” and delicate than that found in spindle work. This style became common after 1890.

- (D) *Building Design*. The height of new buildings shall not exceed this Unified Development Code standards: generally, one (1) and two (2) stories are allowed (36 feet maximum). New building additions and alterations should be compatible with the adjoining area and not exceed height, lot coverage and floor area ratio requirements as specified in this Unified Development Code.

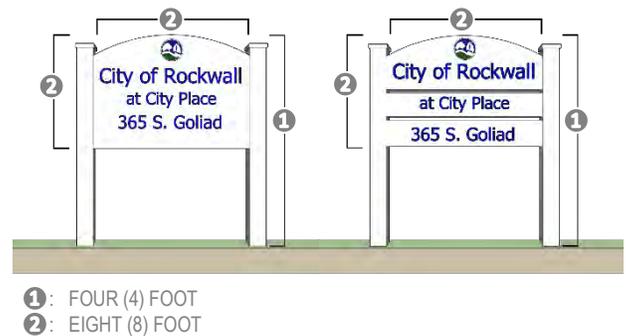
- The use of consistent architectural styles from the years 1870 to 1940 is strongly encouraged rather than additions or alterations from more recent or different design styles (see architectural styles in subsection C of this section for examples).
- New construction should include elements such as cladding, roofing material, roof structure and ornamentation common to the district.
- The existing pattern of building facades generally respecting pedestrian or human scale design should be incorporated into

new development projects. Roof types generally associated with residential buildings such as gable, hip or gambrel are also appropriate for structure within the North Goliad Corridor Overlay District.

- All decorative fixtures, including awnings, signs and lighting, shall be integrated with other design elements of the structures.
- Building elevations shall be submitted as part of the development application for review by the Historic Preservation Advisory Board who shall make its recommendations to Planning and Zoning Commission. Perspectives, accurate sections or a model of the project may be required to depict the height, mass and scale of the proposed project with respect to its setting and adjacent development.

- (E) Parking Area Restrictions. Any surface parking shall be provided in well-screened parking lots at the rear or behind the main facade of the building. All parking structures shall adhere to the standards of this Unified Development Code and any additional requirements of the underlying zoning district.
- (F) Cross Access. Cross access easements may be required by the planning commission and/or City Council at the time of site plan approval or platting to ensure access between adjoining properties and to reduce the number of needed curb cuts.
- (G) Accessory Buildings. New accessory or outbuildings, including garages and enclosures for service areas, trash or recycle containers, or storage structures should be compatible with materials, textures, colors and architectural styles of the principle buildings.
- (H) Landscaping Standards. Existing trees should be retained where possible. Street trees and other sidewalk area landscaping shall be incorporated if pedestrian circulation will not be obstructed. Front yards should be landscaped compatible with the majority of neighboring properties. All sites shall, as a minimum, meet the requirements of [Article 08, Landscape Standards](#).
- (I) Signs. All signs shall comply with [Chapter 32, Signs, of the Municipal Code of Ordinances](#) and the underlying zoning district that applies to the North Goliad Corridor Overlay District and to the following additional standards. Signs shall be freestanding with two support standards. The maximum size shall be 16 square feet and shall not impede pedestrian or motor vehicle traffic. Monument signs are not allowed. All lighted signs shall be indirectly light no direct or internally light sign shall be allowed. All lighting elements such as wires, junction boxes, transformers, switches and panel boxes shall be concealed from view.

FIGURE 19: SIGNAGE REQUIREMENTS



- (J) Lighting Standards. In addition to the requirements of the outdoor lighting requirements no light pole, pole base or combination thereof shall exceed 20 feet in the North Goliad Corridor Overlay District. All lighting fixtures shall focus light downward and be contained on the site. Lighting elements shall be incandescent, metal Halide, or halogen only. No HID or fluorescent lights (except fluorescent bulbs that screw into standard socket fixtures) may be used on the exterior of buildings. All street lighting shall meet the specifications for a B1 & B2 contained in [Subsection \(I\), Streetscape Elements, of Section 04.07, Downtown \(DT\) District, of the Unified Development Code \(UDC\)](#).
- (K) Variance. The City Council may, upon request from the applicant, grant a variance to any provision of this section where unique or extraordinary conditions exist or where strict adherence to the provisions of this section would create a hardship. Approval of any variance to any provision of this section shall require City Council approval by a three-quarter majority vote of those City Council members present with a minimum of four affirmative votes.

SUBSECTION 6.05: - SOUTHSIDE RESIDENTIAL NEIGHBORHOOD OVERLAY (SRO) DISTRICT

- (A) Purpose. The purpose of the overlay district is to provide the flexibility necessary for allowing infill and redevelopment of the Southside Neighborhood, while maintaining and protecting the character and integrity of the existing neighborhood.
- (B) Other Requirements. Any requirements not specifically stated in this section shall comply with the Single-Family 7 (SF-7) District requirements.
- (C) Area Requirements.
- (1) Minimum lot area: 5,000 square feet.
 - (2) Maximum number of single-family detached dwellings units per lot: One.
 - (3) Minimum square footage per dwelling unit: 900 square feet.
 - (4) Minimum lot frontage on a public street: 50 feet.
 - (5) Minimum lot depth: 100 feet.
 - (6) Minimum depth of front yard setback: 20 feet.
 - (7) Minimum depth of rear yard setback: 10 feet.
 - (8) Minimum width of side yard setback:

- (a) Internal lot: 6 feet.
 - (b) Abutting street: 15 feet.
 - (c) Abutting an arterial: 20 feet.
- (9) Minimum distance between separate buildings on the same lot or parcel of land: ten feet.
- (10) Minimum length of driveway pavement from the public right-of-way for rear or side yards: 20 feet.
- (11) Maximum building coverage as a percentage of lot area: 40%.
- (12) Maximum building height: 32 feet.
- (13) Minimum number of paved off-street parking spaces required for:
- (a) One single-family dwelling unit: Two (2) Parking Spaces. An enclosed garage shall not be considered in meeting the off-street parking requirements.
 - (b) All other uses: see [Article 06, Parking and Loading, of the Unified Development Code \(UDC\)](#).

(D) Consideration of Special Request in Furtherance of Neighborhood Preservation. The City Council may consider special requests in furtherance of neighborhood preservation and enhancement within the established neighborhood preservation overlay district. Such requests may include, but not necessarily be limited to neighborhood signage plans, the use of alternate building materials reductions in the building setbacks, or other requests submitted for consideration to the planning and zoning department.

Upon receipt of such requests, the Planning and Zoning Commission shall review the case and forward a recommendation to the City Council for consideration. The City Council may approve special request. Any such approval shall preempt any other underlying zoning restrictions in the Unified Development Code (UDC). Such special requests may be denied by the City Council by the passage of a motion to deny.

Special requests shall not include any request to change the land use of a property.

SUBSECTION 6.06: IH-30 OVERLAY (IH-30 OV) DISTRICT

- (A) Purpose. The intent of the IH-30 Overlay (IH-30 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.
- (B) Application and Boundaries. The IH-30 Overlay (IH-30 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the future right-of-way of IH-30. The IH-30 Overlay (IH-30 OV) District spans east to west along IH-30 from the eastern city limits (approximately 3,600-feet east of FM 549), west to the

western city limit line along Lake Ray Hubbard. The standards and regulations set forth in the IH-30 Overlay (IH-30 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) Overlay District Standards. If any portion of a property is situated within the boundaries of the IH-30 Overlay (IH-30 OV) District, the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards](#).

SUBSECTION 6.07: SH-205 OVERLAY (SH-205 OV) DISTRICT

(A) Purpose. The intent of the SH-205 Overlay (SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) Application and Boundaries. The SH-205 Overlay (SH-205 OV) District includes the entirety of all properties which adjoin or are located within 200-feet of the future right-of-way of SH-205. The SH-205 Overlay (SH-205 OV) District spans north to south along SH-205 from the intersection point of SH-205 and FM 740, south to the southern city limits (approximately 2,800-feet south of FM-1139). The standards and regulations set forth in the SH-205 Overlay (SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) Overlay District Standards. If any portion of a property is situated within the boundaries of the SH-205 Overlay (SH-205 OV) District, the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards](#).

SUBSECTION 6.08: SCENIC OVERLAY (SRO) DISTRICT

(A) Purpose. The Scenic Overlay (SOV) District is a specialized overlay district along FM-740 which has been identified in the Comprehensive Plan as a scenic thoroughfare. The identified scenic aspects of FM-740 include views of the lake, existing natural topography, and existing natural landscaping. The district has been established to protect scenic or historic qualities through the use of additional development criteria and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not

detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

- (B) Application and Boundaries. The Scenic Overlay (SOV) District shall apply to all property located within the established boundary along FM-740 (as set forth in Ordinance No. 87-64). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless and until an application for zoning, platting, or site planning is re-submitted on the property. All property developed within the Scenic Overlay (SOV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the Scenic Overlay (SOV) District. The most restrictive requirement applicable to the property shall apply.
- (C) Overlay District Standards. If any portion of a property is situated within the boundaries of the Scenic Overlay (SOV) District, the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards](#).

SUBSECTION 6.09: SH-66 OVERLAY (SH-66 OV) DISTRICT

- (A) Purpose. The SH-66 Overlay (SH-66 OV) District is a specialized overlay district along SH-66 and Washington Street between Lake Ray Hubbard and SH-205, which has been identified as one of the important entry points into the City of Rockwall. The identified important scenic aspects of this corridor include views of the lake, existing natural topography, and existing natural landscaping adjacent to residential neighborhoods. The district has been established to protect scenic or historic qualities through the use of additional development criteria, and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).
- (B) Application and Boundaries. The SH-66 Overlay (SH-66 OV) District shall apply to all property located within the established boundary along SH-66 and Washington Street, between Lake Ray Hubbard and SH-205 (as set forth in Ordinance No. 01-18). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless an application for zoning, platting, or site planning is resubmitted on the property. All property developed within the SH-66 Overlay (SH-66 OV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth

in the SH-66 Overlay (SH-66 OV) District. The most restrictive requirement applicable to the property shall apply.

- (C) Overlay District Standards. If any portion of a property is situated within the boundaries of the SH-66 Overlay (SH-66 OV) District, the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards](#).

SUBSECTION 6.10: SH-205 BY-PASS OVERLAY (SH-205 BY OV) DISTRICT

- (A) Purpose. The intent of the SH-205 By-Pass Overlay (SH-205 BY OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility and plan review shall be conducted through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family uses only. All other residential uses shall be excluded from these standards except as otherwise stated.
- (B) Application and Boundaries. The SH-205 By-Pass Overlay (SH-205 BY OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current and future right-of-way of John King Boulevard. The SH-205 By-Pass Overlay (SH-205 BY OV) District extends along the current and future right-of-way of John King Boulevard to the existing city limits. The standards and regulations set forth in the SH-205 By-Pass Overlay (SH-205 BY OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) Overlay District Standards. If any portion of a property is situated within the boundaries of the SH-205 By-Pass Overlay (SH-205 BY OV) District, the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards](#).
- (D) Special District Requirements.
 - (1) Residential Frontage Requirements. To ensure proper separation of residential land uses from John King Boulevard all residential developments that have direct frontage on John King Boulevard shall utilize one (1) or a combination of the following design alternatives along the entire frontage of John King Boulevard:
 - (a) Increased Landscape Buffer. A minimum of a 100-foot landscape buffer maybe substituted for the required landscape buffer as depicted in Design Alternative #1.
 - (b) Increased Rear Yard Building Setback. A minimum of 50-foot rear yard building setback may be incorporated adjacent to the required landscape buffer as depicted in Design Alternative #2.
 - (c) Incorporation of a Slip Street. A slip street -- meeting the Engineering Department's requirements for right-of-way design -- may be incorporated adjacent to and running parallel with the required landscape buffer. Homes are

permitted to front or side to the slip street. Examples of this design alternative are depicted in Design Alternative #3 and Design Alternative #4.

- (d) *Incorporation of an Eyebrow.* An eyebrow street meeting the -- Engineering Department's requirements for right-of-way design -- with a minimum cluster of five (5) homes and a maximum cluster of 12 homes can be incorporated with a 30-foot landscape buffer. All homes should front onto the eyebrow street and have a minimum of a 25-foot front yard building setback. An example of this design alternative is depicted Design Alternative #5.

(2) Design Alternatives.

FIGURE 20: DESIGN ALTERNATIVE #1; INCREASED BUFFER

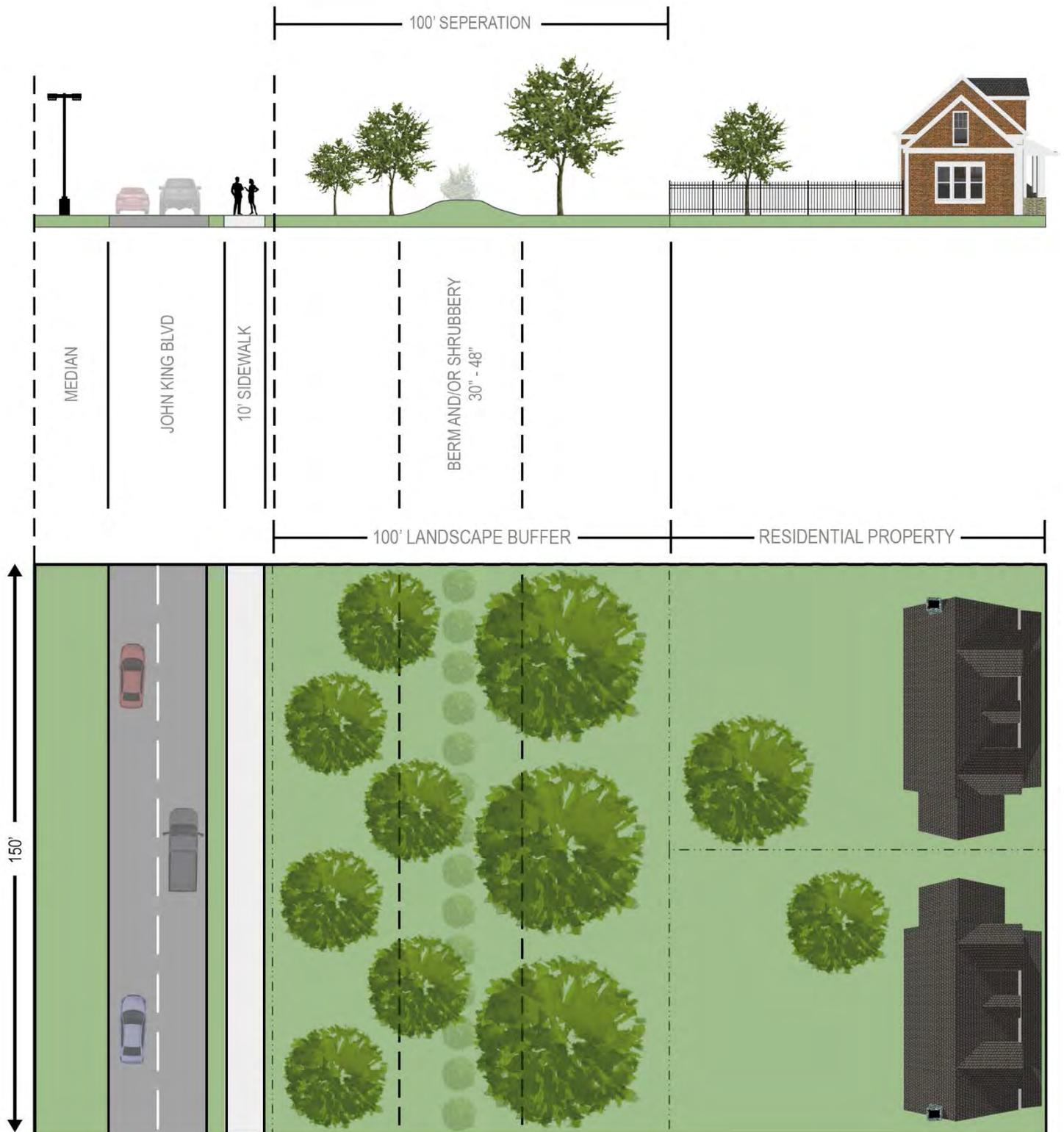


FIGURE 21: DESIGN ALTERNATIVE #2; INCREASED BUFFER

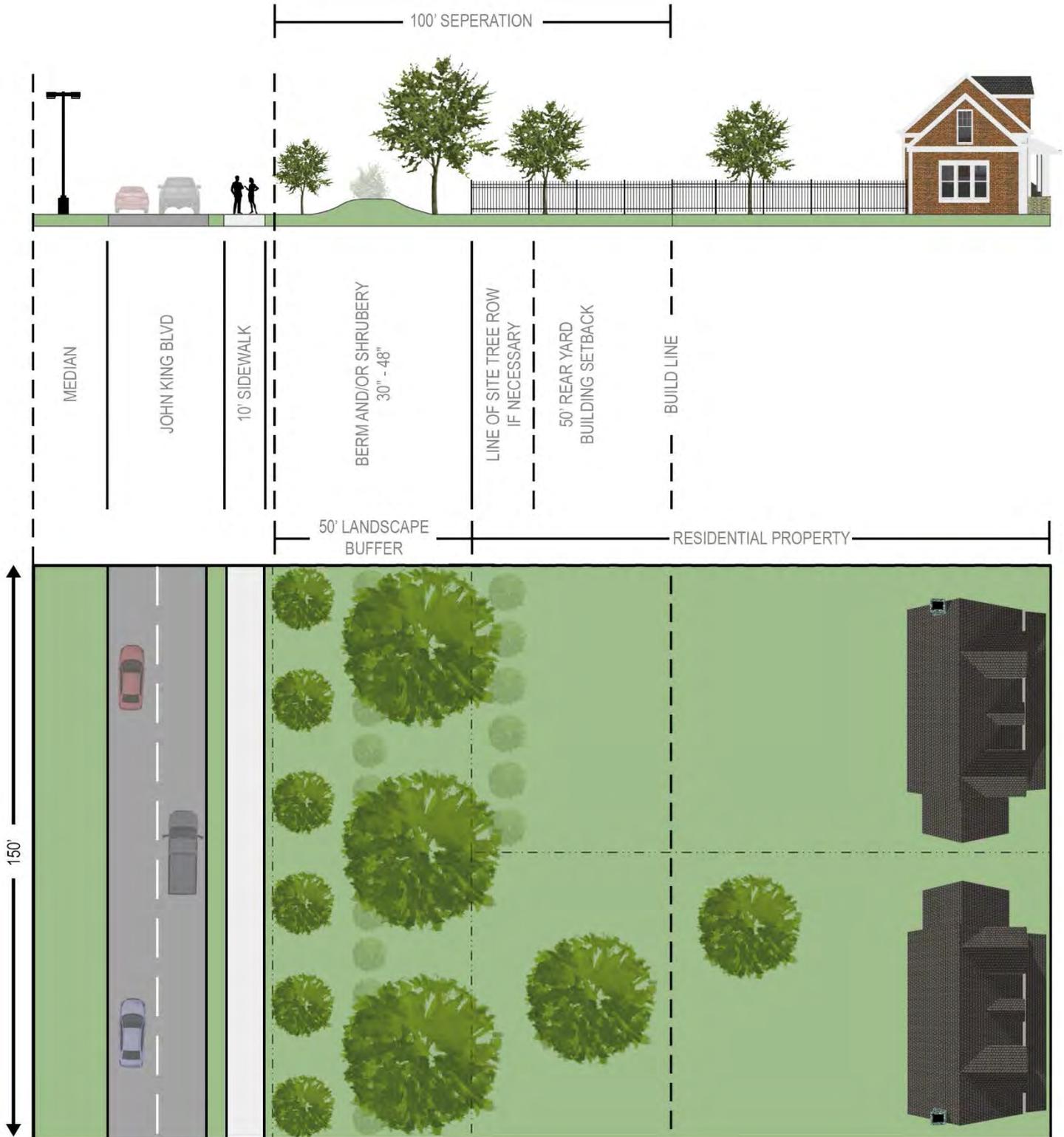


FIGURE 22: DESIGN ALTERNATIVE #3; SLIP STREET

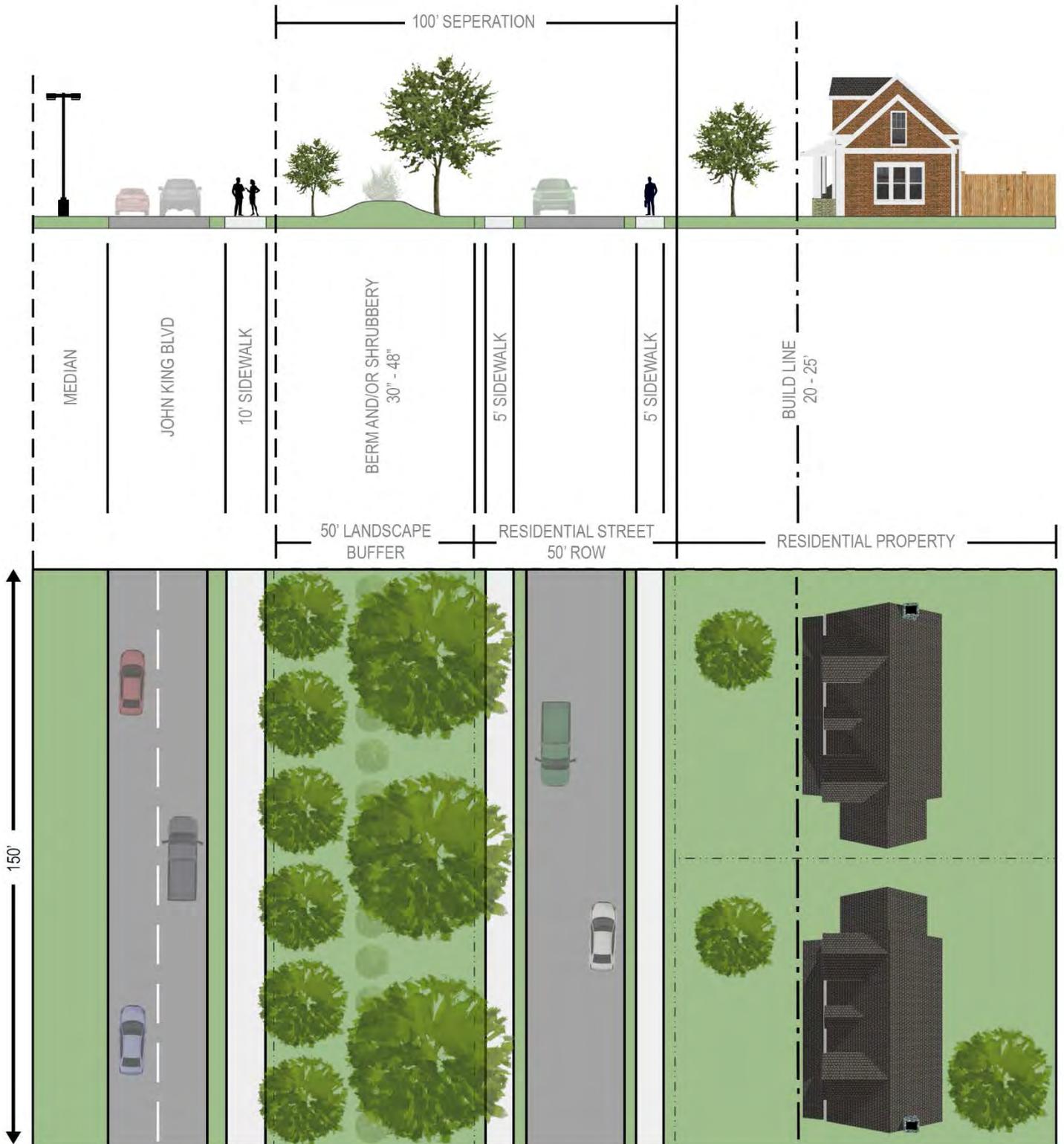
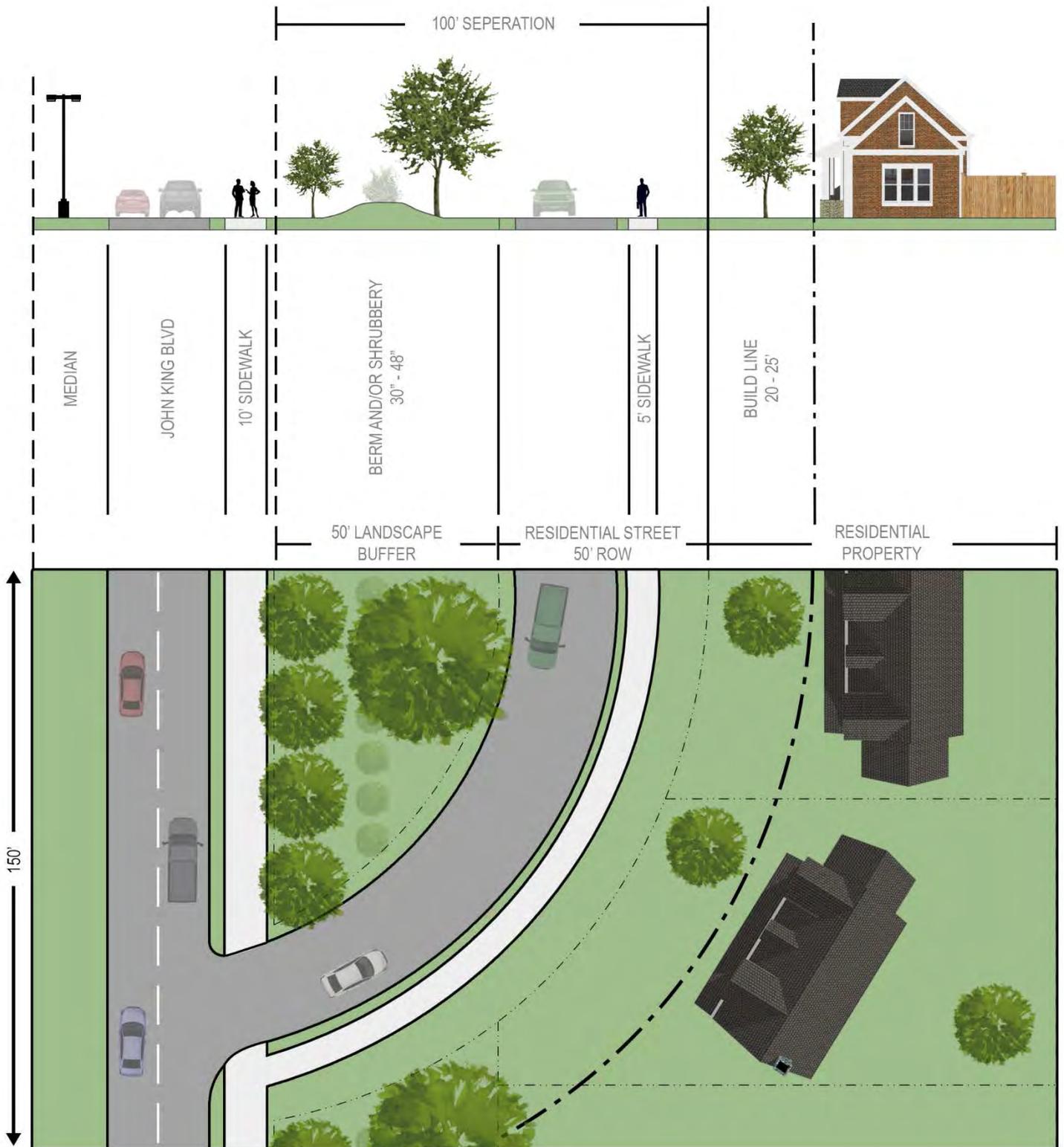


FIGURE 23: DESIGN ALTERNATIVE #4; SLIP STREET



FIGURE 24: DESIGN ALTERNATIVE #5; EYEBROW STREET



- (3) *Line of Sight Requirements.* Homes that back to a required landscape buffer should be built in such a manner where the required berm visually impairs visibility to John King Boulevard. In cases where a berm proves to be ineffective at screening traffic from John King Boulevard (*due to topography, height, etc.*) the developer shall be responsible for incorporating additional landscaping to provide sufficient screening in the required landscape buffer. This will be reviewed by the Planning and Zoning Commission at the time of site plan.

FIGURE 25: LINE-OF-SITE REQUIREMENTS



SUBSECTION 6.11: NORTH SH-205 OVERLAY (N. SH-205 OV) DISTRICT

- (A) *Purpose.* The intent of the North SH-205 Overlay (N. SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.
- (B) *Application and Boundaries.* The North SH-205 Overlay (N. SH-205 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of N. SH-205. The North SH-205 Overlay (N. SH-205 OV) District spans north to south along SH-205 from the northern city limits (approximately 4,200-feet north of FM-552), south to the intersection point of SH-205 and Health Street. The standards and regulations set forth in the North SH-205 Overlay (N. SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the North SH-205 Overlay (N. SH-205 OV) District, the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards.](#)

SUBSECTION 6.12: EAST SH-66 OVERLAY (E. SH-66 OV) DISTRICT

- (A) *Purpose.* The intent of the East SH-66 Overlay (E. SH-66 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial

impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

- (B) *Application and Boundaries.* The East SH-66 Overlay (E. SH-66 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of E. SH-66. The East SH-66 Overlay (E. SH-66 OV) District extends from FM-1141 to the east approximately 2,700-feet, and on property that lies within 500-feet of the south right-of-way line of SH-66 beginning at a point approximately 2,700-feet east of FM-1141 and then continuing east to FM-549. The standards and regulations set forth in the East SH-66 Overlay (E. SH-66 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the East SH-66 Overlay (E. SH-66 OV) District, the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards.](#)

SUBSECTION 6.13: FM-549 OVERLAY (FM-549 OV) DISTRICT

- (A) *Purpose.* The intent of the FM-549 Overlay (FM-549 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.
- (B) *Application and Boundaries.* The FM-549 Overlay (FM-549 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of FM-549. The FM-549 Overlay (FM-549 OV) District extends from SH-276 to a point approximately 800-feet north of IH-30 and on property that lies within 500-feet of the west right-of-way line of FM-549 from a point approximately 800-feet north of IH-30 to SH-66. The standards and regulations set forth in the FM-549 Overlay (FM-549 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the FM-549 Overlay (FM-549 OV) District, the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards.](#)

SUBSECTION 6.14: SH-276 OVERLAY (SH-276 OV) DISTRICT

- (A) Purpose. The intent of the SH-276 Overlay (SH-276 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.
- (B) Application and Boundaries. The SH-276 Overlay (SH-276 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of SH-276. The SH-276 Overlay (SH-276 OV) District extends from SH-205 east to the eastern city limits, as may be extended with future annexation(s). The standards and regulations set forth in the SH-276 Overlay (SH-276 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) Overlay District Standards. If any portion of a property is situated within the boundaries of the SH-276 Overlay (SH-276 OV) District, the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards](#).

SUBSECTION 6.15. LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) Purpose. The purpose of this zoning district is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth procedures for the development of said property and establishing an appeal process for the terms of the Unified Development Code (UDC). This zoning district has its basis in and is intended to serve as one implementation tool for the Lake Ray Hubbard Master Plan, adopted by the City of Dallas; the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the Lake Cities Coalition (Garland, Rockwall, and Rowlett, Texas) and the City of Dallas, Texas; and the comprehensive plan for the City of Rockwall, adopted on December 17, 2001. The adoption of this zoning district is intended to provide a means for the protection of water quality, water supply, and the preservation of the natural environment and to enhance the quality of the Lake Ray Hubbard shoreline through regulation of manmade facilities. This section is to be used in conjunction and in addition to the erosion control and engineering standards and residential sublease agreement conditions as well as other development related ordinances, such as, but not limited to, landscaping ordinance, tree preservation ordinance and outdoor lighting.
- (B) Application and Boundaries. The Lake Ray Hubbard Takeline Overlay District includes all property that is located between the City of Dallas "Take Line" as shown on the boundary map for Lake Ray Hubbard (File 612D-1 on file in the City of Dallas Records Vault) and the meanders of the contour line 435.5-foot mean sea level

elevation. The standards set forth within this section shall apply only to those lots within the Lake Ray Hubbard Takeline Overlay district that are zoned and used for detached, single-family residential uses and have a minimum lot width of 45-feet when measured at the front building line, or have a minimum lot width of 35-feet at the front building line when located on a curved street or cul-de-sac.

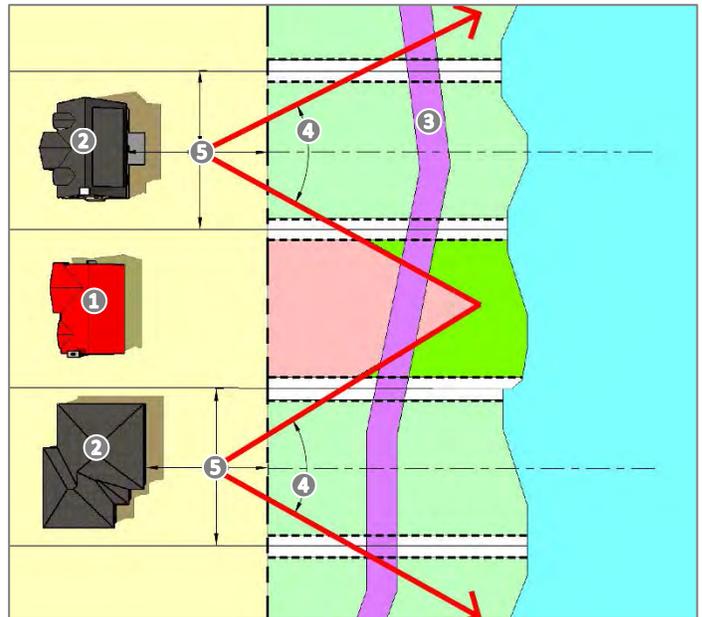
The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay district that are zoned and used for detached, attached or zero lot line single-family residential uses and meet the minimum lot width requirements as prescribed within this section."

- (C) Definitions. The terms used herein shall be defined as in the City of Rockwall's Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement and the sublease agreement prepared by the City of Rockwall. In addition, the following terms shall be defined as follows:
- (1) Barbecue Pit: A barbecue pit is a permanent fireplace structure over which meat, poultry and other foods are roasted.
 - (2) Boathouse: A boathouse is a roofed structure with supporting fixed piers with a main waterside opening with an operating boatlift(s) contained within the structure and the structure built to house and protect watercraft and boat related equipment and with the boathouse structure built at the end or towards the end of an adjoining fixed pier.
 - (3) Catwalk: The narrow walkway of a dock providing people access to moored watercraft.
 - (4) Centerline: An established line that is equidistant from the surface or sides of something, such as parcel boundaries.
 - (5) Cleat: A metal fitting with two projecting homes used to wrap a rope around to secure a watercraft in position.
 - (6) Deck/Patio: A deck/patio is an anchored or concrete paved float floored roofless surface built either beside the normal pool elevation shoreline or incorporated into a promontory in the takeline area.
 - (7) Deck/Patio Cover/Pergola: A deck/patio cover/pergola is a permanent stand-alone roofed structure opened on all sides often built as a shade structure over a deck or patio. The pergola has supporting, vertical posts with rafters across the top. These are usually open and flat, running at regular intervals horizontally across the structure, and supported by side rafters. Their sides being square or rectangular in shape, they have straight lines as the basis of their structure.
 - (8) Dock: A lake structure used expressly for mooring and landing watercrafts and for embarking and disembarking passengers. A dock can include a fixed pier.
 - (9) Dock Deck: A dock deck is a flat floor surface area built over the lake water adjoining the end of a fixed pier supported by approved pilings.
 - (10) Dredging: The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.

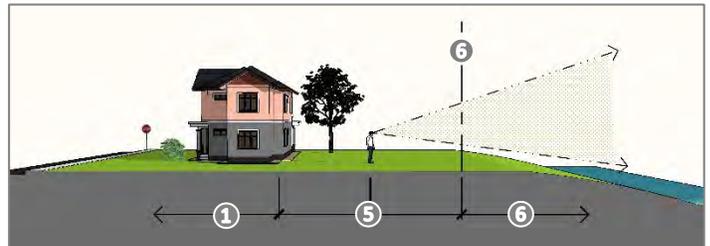
- (11) Fixed Pier: A fixed pier is a structure supported by approved pilings with a catwalk on top that extends from the shoreline out into the body of water with the structure being used to moor (no more than 156 consecutive hours) and land watercraft.
- (12) Gazebo: A gazebo is a permanent stand-alone roofed trellis structure opened on all sides, typically with places for sitting.
- (13) Habitable Structure: A structure fit for human habitation usually containing amenities such as a fireplace, furniture, plumbing, bathing facilities, and cooking facilities. Structures allowed by this section shall not be habitable structures and may not contain such amenities.
- (14) Lake: Refers to Lake Ray Hubbard.
- (15) Lake Area: The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at normal lake pool elevation (property at or below elevation 435.5 feet mean sea level).
- (16) Landing/Stairs: A landing is defined as the level part of staircase, as at the end of a flight of stairs. A stair is a series of steps for passing from one (1) level to another.
- (17) Landscaping: Landscaping is the minor modification or altering of the surrounding take area terrain and shoreline with trees, shrubs, ground cover, and native stone or interlocking brick retaining walls.
- (18) Leased Area: Means the take area that is within the City Limits of Rockwall, or where the Take Line is directly adjacent to the City Limits of Rockwall.
- (19) Lift: A temporary means of elevating a watercraft out of the water by use of a hoist.
- (20) Linear Feet: A type of measurement in which dimensions of a specific item are taken together from one noted point to another noted point in a straight line rather than following the curvature of the specific item's boundary.
- (21) Locker Box: A secured chest fixed onto a dock used for storage of watercraft equipment.
- (22) Moor: Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
- (23) Mooring: A place where a watercraft can be tied up and secured while in the water, such as a slip (not more than 156 consecutive hours).
- (24) Outdoor Lighting: Outdoor lighting is a structure or a system of structures, fixtures, and devices used to provide artificial nighttime lighting over a defined broad area, on buildings and monuments, and to emphasize landscaping, but not directed to the detriment of the traveling public or surrounding residents in the light's path.
- (25) Power Source Station: Used as a power supply and for lighting a dock just below watercraft level.
- (26) Private Play Structures: Private play structures are permanent structures used by children for play installed by private property owners.
- (27) Private Utilities: A private utility is a system or systems of underground cable lines, pipelines, and wiring installed by the leasing property owner to maintain and operate improvements in the takeline area and to support recreation and enjoyment.
- (28) Private Walks: Private walks can be a single path or a network of paths installed by the leasing property owner in the take area.
- (29) Shoreline: Refers to the line along the shore of the lake, established by the normal lake pool elevation (435.5 feet mean sea level).
- (30) Slip: A watercraft's berth between two piers or between finger piers.
- (31) Sprinkler Systems: A sprinkler system is an underground irrigation network used to water and maintain trees, shrubs, grounds and the foundations of improvements.
- (32) Take Area: Refers to the land owned by Dallas between the take line and the normal lake pool elevation (435.5 feet mean sea level).
- (33) Take Line: Means the perimeter boundary of Dallas' property at the lake.
- (34) Treated Wood: Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction caused by insects, fungi, bacteria, or other wood destroying organisms.
- (35) View Clear Zone: Area within the view preservation angle where no new structures or plantings shall exceed six feet above the existing grade to maintain neighboring views.
- (36) View Corridor: A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public viewing area (see Figure 26: Visual Measurements View Corridors).
- (37) View Preservation Angle: Determined as the center point of the leasing property owner's backyard with a 36-degree total visual angle using the property owner's owned property centerline and extending outward towards the Lake.
- (38) Watercraft: A craft for water transport; a boat.
- (a) Motorized Boat: A boat propelled by an internal combustion engine.
- (b) Sailboat: A boat with a mast and sail propelled by the wind.
- (39) Water Resistant Wood: Naturally untreated hard wood such as cedar, redwood, or Ironwood.
- (D) Permitted Uses. Permitted uses [shall be] in accordance with the specifications set forth in "table A" of this section. All permitted uses shall meet all other applicable City of Rockwall codes and permitting requirements.
- (1) Barbeque Pit

- (2) Boat tie-ups with the installation of cleats or other approved method of providing a safe, protective means of securing a boat to a seawall.
- (3) Landscaping
- (4) Outdoor Lighting
- (5) Private Play Structures
- (6) Private Utilities
- (7) Private Walks
- (8) Fencing
- (9) Sprinkler/Irrigation Systems
- (10) Decks/patios with a maximum height of 12 inches above existing ground at the highest elevation point.
- (11) Gazebo, with a maximum height of 15 feet.
- (12) The following boat-related structures on single-family lots along the normal elevation shoreline (435.5 feet mean sea level):
 - (a) Dock Deck
 - (b) Fixed Pier
 - (c) Boathouse
- (13) Landing/Stairs
- (14) Deck/Patio Cover/Pergola

FIGURE 26: VISUAL MEASUREMENTS VIEW CORRIDORS



- 1: SUBJECT PROPERTY
 - 2: NEIGHBORING PROPERTIES
 - 3: ACCESS EASEMENT
 - 4: 36-DEGREE PRESERVATION ANGLE
 - 5: EQUAL DISTANCE POINT
 - 6: TAKELINE/TAKE AREA
- DARK GREEN:** VIEW CLEAR ZONE: NO NEW STRUCTURES OR PLANTINGS IN THIS AREA SHALL EXCEED SIX (6) FEET ABOVE EXISTING GRADE.
LIGHT RED: BUILDABLE AREA
WHITE: TYPICAL BUILDING SETBACK



- (E) Specific Use Permit (SUP). Uses requiring a Specific Use Permit (SUP), in accordance with the specifications set forth in [Subsection \(G\), Specifications for Permitted Uses](#), of this section. All specific uses shall meet all other applicable City of Rockwall codes and permitting requirements:
 - (1) Decks/patios exceeding the maximum requirements.
 - (2) Gazebo exceeding the maximum requirements.
 - (3) Landing/stairs exceeding the maximum requirements.

(F) Visual Measurements of View Corridors.

- (1) Visual Measurements and Overall Regulations. View corridors are established to protect property owner's views of the lake. The view corridor is defined by the view preservation angle - determined as the center point of the leasing property owner's backyard with a 36-degree total visual angle using the property owner's owned property centerline and extending outward towards the lake. Those areas on the take area's adjacent properties that fail into the view preservation angle will be restricted from any type of new improvements or plantings exceeding six (6) feet in height.
- (2) View Measurements Maintenance Access Gates and Fences/Walls.
 - (a) Maintenance access gates and fences/walls will be designed as physical barriers and to limit access into the take area residential areas and between the take area residential area subdivisions only to utility personnel and their vehicles, to emergency personnel and their vehicles,

to public service and maintenance personnel and their vehicles, and to public inspectors and their vehicles.

- (b) Maintenance access gates and fences/walls will be developed from the take line down to 438.0 feet mean sea level to serve as a physical barrier while accounting for lake fluctuations and water movement during flood stages.
- (c) Placement of residence street address sign centered on main waterside end of the lake with six-inch black letters on white background to be recognizable for main waterside public safety and emergency personnel.
- (d) Maintenance access gates and fences/walls will be placed at access entry points located at the following locations:
 - (1) At the northern property boundary of the Harbor Bay Marina;
 - (2) Immediately north of the property line of Lot 25, Block A, Stonebridge Meadows Phase V;

- (3) At the northern property line of the area located immediately north of the SH 66 Boat Ramp property;
- (4) At the southern property line of the Shores Country Club.

(G) Specifications for Permitted Uses

(1) Barbecue Pit.

- (a) Description. A barbecue pit is a permanent fireplace structure over which meat, poultry and other foods are roasted.
- (b) Allowances and Disallowances. A barbecue pit can only be fueled by charcoal or wood products. A barbecue pit will not be fueled by any permanently buried gas products.
- (c) Building Materials. A barbecue pit must be built using any combination of native stone, brick, concrete, and iron grating.
- (d) Height and Depth Regulation. A barbecue pit shall not exceed six feet in height.
- (e) Takeline Setback. No setback requirements
- (f) Side Yard Setback. There will be a six-foot setback landside on both side yards
- (g) Normal Pool Elevation Setback (Landside). A barbecue pit will not be allowed below 438.0 feet mean sea level. The footprint of the exterior sides of a barbecue pit ranges from a minimum size of three feet length by three feet width and the maximum size eight feet length by three feet width.
- (h) Normal Pool Elevation (Waterside). No barbecue pits will be allowed at, upon or over the Lake
- (i) Additional Requirements. A barbecue pit will not hinder the clear view zone of an adjacent neighbors' view corridor. Earth work construction of a barbecue pit must comply with the erosion control standards set in the Interlocal Agreement and Lease. A barbecue pit must comply with all other City of Rockwall codes.

(2) Landscaping.

- (a) Description. Landscaping is the minor modification or altering of the surrounding take area terrain and shoreline with trees, shrubs, ground cover, and native stone or interlocking brick retaining walls.
- (b) Allowances and Disallowances.
 - (1) The use of native stone retaining walls is allowable above 435.5 feet mean sea level elevation only
 - (2) Hedgerows and shrub rows are not allowed
 - (3) Landscaping requiring the use of pesticides, herbicides, fungicides, or preservatives is not allowed
 - (4) Landscaping that can lead to lake siltation and/or shoreline erosion is not allowed
 - (5) Mulch is prohibited below 438.0 feet mean sea level

(c) Building Materials.

- (1) The use of any railroad ties or treated wood is prohibited.
- (2) The use of brick is prohibited, except for private walks
- (3) The use of crushed rock or pea gravel is prohibited, except as a base
- (4) The use of native stone is allowed for retaining walls and private walks

(d) Height and Depth Regulations. Retaining walls as part of landscaping will be limited to three (3) feet in height.

(e) Takeline Setback. No setback requirements.

(f) Side Yard Setback. There will be a six-foot setback on both side yards

(g) Normal Pool Elevation Setback (Landside).

- (1) Minor landscaping will be allowed provided it does not further lake siltation, shoreline erosion, water quality, or retain water
- (2) Remedial landscaping for maintaining the integrity of the shoreline is allowed
- (3) Landscaping will be allowed within 20 feet of the normal pool elevation shoreline (435.5 feet mean sea level), provided the landscaping does not block public safety personnel and their vehicles access for responding to emergencies, provided the landscaping does not block public maintenance personnel and their vehicles access for clearing the shoreline, and provided the landscaping trees, hedges, and shrubs are not placed in the view clear zone of a neighbor's view corridor.

(h) Normal Pool Elevation Setback (Waterside). Remedial landscaping for maintaining the integrity of the shoreline is allowed.

(i) Additional Requirements.

- (1) Landscaping must complement and be integrated into the existing woodlands and wetlands
- (2) Trees will be interspersed
- (3) Earth work construction involved with landscaping must comply with the erosion control standards set in the Interlocal Agreement and Lease
- (4) Landscaping will not hinder the clear view zone of an adjacent neighbors' view corridor
- (5) Landscaping must comply with all other City of Rockwall codes.

(3) Outdoor Lighting.

- (a) Description. Outdoor lighting is a structure or a system of structures, fixtures, and devices used to provide artificial nighttime lighting over a defined broad area, on buildings and monuments, and to emphasize landscaping, but not

directed to the detriment of the traveling public or surrounding residents in the light's path. The definitions and requirements from the City of Rockwall outdoor lighting ordinance shall also apply to properties within the take area.

(b) Allowances and Disallowances.

- (1) Systems and structures associated with outdoor lighting including artificial landscape lighting, monument lighting, and flood lights
- (2) Cobra lighting fixtures not allowed on poled structures
- (3) Fluorescent lighting fixtures are not allowed on poled structures
- (4) It shall be unlawful to display an unshielded light source (including bare bulbs) above 15 watts, except for temporary holiday lighting.
- (5) The operation of search lighting is prohibited.

(c) Visual Measurements. poled outdoor light fixtures on leased take area grounds should be no taller than 1/3 of the distance to a neighboring property and should not exceed 12-feet.

(d) Building Materials.

- (1) Poles used for outdoor lighting must be either aluminum or steel.
- (2) Wood or concrete poles used for outdoor lighting are not allowed

(e) Height and Depth Regulations. The height of outdoor lighting will range from light fixtures embedded into catwalk periphery to 12 feet maximum for post structures for broader illumination.

(f) Takeline Setback. No setback requirements

(g) Side Yard Setback. There will be a 20-foot setback on both side yards

(h) Normal Pool Elevation Setback (Landside).

- (1) Outdoor lighting will not be allowed below 438.0 feet mean sea level
- (2) Outdoor lighting will be allowed within 20 feet of the normal pool elevation shoreline (435.5 feet mean sea level), provided the outdoor lighting fixture(s) does not block public safety personnel and their vehicles access for responding to emergencies, provided the outdoor lighting fixture(s) does not block public maintenance personnel and their vehicles access for clearing the shoreline, and provided the outdoor lighting fixture(s) is not placed in the view clear zone or a neighbor's view corridor.

(i) Additional Requirements.

- (1) Outdoor lighting structures will not hinder the view clear zone of an adjacent neighbors' view corridor.

(2) Unwanted brightness and glare from outdoor lighting will not hinder the views of surrounding property owners

(3) Outdoor lighting will not interfere with the safety of the traveling public or negatively impact surrounding residents with unwanted brightness and glare

(4) The candlepower used on outdoor lighting will comply with Rockwall's outdoor lighting ordinance

(5) Earth work construction involved with outdoor lighting must comply with the erosion control standards set in the interlocal agreement and lease

(6) Light sources shall be directed down and shall be of an indirect, diffused or shielded type luminaire and so installed as not to produce harsh, bright light or direct illumination across the property line from a visible source of illumination.

(7) All building and pole mounted luminaries exceeding 15 watts shall be directed down with either a partial cut-off or full cut-off source, as illustrated in Exhibits "A" and "B" within the City of Rockwall outdoor lighting ordinance.

(8) A photometric plan describing compliance with the provisions of the Unified Development Code (UDC) shall be submitted to the Director of Planning and Zoning prior to the issuance of any building permit or Certificate of Occupancy (CO) that proposes additional lighting. This plan shall be prepared by an appropriate lighting professional such as a lighting engineer, architect or other qualified lighting designer. Upon installation of the lighting, the designer shall provide a letter certifying that the lighting is installed in accordance with the approved design and the Unified Development Code (UDC). The Director of Planning and Zoning shall have the authority to interpret and determine compliance with the Unified Development Code (UDC). The Planning and Zoning Commission may grant exemptions to the provisions of the Unified Development Code (UDC) when strict compliance with the requirements of this Article will result in substantial financial hardship or inequity, so long as said exemption is without harm to the public. Decisions of the Planning and Zoning Commission may be appealed to the City Council.

(9) Lighting installed by or for a governmental agency for a public benefit that is used for activities for the public benefit, such as rights-of-way, ball fields, airports and parks. However, parking lot lighting for these activities shall meet the requirements of the Unified Development Code (UDC).

(10) Outdoor lighting must comply with all other City of Rockwall codes.

(4) Private Play Structures.

- (a) Description. Private play structures are permanent structures used by children for play installed by private property owners.
 - (b) Allowances and Disallowances.
 - (1) Private play structures can consist of arched ladders, vertical ladders, horizontal ladders, clatter bridge, timber structures, slides, fort and slide playset, climber, play wall, play climbers, play pods, moon house, jungle gym, see-saw, merry-go-round, dome, rocket rider, tire swing, buoy ball, monkey bars, drums, chin-up bar, trampoline and rock wall
 - (2) Sand boxes and sand play areas will not be allowed
 - (c) Building Materials.
 - (1) Private play structures can be built using aluminum, galvanized steel, rubber, and water-resistant wood
 - (2) Private play structures will not be built using railroad ties and treated wood
 - (d) Height and Depth Requirements. The height of a private play structures will be up to eight (8)-feet maximum
 - (e) Takeline Setback. No setback requirements
 - (f) Side Yard Setback. There will be a 20-foot setback on both side yards.
 - (g) Normal Pool Elevation Setback (Landside).
 - (1) Private play structures will not be allowed below 438.0 feet mean sea level
 - (2) Private play structures will be situated in a collected area no larger than 1,000 square feet maximum
 - (3) Private play structures will be allowed within 20 feet of the normal pool elevation shoreline (435.5 feet mean sea level), provided the private play structure does not block public safety personnel and their vehicles access for responding to emergencies, provided the private play structure does not block public maintenance personnel and their vehicles access for clearing the shoreline, and provided the private play structure is not placed in the view clear zone of a neighbor's view corridor
 - (h) Normal Pool Elevation Setback (Waterside). No private play structures will be allowed at, upon or over the Lake.
 - (i) Additional Requirements.
 - (1) Private play structures will not hinder the view clear zone of an adjacent neighbors' view corridor.
 - (2) Private play structure must be anchored into the ground
 - (3) The exterior color of the play structure should blend and incorporate the hues and tones of the surrounding landscape
 - (4) Earth work construction involved with private play structures must comply with the erosion control standards set in the Interlocal Agreement and Lease
- (5) Private play structures must comply with all other City of Rockwall codes.
- (5) Private Utilities.
 - (a) Description. Private utilities are a system of underground cable lines, pipelines, and wiring installed by the leasing property owner to maintain and operate improvements in the take area and to support recreation and enjoyment
 - (b) Allowances and Disallowances.
 - (1) Buried private utilities are allowed
 - (2) No overhead private utilities lines are allowed
 - (c) Building Materials. All building materials must meet the City of Rockwall's adopted building codes and all other applicable ordinances.
 - (d) Height and Depth Regulations. All private utilities will be buried according to standards set in the City of Rockwall Subdivision Ordinance ([Chapter 38, Subdivisions, of the Municipal Code of Ordinances](#)).
 - (e) Takeline Setback. No setback requirements
 - (f) Side Yard Setback. There will be a 20-foot setback on both side yards
 - (g) Normal Pool Elevation Setback (Landside).
 - (1) Private utilities will be allowed within 20 feet of the normal pool elevation shoreline (435.5 feet mean sea level), provided the utilities are built to handle load factors associated with emergency and service vehicles
 - (2) Private utilities containing electricity and communication lines built into boat-related uses will not be allowed below 436.5 feet mean sea level
 - (3) Private utilities containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds will not be allowed
 - (4) Private utilities containing wastewater or any type of septic lines will not be allowed
 - (h) Normal Pool Elevation Setback (Waterside).
 - (1) No private utilities containing electricity and communication lines and built into boat-related uses for dock lighting and tying into connections with power stations will be allowed at, upon or over the Lake
 - (2) No private utilities containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds will be allowed at, upon or over the Lake.
 - (3) No private utilities containing wastewater or any type of septic lines will be allowed at, upon or over the Lake.
 - (i) Easement Protection.
 - (1) Private utilities will have to be developed in consideration of existing easement/right-of-way or

identified future easement/right-of-way or identified or set aside access paths, and built to handle load factors associated with emergency and service vehicles

- (2) An existing and future easement running through a leased property will be allowed to substitute for the 12-foot-wide primary access right-of-way path provided it is 12 feet wide, suitable for access, and will connect to adjacent access paths

(j) Additional Requirements.

- (1) Earth work for the construction of a private utilities must comply with the erosion control standards set in the Interlocal Agreement and Lease
- (2) Private utilities must comply with all other City of Rockwall codes.

(6) Private Walks.

- (a) Description. Private walks can be a single path or a network of paths installed by the leasing property owner in the take area no greater than 48 inches in width

(b) Allowances and Disallowances.

- (1) Steps are allowed with private walks
- (2) Walks parallel with the shoreline are prohibited without approved erosion control structure

(c) Building Materials.

- (1) Private walks will be built using native stone, brick, and/or rectangular concrete pavers
- (2) Private walks will not consist of loose stone, gravel, sand, asphalt, or concrete

- (d) Height and Depth Regulations. Private walks must be flushed with the level surrounding terrain, or work within the gradient present in the surrounding terrain

- (e) Takeline Setback. No setback requirements

- (f) Side Yard Setback. There will be a ten-foot setback on both side yards

- (g) Normal Pool Elevation Setback (Landside). A private walk will be allowed up to three feet from the normal pool elevation (435.5 feet mean sea level), with 12 feet dedicated for emergency, service, and utility access and the private walk constructed to handle the load of heavy emergency and maintenance vehicles

- (h) Normal Pool Elevation Setback (Waterside). No private walk will be allowed going into the Lake

(i) Easement Protection.

- (1) Private walks may encroach into an existing easement/right-of-way, encroach into an identified future easement/right-of-way, or encroach into an identified or set aside access path, provided that the property owner or sublease is responsible for repair and/or replacement of the walks in the event they are

damaged or removed by the city or other public entity as a result of the necessary use of, or work within or around, such easements.

- (2) An existing and future easement running through a leased property will be allowed to substitute for the 12-foot-wide primary access right-of-way path provided it is 12 feet wide, suitable for access, and will connect to adjacent access paths

(j) Additional Requirements.

- (1) Earth work construction involved with private walks must comply with the erosion control standards set in the Interlocal Agreement and Lease

- (2) Private walks must comply with all other City of Rockwall codes

(7) Fencing.

- (a) Description. A fence is a permanent barrier intended to prevent escape or intrusion or to mark a boundary.

- (b) Allowances and Disallowances. A fence is only allowed to enclose an area of the takeline that is measured a maximum of 45 feet from the existing rear lot property corners along the projected lease lines

(c) Building Materials.

- (1) A fence will not consist of wood or plastic
- (2) A fence will not be a chain-link fence
- (3) A fence will be built of wrought iron or tubular steel posts with less than four-inch spacing and no greater than two (2) inches in width

- (d) Height and Depth Regulations. The height of a fence shall not exceed 48 inches as measured from adjacent grade.

- (e) Takeline Setback. No setback requirements

- (f) Side Yard Setback. No setback requirements

- (g) Normal Pool Elevation Setback (Landside). No setback requirements

- (h) Normal Pool Elevation Setback (Waterside). No fence will be allowed at, upon or over the Lake

(i) Easement Protection.

- (1) A fence will not encroach into an existing designated drainage way or drainage easement or right-of-way, encroach into an identified future drainage way or drainage easement or right-of-way, or encroach into an identified or set aside access path

- (2) An existing and future easement running through a leased property will be allowed to substitute for the 12-foot-wide primary access right-of-way path provided it is 12 feet wide, suitable for access, and will connect to adjacent access paths

(j) Additional Requirements.

- (1) The exterior color of a fence will be black.

- (2) A fence will not hinder the clear view zone of an adjacent neighbor's view corridor.
- (3) A fence must comply with all other City of Rockwall codes and require a building permit.

(8) Landing/Stairs (Connected to a Retaining Wall).

- (a) Description. A landing is defined as the level part of a staircase, as at the end of a flight of stairs. A stair is a series of steps for passing from one level to another.
- (b) Allowances and Disallowances.
 - (1) Stairs with a landing shall be allowed to be constructed in conjunction with a retaining wall if the retaining wall exceeds three feet in height measured from adjacent grade to the top of the wall.
 - (2) A landing with stairs exceeding the maximum requirements shall require a specific use permit.
- (c) Building Materials. A landing with stairs shall be constructed with exterior material of natural stone and iron railings.

FIGURE 27: LANDING/STAIRS EXAMPLE

PERSPECTIVE VIEW.



TOP VIEW.



- ❶: MINIMUM EIGHT (8) FOOT x EIGHT (8) FOOT LANDING
- ❷: VARIABLE STAIR LENGTH
- ❸: WROUGHT IRON FENCE
- ❹: STONE STAIRWAY/WALL/LANDING
- ❺: VARIABLE HEIGHT

- (d) Height and Depth Regulations. A landing with stairs will be limited to eight feet by eight feet measured at the top of the adjacent retaining wall and the staircase shall be parallel to the retaining wall with a maximum width of six feet.

- (e) Takeline Setback. No setback required.

- (f) Side Yard Setback. There will be a five-foot minimum setback on both side yards

- (g) Normal Pool Elevation Setback (Landside) A landing with stairs will be allowed within 20 feet of the normal pool elevation shoreline (435.5 feet mean sea level).

- (h) Normal Pool Elevation Setback (Waterside) A landing with stairs will be allowed beside the Lake, but not upon or over the Lake

- (i) Additional Requirements. A landing with stairs will not hinder the view clear zone of an adjacent neighbor's view corridor.

- (j) Earth work construction of a landing with a stair must comply with the erosion control standards set in the Interlocal Agreement and Lease

- (k) A landing with stairs must comply with all other City of Rockwall codes.

(9) Sprinkler/Irrigation Systems.

- (a) Description. A sprinkler system is an underground irrigation network used to water and maintain trees, shrubs, grounds and the foundations of improvements

- (b) Allowances and Disallowances. A sprinkler system will be allowed throughout most of the take area

- (c) Building Materials.

- (1) Sprinkler systems will be built using Schedule 40 PVC pipe

- (2) Sprinkler systems will not be built using metal pipe

- (3) All aboveground risers will be made of copper

- (d) Height and Depth Regulations. Sprinkler systems used for shrubs will be no higher than three feet in height from the average base of the surrounding terrain (within a three-foot radius)

- (e) Takeline Setback. No setback requirements

- (f) Side Yard Setback. A sprinkler system can be placed up to the side yard centerlines

- (g) Normal Pool Elevation Setback (Landside). A sprinkler system will be allowed up to one (1) foot of the normal pool elevation shoreline (435.5 feet mean sea level) provided no part of the system could potentially result in lake siltation or shoreline erosion.

- (h) Normal Pool Elevation Setback (Waterside). No sprinkler system will be allowed at, upon or over the Lake

- (i) Easement Protection. An existing and future easement running through a leased property will be allowed to

substitute for the 12-foot-wide primary access right-of-way path provided it is 12 feet wide, suitable for access, and will connect to adjacent access paths

(j) Additional Requirements.

- (1) Sprinkler system must be connected to the resident's existing water supply source with approved backflow prevention devices
- (2) Any damage or destruction to any part of a sprinkler system by public safety, utility, maintenance, or inspection personnel and their vehicles will be the responsibility of the leasing property owner
- (3) Earth work for the construction of a sprinkler system must comply with the erosion control standards set in the Interlocal Agreement and Lease.
- (4) A sprinkler system must comply with all other City of Rockwall codes

(10) Deck/Patio

(a) Description. A deck/patio is an anchored or concrete-paved, flat-floored roofless surface built either beside the normal pool elevation shoreline or incorporated into a promontory in the take area, with a maximum area of 1,000 square feet.

(b) Allowances and Disallowances.

- (1) Stairs with handrails made of water-resistant wood will be allowed in conjunction with a deck/patio
- (2) A deck/patio exceeding the maximum requirements shall require a specific use permit.

(c) Building Materials.

- (1) A deck/patio must be built using water resistant wood and/or native stone
- (2) Any railing built on a deck/patio will have a water-resistant wood picket with steel tubing railings or water-resistant wood

(d) Height and Depth Regulations. A deck/patio will be limited to 12 inches above the highest elevation at which the deck is located

(e) Takeline Setback. No setback requirements

(f) Side Yard Setback. There will be a 20-foot setback on both side yards

(g) Normal Pool Elevation Setback (Landside).

- (1) A deck/patio must be anchored into the ground
- (2) A deck/patio will be allowed within 20 feet of the normal pool elevation shoreline (435.5 feet mean sea level), provided a deck/patio does not block public safety personnel and their vehicles access for responding to emergencies, provided a deck/patio does not block public maintenance personnel and their vehicles access for clearing the shoreline, and

provided a deck/patio is not placed in the view clear zone of a neighbor's view corridor.

(h) Normal Pool Elevation Setback (Waterside). A deck/patio will be allowed beside the Lake, but not upon or over the Lake

(i) Additional Requirements.

- (1) A deck/patio will not hinder the view clear zone of an adjacent neighbors' view corridor.
- (2) Earth work construction of a deck/patio must comply with the erosion control standards set in the Interlocal Agreement and Lease
- (3) A deck/patio must comply with all other City of Rockwall codes.

(11) Deck/Patio Cover-Pergola.

(a) Description. A deck/patio cover - pergola is a permanent stand-alone roofed structure opened on all sides often built as a shade structure over a deck or patio. The pergola has supporting, vertical posts with rafters across the top. These are usually open and flat, running at regular intervals horizontally across the structure, and supported by side rafters. Their sides being square or rectangular in shape, they have straight lines as the basis of their structure.

(b) Allowances and Disallowances.

- (1) A deck/patio cover - pergola will not be used as a habitable dwelling structure
- (2) A deck/patio cover - pergola will not be used as a storage facility
- (3) A deck/patio cover - pergola will not be used as a shelter for domestic or wild animals
- (4) A deck/patio cover - pergola will not exceed one story
- (5) A deck/patio cover - pergola will not have an overhang greater than one foot, six inches
- (6) A deck/patio cover - pergola will have a pergola style roof with rafters across the top
- (7) A deck/patio cover - pergola roof will not be used as a deck

(c) Building Materials.

- (1) The building materials shall consist of cedar, redwood, ironwood or composite materials which may include a wood composite (natural timber fibers mixed with a high-tech plastic material), fiberglass, vinyl, urethane and cellular PVC
- (2) Pressure treated pine, railroad ties and other treated wood products are not allowed

(d) Height and Depth Regulations. The height of a deck/patio/pergola will be a maximum of 12 feet

(e) Takeline Setback. No setback requirements

- (f) Side Yard Setback. here will be a 20-foot setback on both side yards
- (g) Normal Pool Elevation (Landside).
 - (1) A deck/patio cover - pergola will be allowed below 438.0 feet mean sea level; however, it shall not hinder the clear view zone of an adjacent neighbors view corridor.
 - (2) The exterior of a deck/patio cover - pergola will measure 12 feet x 20 feet maximum with a maximum height of 12 feet.
 - (3) A deck/patio cover - pergola will be allowed within 20 of the normal pool elevation shoreline (435.5 feet mean sea level), provided the deck/patio cover - pergola does not block public safety personnel and their vehicles access for responding to emergencies, provided the deck/patio cover - pergola does not block public maintenance personnel and their vehicles access for clearing the shoreline, and provided the deck/patio cover - pergola is not placed in the view clear zone of a neighbor's view corridor.
- (h) Normal Pool Elevation (Waterside). A deck/patio cover - pergola will not be allowed at, upon or over the Lake.
- (i) Additional Requirements.
 - (1) Earth work construction of a deck/patio cover - pergola must comply with the erosion control standards set in the Interlocal Agreement and Lease
 - (2) A deck/patio cover - pergola must comply with all other City of Rockwall codes.

- (2) A gazebo will not be used as a storage facility
- (3) A gazebo will not be used as a shelter for domestic or wild animals
- (4) A gazebo will not exceed one story
- (5) A gazebo will not have an overhang greater than one foot, six (6) inches
- (6) A gazebo will have a hip roof with a slope of 2:1 ratio
- (7) A gazebo will have one cupola centered at the top of the main hip roof
- (8) A gazebo roof will not be used as a deck
- (9) A gazebo will not contain a balcony
- (10) A Gazebo exceeding the maximum requirements shall require a specific use permit.

(c) Building Materials

- (1) A gazebo will be built using steel reinforced concrete piers
 - (2) The side trellis of a gazebo will be built using wood
 - (3) The roof of a gazebo can match the roof of the take area leasing property owner's housing structure; otherwise, the roof of a gazebo will be built using a prefinished standing seam galvanized roof.
- (d) Height and Depth Regulations. The height of a gazebo will be a maximum of 15 feet.

(e) Takeline Setback. No setback requirements

- (f) Side Yard Setback. There will be a 20-foot setback on both side yards

(g) Normal Pool Elevation Setback (Landside).

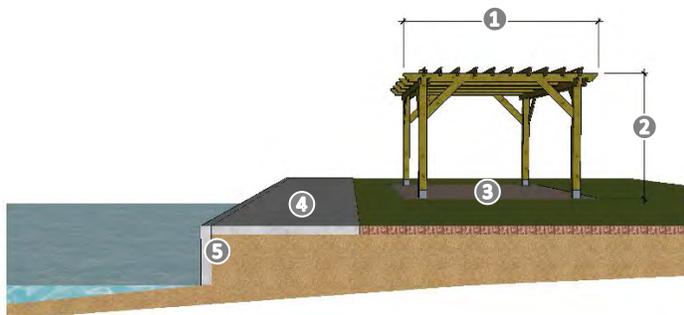
- (1) A gazebo will not be allowed below 438.0 feet mean sea level
- (2) The exterior of a gazebo will measure ten feet by ten feet maximum with a maximum height of 15 feet.
- (3) A gazebo will be allowed within 20-feet of the normal pool elevation shoreline (435.5 feet mean sea level), provided the gazebo does not block public safety personnel and their vehicles access for responding to emergencies, provided the gazebo does not block public maintenance personnel and their vehicles access for clearing the shoreline, and provided the gazebo is not place in the view clear zone of a neighbor's view corridor.

(h) Normal Pool Elevation Setback (Waterside). A gazebo will not be allowed at, upon or over the Lake

(i) Additional Requirements.

- (1) A gazebo will not hinder the clear view zone of an adjacent neighbor's view corridor.
- (2) Earth work construction of a gazebo must comply with the erosion control standards set in the Interlocal Agreement and Lease

FIGURE 28: PERGOLA EXAMPLE



- 1: 20-FOOT MAXIMUM WIDTH
- 2: 12-FOOT MAXIMUM HEIGHT
- 3: 437 FINISHED FLOOR ELEVATION
- 4: SIX (6) FOOT SIDEWALK (437 FINISHED FLOOR ELEVATION)
- 5: EXISTING SEAWALL

(12) Gazebo

- (a) Description. A gazebo is a permanent stand-alone roofed trellis structure opened on all sides with places for sitting
- (b) Allowances and Disallowances
 - (1) A gazebo will not be used as a habitable dwelling structure

- (3) A gazebo must comply with all other City of Rockwall codes

(H) Specification for Boat-Related Uses.

(1) Descriptions and Visual Measurements.

- (a) A dock deck is a flat floor surface area built over the Lake water adjoining the end of a fixed pier:
- (b) A fixed pier is a structure with a catwalk on top that extends from the shoreline out into the body of water with the structure being used to moor and land watercraft:
- (c) A boathouse is a roofed structure with a main waterside opening with an operating boatlift(s) contained within the structure and the structure built to house and protect watercraft and boat related equipment and with the boathouse structure built at the end or toward the end of an adjoining fixed pier:

(2) Boathouse Elevation. See Figure 29: Specifications for All Boat-Related Uses.

(3) Allowances and Disallowances.

(a) General Requirements:

- (1) Each eligible parcel adjacent to the take line will be permitted one fixed pier with an adjoining dock deck and/or boathouse.
- (2) Any combination of a fixed pier, dock deck and/or boathouse shall not exceed 30 feet in total width
- (3) View corridor restrictions do not apply to dock decks, fixed piers or boathouses
- (4) No boat-related structure will be used as a habitable structure
- (5) No boat-related structure will be used as a shelter for domestic or wild animals

(b) Structure-Specific Requirements:

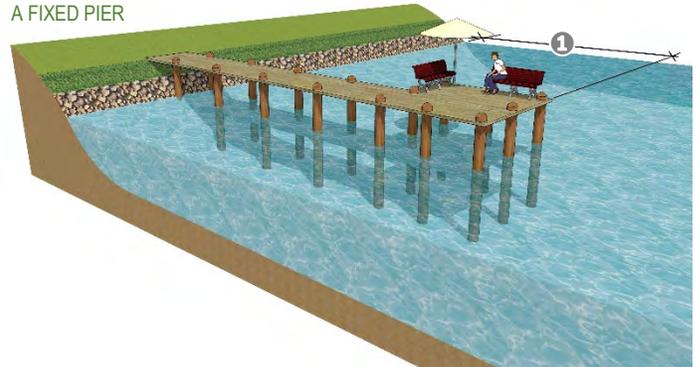
(1) Dock Decks.

- (a) Items that can be securely attached to the edge of a dock deck include the following: personal watercraft swing lift, benches, dock deck lighting (embedded and poled), locker box, and power source station.
- (b) A securely attached table can be placed on the edge or in the center of a dock deck.

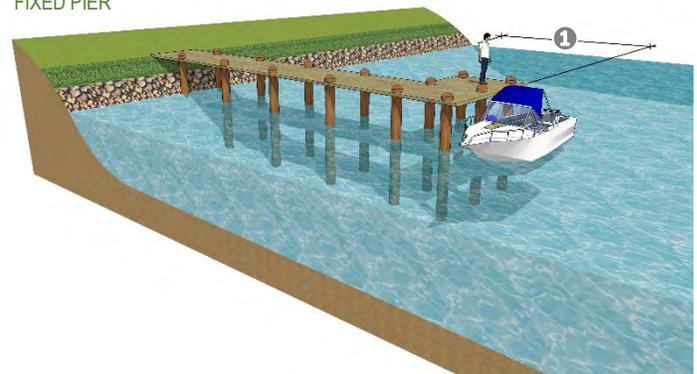
(2) Fixed Pier.

- (a) A fixed pier can be designed to be 'I' shaped, 'T' shaped, 'L' shaped or 'U' shaped.
- (b) Items that can be securely attached to the top edges of a catwalk of a fixed pier include the following: personal watercraft swing lift, bench,

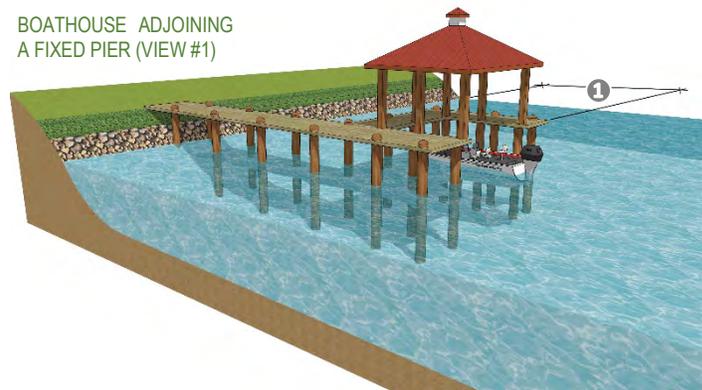
FIGURE 29: SPECIFICATIONS FOR ALL BOAT-RELATED USES
DOCK DECK ADJOINING
A FIXED PIER



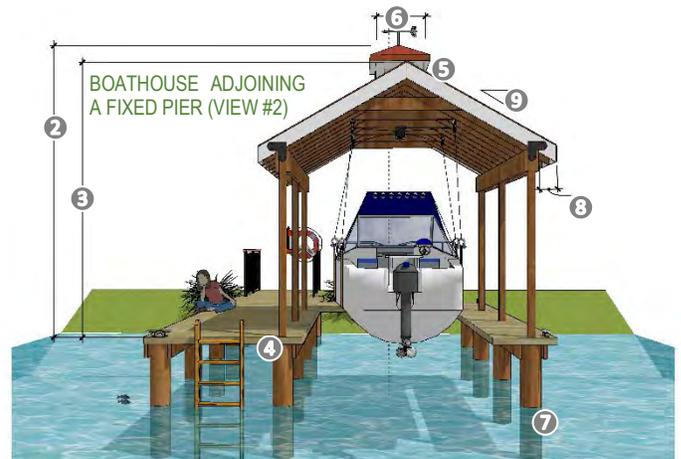
FIXED PIER



BOATHOUSE ADJOINING
A FIXED PIER (VIEW #1)



- ①: 40-FOOT MAXIMUM; ②: 21-FOOT MAXIMUM; ③: 13 TO 18-FEET MAXIMUM;
- ④: CAT WALK (UNDERSTRUCTURE TO BE ABOVE THE 437-ELEVATION); ⑤: CUPOLA;
- ⑥: 3 TO 4-FEET MAXIMUM; ⑦: 435.5-NORMAL POOL ELEVATION;
- ⑧: 1.5-FOOT MAXIMUM OVERHANG; ⑨: 2:1 ROOF PITCH (HIP ROOF ONLY)



- cleats, dock ladder, dock lighting, locker box, and power source station
- (c) Watercraft are only allowed to moor at any portion of a fixed pier for no greater than 156 hours during an entire week
- (d) Stairs with handrails made of water-resistant wood are allowed at the landside end of a fixed pier

(3) Boathouse.

- (a) A boathouse will not exceed one story
- (b) A boathouse will have a hip roof with either one cupola with a hip roof centered at the top of the main hip roof or two cupolas each with hip roofs at either end of the top of the main hip roof, with cupola(s) measuring from three feet to four feet in width
- (c) A boathouse cupola will be designed to allow updraft air and winds to vent outward
- (d) A boathouse shall be built with a 2:1 roof pitch
- (e) A boathouse roof will not be used as a deck
- (f) A boathouse will not have an overhang greater than 18 inches
- (g) A boathouse will not be used for storing any other type of items except boats and boat-related equipment
- (h) A deck ladder will be allowed inside a boathouse
- (i) A boathouse can incorporate one storage unit measuring 72 inches length by 20 inches depth by 20 inches height placed on the outer dockside to be used only for storing boat-related equipment, except fossil-fuels and hazardous materials
- (j) A boathouse must contain an operating boatlift built within the boathouse structure
- (k) A boathouse must incorporate either one regular boat lift or two personal watercraft boat lifts, and all stored watercraft must be covered by the boathouse roof
- (l) A boatlift(s) built within a boathouse must be able to hoist a watercraft(s) above 438.0 feet mean sea level
- (m) Boat engines with a fuel efficiency rating of 95% or less will be restricted from boathouses
- (n) A boathouse can be used for storing sailboats

(4) Building Materials.

- (a) Boat-related structures constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas.

- (b) A dock deck or fixed pier will be constructed above 437.0 feet mean sea level using only Ironwood, composite materials that are equivalent to or exceed Trex brand specifications, or powder-coated aluminum with a minimum color rating of AAMA 2604.
- (c) A boathouse will be constructed above 437.0 feet mean sea level using only structural galvanized steel and Ironwood, composite materials that are equivalent to or exceed Trex brand specifications, or powder-coated aluminum with a minimum color rating of AAMA 2604 (for decking, encasing, and on all fascia).
- (d) Water repellant sealants shall not be used to treat Ironwood on any boat-related structure.
- (e) Any benches built on a fixed pier or dock deck shall be constructed of water-resistant materials (wood is not permitted)
- (f) All fasteners binding wood must be made of stainless steel
- (g) A boathouse shall have a roof constructed of standing seam metal with a pre-finished color.

(5) Height and Depth Regulations.

- (a) The approved pilings used to support a dock deck, fixed pier, or boathouse must be built up to at least 17 inches above the normal pool elevation (435.5 feet mean sea level)
- (b) The flat floor surface or catwalk for all structures must be no more and no less than 18 inches above the normal pool elevation (435.5 feet mean sea level)
- (c) Dredging of the lake area is allowed for the berthing of a motorized boat into a fixed pier or boathouse provided that dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0 feet mean sea level and a width area allowable for safe boating maneuverability
- (d) Proper authorization to dredge must be obtained from the City of Rockwall, City of Dallas, U.S. Army Corps of Engineers, and Texas Parks and Wildlife
- (e) Disposal of dredge material must be handled by a license establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under City of Dallas guidelines and supervision
- (f) The maximum height for boat-related structures shall be as follows:
 - (1) Dock deck = Up to four pole structures incorporated into dock deck are allowed with a maximum height of eight-feet above the flat floor surface
 - (2) Fixed pier = Up to two pole structures incorporated into fixed pier are allowed with a maximum height of eight feet above the catwalk

- (3) A boathouse's height will range from 16 feet minimum to 21 feet maximum measured from the top of the fixed pier's catwalk to the vertex of boathouse's cupola roof
- (6) Takeline Setback. No setback requirements
- (7) Side Yard Setback. All boat-related structures permitted by the Unified Development Code (UDC) shall have a side yard setback of at least ten feet
- (8) Normal Pool Elevation (Landside).
 - (a) A dock deck or boathouse will not be allowed on land
 - (b) A fixed pier catwalk will be allowed within nine feet of the normal pool elevation shoreline (435.5 feet mean sea level)
- (9) Normal Pool Elevation (Waterside).
 - (a) The farthest point of each dock deck, fixed pier, or boathouse, or combination thereof as allowed by the Unified Development Code (UDC) will not extend more than 40 linear feet into the water measured from the seawall
 - (b) No dock deck, or fixed pier, or boathouse shall be designed so as to prevent public access to an area of water
 - (c) Size Requirements.
 - (1) Dock Deck: The footprint of the exterior sides of a dock deck adjoining a fixed pier will measure eight feet by ten feet minimum and will measure 12 feet by 30 feet maximum
 - (2) Fixed Pier: The catwalk of a fixed pier will be a maximum of six feet in width, as measured at a 90-degree angle to the main fixed pier's length, and will not enclose any portion of the water to allow the free movement of water underneath.
 - (3) The footprint of the exterior sides of a boathouse structure will measure eight feet width by 30-foot length minimum and will measure 12-foot width by 30-foot length maximum
- (10) Easement Protection. No dock deck, fixed pier or boathouse shall encroach into an existing or identified future easement, right-of-way, access road or path
- (11) Additional Requirements.
 - (a) All boat-related structures shall be designed to discourage swimming
 - (b) All boat-related structures must comply with most recent City of Rockwall codes
 - (c) All boat-related structures as defined in this the Unified Development Code (UDC) must be durable, having a base foundation construction of approved piling piers placed to a depth per structural engineer
 - (d) Vertical rub rails are required on all concrete piers
- (e) The exterior color of all dock decks and fixed piers shall be a neutral or earth tone color subject to approval by the City of Rockwall
- (f) Accessories placed on the flat floor surface of a dock deck or catwalk of a fixed pier must be placed in an orderly manner that allows for the safe movement of people
- (g) All dock decks and fixed piers shall be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation
- (h) All structures shall be designed with safety reflectors to be clearly visible on three sides on the main waterside end of the structure. Safety reflectors are required on either side of the main waterside end and the two sides at a minimum increment of ten feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three inches diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.
- (i) The placement of a residence street address sign with six-inch black letters on white background must be displayed outward towards the main body of the Lake to be recognizable for waterside public safety and emergency personnel is required on all boat-related structures (or combination thereof)
- (j) Interior and exterior lighting for any boat-related structure shall not hinder adjacent neighbors' lake area views, negatively impact surrounding residents with unwanted brightness and glare, or interfere with the safety of the traveling public
- (k) Interior lighting for a boathouse will be directed to the ceiling of the structure and the stored watercraft
- (l) Exterior lighting for a boathouse will be directed downwards toward the fixed pier with light fixtures incorporated either into the roof's overhang or the structure's columns
- (m) Safety lighting may be placed onto the interior edges of the flat floor surface of a dock deck or the catwalk of a fixed pier at ten-foot increments, with the cover housing the lighting source no higher than six inches maximum
- (n) Two light post structures with a maximum height of eight feet can be placed along the periphery of a dock deck or at the end of a fixed pier

SUBSECTION 6.16: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

See [Subsection 09.02, Variances to the General Overlay Districts Standards, of Article 11, Development Applications and Review Procedures.](#)

SECTION 07 | DISTRICT DEVELOPMENT STANDARDS

See next page.

SUBSECTION 7.01: RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

ZONING DISTRICTS →		SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT	SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT	SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT	SINGLE-FAMILY 1 (SF-1) DISTRICT	SINGLE-FAMILY 16 (SF-16) DISTRICT	SINGLE-FAMILY 10 (SF-10) DISTRICT	SINGLE-FAMILY 8.4 (SF-8.4) DISTRICT	SINGLE-FAMILY 7 (SF-7) DISTRICT	ZERO LOT LINE (ZL-5) DISTRICT	TWO-FAMILY (2F) DISTRICT	AGRICULTURAL (AG) DISTRICT
DEVELOPMENT STANDARDS ↓												
ABBREVIATION		SFE-1.5	SFE-2.0	SFE-4.0	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	AG
DWELLING UNITS/LOT		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	2.0	1.0
DWELLING UNITS/ACRE		0.67	0.5	0.25	1.0 ¹	2.7	4.4	5.2	6.2	8.7	12.4	0.1 ¹¹
MINIMUM DWELLING UNIT (SF)		2,000	2,200	2,500	2,500	2,400	2,200	1,500	1,100	1,000	800	1,600
MINIMUM LOT REQUIREMENTS	AREA (SQUARE FEET)	65,340	87,120	174,240	8,400	16,000	10,000	8,400	7,000	5,000	7,000	43,560
	WIDTH (FEET) ²	150	150	200	70	90	80	70	60	50	60	100
	DEPTH (FEET)	250	250	250	100	100	100	100	100	90	100	200
MINIMUM SETBACKS	FRONT (FEET)	50	50	50	20	25	20	20	20	20	20	40
	REAR (FEET)	10	10	10	10	10	10	10	10	10	10	10
	SIDE (FEET) ³	25	25	25	6	8	6	6	6	0 10 ⁴	0 ⁵ 6 ⁶	6
BETWEEN BUILDINGS (FEET)		10	10	10	10	10	10	10	10	10	10	12
BUILDING HEIGHT (FEET)		36	36	36	36	36	36	36	32	30	32	36
MAXIMUM LOT COVERAGE (%)		35	35	35	45	45	45	45	45	50	45	N/A
REQUIRED PARKING SPACES ⁷		2 ⁸	2 ⁸	2 ⁸	2 ⁸	2 ⁸	2 ⁸	2 ⁸	2 ⁸	2 ⁹	2 ¹⁰	2 ⁸

ADDITIONAL REQUIREMENTS:

- 1: THE SINGLE FAMILY 1 (SF-1) DISTRICT ALLOWS FOR ONE (1) UNIT PER GROSS ACRE.
- 2: FRONTAGE ON A PUBLIC STREET
- 3: THE SIDE SETBACK ADJACENT TO A STREET IS TREATED THE SAME AS A FRONT YARD BUILDING SETBACK.
- 4: MINIMUM MAINTENANCE EASEMENT IS TEN (10) FEET. MINIMUM MAINTENANCE EASEMENT ON THE NON-ZERO LOT LINE SIDE, WHEN ADJACENT TO ANOTHER LOT IN THE SAME ZONING DISTRICT IS FIVE (5) FEET (THIS EASEMENT SHALL BE MAINTAINED AS AN OPEN SPACE EXCEPT UPON A FINDING BY THE BUILDING OFFICIAL THAT THE PROPOSED IMPROVEMENTS DO NOT IMPEDE THE USE OF SAID EASEMENT FOR MAINTENANCE OF THE ADJOINING STRUCTURE).
- 5: ABUTTING STRUCTURES SEPARATED BY FIRE RETARDANT WALLS.
- 6: TOWNHOUSES SEPARATED BY FIREWALL MEETING THE REQUIREMENTS OF THE BUILDING CODE MAY BUILD TO THE PROPERTY LINE WHERE SUCH STRUCTURES ABUT.
- 7: MINIMUM LENGTH OF DRIVEWAY PAVEMENT FROM PUBLIC RIGHT-OF-WAY FOR REAR AND SIDE YARD IS 20-FEET.
- 8: AN ENCLOSED GARAGE SHALL NOT BE CONSIDERED IN MEETING THE OFF-STREET PARKING REQUIREMENTS. FOR ALL OTHER USES SEE [ARTICLE 06. PARKING AND LOADING](#).
- 9: A TWO (2) CAR GARAGE IS REQUIRED.
- 10: TWO (2) OFF-STREET PARKING SPACES PLUS ONE (1) GARAGE PARKING SPACE FOR EACH DWELLING UNIT IS REQUIRED.
- 11: A MINIMUM LOT SIZE OF TEN (10) ACRES IS REQUIRED FOR THE CONSTRUCTION OF ANY SINGLE-FAMILY DWELLING.

SUBSECTION 7.02: MULTI-FAMILY DISTRICT DEVELOPMENT STANDARDS

ZONING DISTRICTS →		MULTI-FAMILY 14 (MF-14) DISTRICT ¹
DEVELOPMENT STANDARDS ↓		
ABBREVIATION		MF-14
DWELLING UNITS/ACRE		14.0 ²
MINIMUM LOT REQUIREMENTS	SITE AREA (SQUARE FEET)	10,000
	LOT AREA (SQUARE FEET)	2,000 (PER UNIT)
	WIDTH (FEET) ³	60
	DEPTH (FEET)	100
MINIMUM SETBACKS	FRONT (FEET)	25
	REAR (FEET) W/ RESIDENTIAL ADJACENCY (FEET) ^{3 & 8}	ONE STORY = 25 TWO STORIES = 50 THREE STORIES = 75
	REAR (FEET)	10
	SIDE W/ RESIDENTIAL ADJACENCY (FEET) ^{4 & 8}	ONE STORY = 25 TWO STORIES = 50 THREE STORIES = 75
	SIDE (FEET)	ONE STORY = 10 TWO OR MORE STORIES = 15
BETWEEN BUILDINGS (FEET)		MAIN TO ACCESSORY = 10 TWO MAIN BUILDINGS W/ DOORS OR WINDOWS IN FACING WALLS = 20 TWO MAIN BUILDINGS W/O DOORS OR WINDOWS IN FACING WALLS = 15
BUILDING HEIGHT (FEET)		36
MAXIMUM LOT COVERAGE (%)		45 ⁵
MINIMUM LANDSCAPING (%) ⁷		30% OF TOTAL LOT AREA W/ 30% OF TOTAL REQUIRED IN THE FRONT AND ALONGSIDE BUILDINGS W/ STREET FRONTAGE ⁶
REQUIRED PARKING SPACES		SEE ARTICLE 06, PARKING AND LOADING

ADDITION REQUIREMENTS:

- ¹: DUPLEXES SHALL MEET THE REQUIREMENTS OF THE TWO-FAMILY (2F) DISTRICT, WITH ONLY ONE (1) DUPLEX PER LOT.
- ²: DENSITY IS CALCULATED BY GROSS ACRE.
- ³: UNENCLOSED CARPORTS MAY BE BUILT WITHIN FIVE (5) FEET OF ANY PROPERTY LINE THAT ABUTS AN ALLEY, BUT NO CLOSER THAN 20-FEET FROM ANY STREET INTERSECTION.
- ⁴: SIDE ON STREET IS TREATED THE SAME AS A FRONT YARD BUILDING SETBACK.
- ⁵: EACH DEVELOPMENT CONTAINING OVER 100 DWELLING UNITS SHALL PROVIDE 300 SF OF OPEN SPACE PER TWO (2) AND THREE (3) BEDROOM UNITS, WITH AT LEAST ONE (1) OPEN AREA WITH THE MINIMUM DIMENSIONS OF 200-FEET BY 150-FEET. SWIMMING POOLS, TENNIS COURTS AND OTHER RECREATIONAL FACILITIES CAN BE COUNTED TOWARD THE OVERALL OPEN SPACE REQUIREMENT, BUT NOT TOWARD THE REQUIRED 200-FEET BY 150-FEET AREA.
- ⁶: ANY PARKING LOT WITH MORE THAN TWO (2) ROWS OF PARKING SPACES SHALL HAVE A MINIMUM OF TWO (2) PERCENT OF THE INTERIOR OF THE PARKING LOT LANDSCAPED. SUCH LANDSCAPING SHALL BE COUNTED TOWARD THE LANDSCAPING REQUIREMENT.
- ⁷: ALL REQUIRED LANDSCAPED AREAS SHALL BE PERMANENTLY MAINTAINED AND SHALL HAVE AN IRRIGATION SYSTEM INSTALLED MEETING ALL APPLICABLE CITY CODES.
- ⁸: LOTS WITH MORE THAN FIVE (5) DWELLING UNITS THAT ARE CONTIGUOUS TO A RESIDENTIAL ZONING DISTRICT, MUST BE SEPARATED BY A BUFFER AS ESTABLISHED IN [ARTICLE 08, LANDSCAPE AND FENCE STANDARDS](#).

SUBSECTION 7.03: NON-RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

*: FOR DEVELOPMENT IN THE DOWNTOWN (DT) DISTRICT SEE THE STANDARDS IN [SECTION 04.08, DOWNTOWN \(DT\) DISTRICT](#).

ZONING DISTRICTS →		RESIDENTIAL-OFFICE (RO) DISTRICT	NEIGHBORHOOD SERVICES (NS) DISTRICT	GENERAL RETAIL (GR) DISTRICT	COMMERCIAL (C) DISTRICT	HEAVY COMMERCIAL (HC) DISTRICT	LIGHT INDUSTRIAL (LI) DISTRICT	HEAVY INDUSTRIAL (HI) DISTRICT
DEVELOPMENT STANDARDS ↓								
ABBREVIATION		RO	NS	GR	C	HC	LI	HI
MAXIMUM BUILDING SIZE (SF)		N/A	5,000 ¹	25,000 ²	N/A	N/A	N/A	N/A
MINIMUM LOT REQUIREMENTS	AREA (SF)	6,000 ³	6,000	6,000 43,560	10,000 43,560	12,500 43,560	12,500 43,560	87,120
	WIDTH (FEET)	60	60	60 200	60 200	100 200	100 200	200
	DEPTH (FEET)	100	100	100 200	100 200	125 200	125 200	350
MINIMUM SETBACKS	FRONT (FEET)	25 ^{4,12}	15 ⁵	15 ^{4,5}	15 ^{4,5}	25 ⁴	25 ⁴	50+1/2H>36 ⁷ 50 ⁴
	REAR (FEET)	30	20 W/O FRW & ALLEY	10 W/O FRW & ALLEY	10 W/O FRW & ALLEY	20 W/O FRW & ALLEY	10 W/O FRW ⁷	20 + 1/2H>36 W/O FRW ⁷
			0 W/ FRW & ALLEY	0 W/ FRW & ALLEY	0 W/ FRW & ALLEY	1/2H>36 W/ FRW & ALLEY	1/2H>36 W/ FRW & ALLEY ⁷	8 + 1/2H>36 W/ FRW & ALLEY ⁷
	REAR ADJACENT RESIDENTIAL (FEET) ⁶	N/A	20	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	50 + 1/2H>36 ⁷
	SIDE (FEET)	10	5 W/O FRW	10 W/O FRW	10 W/O FRW	15 + 1/2H>36 W/O FRW ⁷	15 + 1/2H>36 W/O FRW ⁷	15 + 1/2H>36 W/O FRW ⁷
0 W/ FRW			0 W/ FRW	0 W/ FRW	1/2H>36 W/ FRW ⁷	1/2H>36 W/ FRW ⁷	8 + 1/2H>36 W/ FRW ⁷	
SIDE ADJACENT RESIDENTIAL (FEET) ⁶	20	20	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	50	
BETWEEN BUILDINGS (FEET)		15 W/O FRW 0 W/ FRW	15 W/O FRW 0 W/ FRW	15 W/O FRW 0 W/ FRW	15 W/O FRW 0 W/ FRW	15 + 1/2H>36 W/O FRW ⁷	15 + 1/2H>36 W/O FRW ⁷	25 + 1/2H>36 W/O FRW ⁷
						1/2H>36 W/ FRW ⁷	1/2H>36 W/ FRW ⁷	16 + 1/2H>136 W/ FRW ⁷
BUILDING HEIGHT [H] (FEET)		36	36	36 ⁸	60 ⁹	60 ⁹	60 ¹³	60 ¹³
MAXIMUM LOT COVERAGE (%)		40	40	40	60	60	60	85
FLOOR AREA RATIO (FAR)		0.33	N/A	2:1	4:1	4:1	2:1	4:1
MAXIMUM IMPERVIOUS PARKING (%)		75-80 ¹¹	80-85	85-90	85-90	90-95	90-95	90-95
MAXIMUM NUMBER OF ENTRANCES AND/OR EXITS	ARTERIAL STREETS	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰
	COLLECTOR STREETS	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰
	LOCAL STREETS	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰
MINIMUM LANDSCAPING (%)		SEE ARTICLE 08, LANDSCAPE AND FENCE STANDARDS						

KEY: BLUE: WHEN ADJACENT TO INTERSTATE 30; H: BUILDING HEIGHT; 1/2H>36: ONE-HALF THE BUILDING HEIGHT OVER 36-FEET; FRW: FIRE RETARDANT WALL W/O FRW: WITHOUT FIRE RETARDANT WALL

ADDITIONAL REQUIREMENTS:

- 1: A MAXIMUM BUILDING SIZE OF 5,000 SF IN AREA, UNLESS OTHERWISE APPROVED THROUGH A SUP BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL.
- 2: A MAXIMUM BUILDING SIZE OF 25,000 SF IN AREA, UNLESS OTHERWISE APPROVED THROUGH A SUP BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL.
- 3: MAXIMUM LOT AREA IS 43,560 SF.
- 4: FROM FUTURE RIGHT-OF-WAY AS SHOWN ON THE ADOPTED MASTER THOROUGHFARE PLAN OR AS ACTUALLY EXISTS, WHICHEVER IS GREATER.
- 5: PARKING SHOULD NOT BE LOCATED BETWEEN THE FRONT FAÇADE AND THE PROPERTY LINE.
- 6: LOTS WITH NON-RESIDENTIAL USES THAT HAVE A SIDE OR REAR YARD CONTIGUOUS OR SEPARATED ONLY BY AN ALLEY, EASEMENT, OR STREET, FROM ANY RESIDENTIAL DISTRICT MUST BE SEPARATED FROM SUCH RESIDENTIAL DISTRICT BY A BUFFER AS DEFINED IN [ARTICLE 08, LANDSCAPE AND FENCE STANDARDS](#); OR AS APPROVED BY THE PLANNING AND ZONING COMMISSION.
- 7: NOT TO EXCEED 50-FEET.
- 8: BUILDING HEIGHT MAY BE INCREASED UP TO 60-FEET IF APPROVED THROUGH A SUP BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL.
- 9: BUILDING HEIGHT MAY BE INCREASED UP TO 240-FEET IF APPROVED THROUGH A SUP BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL.
- 10: (OR) AS APPROVED BY PLANNING AND ZONING COMMISSION.
- 11: A MINIMUM OF SEVEN (7) PERCENT OF THE INTERIOR OF THE PARKING LOT -- NOT INCLUDING THE SETBACK AND LANDSCAPE BUFFER -- SHALL BE PERVIOUS LAND AREA WITH ADDITIONAL PLANTINGS TO CREATE AN AMENITY OPEN SPACE.
- 12: PARKING SHALL NOT BE PERMITTED IN THE REQUIRED SETBACK.
- 13: BUILDING HEIGHT MAY BE INCREASED UP TO 120-FEET IF APPROVED THROUGH A SPECIFIC USE PERMIT (SUP) BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL.

SUBSECTION 7.04: ACCESSORY STRUCTURE DEVELOPMENT STANDARDS

ZONING DISTRICTS OR ACCESSORY STRUCTURE TYPE → DEVELOPMENT STANDARDS ↓		ACCESSORY STRUCTURES & ACCESSORY BUILDINGS ^{1 & 3}					PORTABLE ACCESSORY BUILDING 0 SF – 120 SF ⁸	DETACHED GARAGE ^{8 & 9}	COVERED PORCHES, PERGOLAS, AND CARPORTS ^{7 & 8}
		SINGLE FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT	SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT	SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT	ALL OTHER SINGLE-FAMILY ZONING DISTRICTS (I.E. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	TWO FAMILY (2F) DISTRICT			
NUMBER OF ACCESSORY STRUCTURES OR NUMBER OF SPECIFIC ACCESSORY STRUCTURE		2 ²	2 ²	2 ²	2	1	1	1	1 ¹²
MAXIMUM SF OF ACCESSORY STRUCTURE ⁵		1,000 ²	1,000 ²	1,250 ²	144 ⁶	100	120	625	500 ¹¹
MINIMUM SETBACKS	REAR (FEET)	10	10	10	3	3	3	10	10 ^{10 & 11}
	REAR W/ ALLEYWAY (FEET)	20 ⁴	20 ⁴	20 ⁴	3	3	3	20 ⁴	20 ^{10 & 11}
	SIDE (FEET)	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	3	3	SEE ZONING DISTRICT	SEE ZONING DISTRICT ^{10 & 11}
BETWEEN BUILDINGS (FEET)		10	10	10	6	3	3	10	10
BUILDING HEIGHT (FEET) ⁸		15	15	15	15	10	10	15	15

ADDITIONAL REQUIREMENTS:

1. ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES SHALL BE ACCESSORY TO A RESIDENTIAL USE AND LOCATED ON THE SAME LOT. UNLESS STIPULATED ABOVE, ONLY TWO (2) ACCESSORY STRUCTURES ARE PERMITTED PER SINGLE-FAMILY LOT; EXCLUDING CARPORTS THAT ARE INTEGRATED INTO THE MAIN ACCESSORY STRUCTURE.
2. IF MORE THAN ONE (1) ACCESSORY BUILDING IS PROPOSED OR IF AN ACCESSORY BUILDING, 625 SF OR LESS, IS EXISTING THEN THE MAXIMUM ACCESSORY BUILDING THAT CAN BE CONSTRUCTED IS 400 SF. IF THERE IS AN EXISTING ACCESSORY BUILDING GREATER THAN 625 SF NO ADDITIONAL ACCESSORY BUILDINGS OR STRUCTURES ARE PERMITTED.
3. ACCESSORY BUILDINGS AND STRUCTURES SHALL BE ARCHITECTURALLY COMPATIBLE WITH THE PRIMARY STRUCTURE, AND BE SITUATED BEHIND THE FRONT FAÇADE OF THE PRIMARY STRUCTURE.
4. IF THE ACCESSORY BUILDING DOES NOT HAVE GARAGE DOORS FACING THE ALLEYWAY THE SETBACK IS THE SAME AS THE BASE ZONING DISTRICT.
5. ACCESSORY BUILDINGS AND STRUCTURES NOT MEETING THE SIZE REQUIREMENTS STIPULATED BY THIS SECTION SHALL REQUIRE A SPECIFIC USE PERMIT (SUP).
6. EACH PROPERTY SHALL BE PERMITTED ONE (1) DETACHED GARAGE UP TO 625 SF AND ONE (1) ACCESSORY BUILDING UP TO 144 SF.
7. IN RESIDENTIAL DISTRICTS, CARPORTS MUST BE OPEN ON AT LEAST TWO (2) SIDES, ARCHITECTURALLY INTEGRATED INTO THE PRIMARY STRUCTURE, AND BE LOCATED 20-FEET BEHIND THE CORNER OF THE FRONT FAÇADE AND MEET THE GARAGE SETBACK ADJACENT TO AN ALLEY. PORTE-COCHERES ARE NOT CONSIDERED CARPORTS, AND ARE ALLOWED, IF THEY ARE ATTACHED AND INTEGRAL WITH THE DESIGN OF THE HOUSE.
8. TWO (2) STORY ACCESSORY BUILDINGS OR STRUCTURES SHALL BE PROHIBITED.
9. SHALL INCLUDE A MINIMUM OF ONE (1) GARAGE BAY DOOR LARGE ENOUGH TO PULL A STANDARD SIZE MOTOR VEHICLE THROUGH.
10. COVERED PORCHES AND PERGOLAS THAT ARE DETACHED OR NOT CONTIGOUS WITH THE PRIMARY STRUCTURE SHALL BE PERMITTED TO BE LOCATED WITHIN THREE (3) FEET OF THE REAR (OR REAR WITH ALLEYWAY) AND SIDE YARD PROPERTY LINE.
11. COVERED PORCHES AND PERGOLAS THAT ARE ATTACHED OR CONTIGOUS WITH THE PRIMARY STRUCTURE SHALL BE EXEMPTED FROM THE SIZE RESTRICTIONS BUT SHALL BE REQUIRED TO MEET THE SAME SETBACKS AS THE PRIMARY STRUCTURE.
12. PERGOLAS ARE NOT SUBJECT TO THE NUMBER OF ACCESSORY STRUCTURE REQUIREMENTS, BUT DO COUNT AGAINST THE RESIDENTIAL LOT COVERAGE REQUIREMENTS FOR THE ZONING DISTRICT.

ARTICLE 06 | PARKING AND LOADING

- SECTION 01 | PURPOSE
- SECTION 02 | APPLICABILITY
- SECTION 03 | GENERAL PROVISIONS
- SECTION 04 | RESIDENTIAL PARKING
- SECTION 05 | OFF-STREET PARKING REQUIREMENTS
- SECTION 06 | OFF-STREET LOADING REQUIREMENTS



SECTION 01 | PURPOSE

SUBSECTION 01.01: PARKING

The purpose of this Article is to regulate the number of required off-street vehicular parking spaces so as:

- To provide for the needs of occupants, customers, visitors or others involved in the use or occupancy of any building, structural improvement or place of assembly;
- To eliminate undue use of the street system for parking purposes;
- To avoid the occurrence of nonresident on-street parking in adjoining neighborhoods;
- To protect the environment by promoting trip reduction and efficient land use through an analytic process in which the amount of parking may be limited to what is realistically needed for the uses on the site, thus reducing concrete/asphalt areas, heat islands and air pollution;
- To promote and protect the public health, safety, comfort, convenience and general welfare; and
- To grant and define the administrative powers and duties necessary to enforce this Article.

SUBSECTION 01.02: LOADING

It is also the purpose of this Article to require allocation of sufficient off-street/on-site loading facilities by businesses and industry to ensure that the loading and unloading of vehicles will not interfere with traffic flow or block roadways or fire lanes.

SECTION 02 | APPLICABILITY

SUBSECTION 02.01: CONSTRUCTION OR CREATION OF USE

Any building, improvement, or use of land approved or erected shall include the necessary off-street parking spaces, and require off-street/on-site loading facilities subject to the standards established in this Article.

SUBSECTION 02.02: CHANGE OF USE

Whenever any building, improvement, or use of land is proposed to be changed to a new use, the provision of off-street parking and loading shall be required for the new use in accordance with this Article.

SUBSECTION 02.03: EXPANSION OF AN EXISTING USE

If any building, improvement, or use of land is expanded, the provisions for parking and loading shall be provided for the portion of land use and/or building that has been added.

SUBSECTION 02.04: RENOVATION OR REDEVELOPMENT

Notwithstanding Subsection 02.02 above, if any building, improvement, or use of land is repaired, renovated, altered, expanded or redeveloped, and the cost of such changes exceed 50% of the fair market value of the building improvement prior to the subject improvements, the parking and loading facilities set forth in this Article shall be made conforming, unless

a specific use permit has been approved for such reduction in the provision of parking or loading.

SECTION 03 | GENERAL PROVISIONS

SUBSECTION 03.01: CALCULATION OF SPACES

- (A) Fractional Number of Spaces. In determining the required number of parking spaces, fractional spaces shall be counted to the nearest whole space. Parking spaces located in buildings used for repair garages or auto laundries shall not be counted as meeting the required minimum parking.
- (B) Parking Structures Excluded. Floor area of structures devoted to off-street parking of vehicles shall be excluded in computing the floor area for off-street parking requirements.
- (C) Requirements for Uses Not Listed. The off-street parking requirements for a use not specifically listed in the schedule below shall be the same as required for a use of a similar nature as determined by the Director of Planning and Zoning.

SUBSECTION 03.02: PAVING MATERIALS

All required parking and loading areas, public and private drives, and fire lanes shall be constructed of concrete, but may have a surface treatment of brick, stone or other similar material. However, cast interlocking concrete, brick, or stone pavers installed on a prepared base may be used in parking areas and on public and private drives where approved by the City Engineer.

SUBSECTION 03.03: LOCATION OF COMMERCIAL PARKING AND LOADING SPACES

The required off-street parking and loading spaces shall be located on the same lot as the building or use served; except, off-street parking may also be located as follows:

- (A) Parking May Be Located Off-Site.
 - (1) When an increase in the number of off-street parking spaces is required by a change or enlargement of use, or where off-street parking spaces are provided collectively or used jointly by two (2) or more buildings or establishments, the required off-street parking spaces may be located at a distance not to exceed 400-feet from the building being served; provided, however, that a written agreement thereto is properly executed and filed as provided below.
 - (2) The distance from the land use requiring parking to the off-site parking site shall be measured along the shortest legal pedestrian path between one site and the other.
 - (3) All off-site parking must first be approved by City Council.
- (B) Joint Use of Parking. Parking adjustments may be allowed according to the following percentages by time of day:

TABLE 1: JOINT USE OF PARKING CALCULATIONS

TIME OF DAY	OFFICE	RETAIL	RESTAURANT	THEATER	HOTEL
6:00 AM - 12:00 PM	1.00	0.97	0.50	0.30	1.00
12:00 PM - 1:00PM	0.90	1.00	0.70	0.70	0.30
1:00 PM - 4:00 PM	0.97	0.97	0.60	0.70	0.45
4:00 PM - 6:00 PM	0.47	0.82	0.90	0.80	0.70
6:00 PM - 8:00 PM	0.07	0.89	1.00	1.00	1.00
8:00 PM - 12:00 AM	0.03	0.61	1.00	1.00	1.00

EXAMPLE 1: JOINT USE OF PARKING CALCULATIONS

An example of a mixed-use development comprised of the below land uses would be as follows:

Step 1: Development Square Footages

- Office: 50,000 SF
- Retail: 20,000 SF
- Restaurant: 8,000 SF

Step 2: Individual Parking Requirements

LAND USE	SF	PARKING REQUIREMENT	REQUIRED PARKING
OFFICE	50,000	1/300 SF	167
RETAIL	20,000	1/250 SF	80
RESTAURANT	8,000	1/100 SF	80
TOTAL:			327

Step 3: Shared Parking Requirements

TIME OF DAY	OFFICE	RETAIL	RESTAURANT	TOTAL
6:00 AM - 12:00 PM	1.00x167=167	0.97x80=78	0.50x80=40	285
12:00 PM - 1:00PM	0.90x167=150	1.00x80=80	0.70x80=56	286
1:00 PM - 4:00 PM	0.97x167=162	0.97x80=78	0.60x80=48	288
4:00 PM - 6:00 PM	0.47x167=78	0.82x80=66	0.90x80=72	216
6:00 PM - 8:00 PM	0.07x167=12	0.89x80=71	1.00x80=80	163
8:00 PM - 12:00 AM	0.03x167=5	0.61x80=49	1.00x80=80	134

Step 4: The parking required is 288 parking spaces. This is a reduction of 39 parking spaces or 11.9% over the individual parking requirements.

(C) Off-Site Parking Agreement.

- (1) When the required off-street parking spaces are not located on the same lot with the building or use served, or when the required off-street parking spaces are provided collectively or used jointly by two (2) or more establishments, a written agreement which ensures the retention of such spaces for this purpose, and for a period of not less than two (2) years, shall be drawn and executed by the parties concerned, approved as to form by the City Attorney, and filed with the application for a building permit or Certificate of Occupancy (CO) if a change in use is involved.
- (2) If the off-site parking is terminated for any reason, then alternative parking meeting the standards of this Article, shall be required, or the property shall lose its Certificate of Occupancy (CO).

- (D) Parking in Front Yards of Residential and Agriculture. No required off-street parking space shall be located in the required front yard in any residential or agricultural district.
- (E) Parking in Front Yards of Non-Residential. In any nonresidential district, the required off-street parking space may be located in the required front yard provided that it meets landscaping and screening requirements in [Article 08, Landscape Standards.](#)

SUBSECTION 03.04: LIGHTING OF PARKING AND LOADING AREAS

- (A) Spill-Over Lighting. All lighting facilities shall be so arranged as to reflect the illumination away from any adjacent property. Such lighting facilities shall provide illumination within parking areas not to exceed a maintained average of 1½- footcandles at ground level, and shall distribute not more than 0.2 of one (1) footcandle of light upon any adjacent residential property. (also see [Section 03, Outdoor Lighting for Non-Residential Properties, of Article 07, Environmental Standards.](#))
- (B) Lighting as a Nuisance or Safety Hazard. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not intrude on residential property or create a hazard to motorists on any street, alley or other public way.

SUBSECTION 03.05: PAY PARKING LOTS

No charge may be made for at-grade visitor parking spaces, unless approved by City Council as part of a specific Use Permit.

SUBSECTION 03.06: SHARED PARKING/CROSS ACCESS

In master planned retail centers, cross access and shared parking agreements are required for final platting.

SECTION 04 | RESIDENTIAL PARKING

SUBSECTION 04.01: LOTS LESS THAN FIVE (5) ACRES

- (A) Location. All required residential parking shall be located onsite except in the Downtown District.
- (B) Garages. In single-family or duplex districts, parking garages must be located at least 20-feet behind the front building facade for front entry garages, unless it is a *J-Swing* garage where the garage door is perpendicular to the street.
- (C) Carports. In single-family or duplex districts, carports must be located at least 20-feet behind the front building facade and be architecturally integrated with the main residential structure.

SECTION 05 | OFF-STREET PARKING REQUIREMENTS

SUBSECTION 05.01: OFF-STREET PARKING REQUIREMENTS

The schedule of off-street parking requirements in [Table 5](#) establishes parking requirements for all zoning districts.

SUBSECTION 05.02: CONVENTIONS USED IN PARKING REQUIREMENT SCHEDULE

- (A) Square Feet. The term *SF* means gross square feet of building, unless otherwise noted.
- (B) Site Area Parking Requirements. The parking requirement for a use of site area is based on the net site area exclusive of parking and buildings.
- (C) Land Uses. Land uses listed under *Permitted Uses* in the accompanying schedule does not mean that this use is permitted within the City. Please refer to [Article 04, Permissible Uses](#).

SUBSECTION 05.03: OFF-STREET PARKING STANDARDS

- (A) Head-In Parking. An off-street parking space shall not be located on a public street. Head-in parking adjacent to a public street wherein the maneuvering of the vehicle in parking or leaving a parking space is done directly onto a public street, shall not be allowed in nonresidential zoning districts nor shall it be allowed in conjunction with multi-family residential land uses unless specifically approved as part of a special district zoning ordinance such as for the downtown.
- (B) Parking Spaces and Aisle Surfaces. All parking spaces, aisles and maneuvering areas shall have an all-weather surface, whether enclosed or unenclosed, and shall be connected by an all-weather surfaced driveway to a street or alley.
- (C) Parking Space and Aisle Dimensions. All parking spaces and aisle dimensions shall conform to the off-street parking requirements contained in the City's [Standards of Design and Construction](#) manual, as amended, unless otherwise approved by the Planning and Zoning Commission and City Council.
- (D) Site Access for Vehicles. Access to a lot or tract shall conform to the access control guidelines in the driveway ordinance. A driveway conforming to City driveway standards shall be constructed for each approved access point. A permit must be obtained from the City to construct a driveway within the City.

SUBSECTION 05.04: HANDICAPPED PARKING

In each parking facility, a portion of the total number of parking spaces shall be specifically designated as handicapped accessible parking spaces and reserved for vehicles licensed by the state for use by the handicapped. The following parking and passenger loading standards shall apply to any new construction within the City.

- (A) Space Required.

TABLE 2: HANDICAPPED PARKING SPACE REQUIREMENT

TOTAL REQUIRED PARKING IN LOT	REQUIRED NUMBER OF HANDICAPPED SPACES
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2% OF TOTAL
1,001+	20 + 1/100 OVER 1,000

- (B) Construction Standards. Parking spaces and facilities intended for use by the handicapped shall be designed and constructed in accordance with the standards established by state law, City ordinances and the Americans with Disabilities Act (ADA).
- (C) Size of Spaces. Accessible parking spaces shall be at least 108-inches wide and shall be served by a pedestrian maneuvering access aisle at least 60-inches wide. The access aisle shall be part of an accessible route to the building or facility entrance. Two (2) accessible parking spaces may share a common access aisle. Accessible parking spaces and access aisles shall be level with surface slopes not exceeding 2% in any direction.
- (D) Van Accessible Spaces. One (1) in every eight (8) accessible spaces, but not less than one (1), shall be served by an access aisle not less than 108-inches wide and provide a minimum vertical clearance of 98-inches at the parking space and along at least one (1) vehicle access route to such parking space from site entrance and exit. All such spaces shall be designated "van accessible" and may be grouped on one (1) level of a parking structure.
- (E) Sign Handicapped Accessible Spaces. Accessible spaces shall be designated as reserved by a sign showing a symbol of accessibility. Such signs shall be located so they cannot be obscured by a vehicle parked in the space.
- (F) Accessible Routes to the Building or Facility. At least one (1) accessible route within the boundary of a site shall be provided from public transportation stops (*if available*), accessible parking and accessible passenger loading zones, and public streets or sidewalks to the accessible building entrance. The accessible route shall, to the maximum extent feasible, coincide with the route for the general public.
- (G) Accessible Routes On-Site. At least one (1) accessible route shall connect accessible buildings, facilities, elements and spaces that are on the same site.
- (H) Accessible Route Design Standards. An accessible route shall have a minimum clear width of 36-inches and provide adequate space for a wheel chair turn around. If an accessible route has less than 60-inches clear width, then passing spaces of at least 60-inches by 60-inches shall be located at reasonable intervals, not to exceed 200-feet. A 'T' intersection of two (2) corridors or walks is an acceptable passing place.

SECTION 06 | OFF-STREET LOADING REQUIREMENTS

SUBSECTION 06.01: APPLICABILITY

All non-residential structures which contain a gross floor area of 10,000 square feet or more shall provide and maintain off-street loading facilities on the same lot. Such off-street loading facilities shall be located adjacent to a public way or private service drive, in accordance with the following requirements:

- (A) Unless an alternative is supported by design standards and approved as part of the detailed site plan, no area allocated to loading and unloading facilities may be used to satisfy the area

requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.

- (B) Any loading dock or loading area must provide a maneuvering area located entirely on private property, and shall not utilize any public right-of-way, and shall not block any drive, aisle or fire lane.
- (C) Loading docks that are within 400-feet of a residential district shall be equipped with noise attenuation devices and screened from view of adjacent residential lots.

SUBSECTION 06.02: LIGHTING OF LOADING AREAS

All lighting facilities shall be so arranged as to reflect the illumination away from any adjacent property. Such lighting facilities shall provide illumination within loading areas not to exceed 1.5 Foot Candles (FC) at ground level, and shall distribute not more than 0.2 of one (1) FC of light upon any adjacent property.

All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not intrude on residential property or create a hazard to motorists on any street alley or other public way.

SUBSECTION 06.03: DUMPSTER TRASH RECEPTACLES

All driveways to trash receptacles shall be designed to accommodate the weight of a 56,000 gross vehicular weight (GVW) sanitation truck. Lifting aprons shall be provided in front of each trash receptacle location to accommodate the front wheels of the sanitation truck. Access to the trash receptacle and lift apron shall be in a *straight in* manner, or other manner as approved by the City Engineer. Trash receptacles shall not be located beneath any overhead utility line.

SUBSECTION 06.04: SIZE

Loading spaces shall be a minimum of 12-feet in width, 65-feet in length, and 14-feet in height except as may otherwise be approved by the City Engineer.

SUBSECTION 06.05: OFF-STREET LOADING REQUIREMENTS

Any use that receives or distributes material, supplies or merchandise by motor vehicle shall provide off-street loading space in accordance with the following requirements.

- (A) Retail, Commercial, and Industrial Land Uses.

TABLE 3: COMMERCIAL OFF-STREET LOADING REQUIREMENTS

GROSS FLOOR AREA (SF)	MINIMUM REQUIRED LOADING SPACES
0 – 10,000	0
10,001 – 40,000	1
40,001 – 100,000	2
100,001 – 160,000	3
160,001 – 240,000	4
240,001 – 320,000	5
320,001 – 400,000	6
400,001+	PARKING STUDY REQUIRED

- (B) Auditoriums, Exhibition Halls, Hotels and Sports Arenas.

TABLE 4: RESTAURANTS AND PUBLIC FACILITIES LOADING REQUIREMENTS

GROSS FLOOR AREA (SF)	MINIMUM REQUIRED LOADING SPACES
0 – 10,000	0
10,001 – 150,000	2
150,001 – 300,000	4
300,001 – 600,000	5
600,000+	PARKING STUDY REQUIRED

TABLE 5: PARKING REQUIREMENT SCHEDULE

AGRICULTURAL LAND USES	
LAND USE	MINIMUM PARKING REQUIRED
Agricultural Uses on Un-Platted Land (25-Acre+)	N/A
Animal Hospital or Clinic	1/500 SF
Animal Production	1/200 SF
Crop Production	N/A
Commercial Corral or Stable	1/2 Horse Stalls
Private Horse Corral or Stable	1/2 Horse Stalls
Wholesale Nursery (Growing Only)	N/A
RESIDENTIAL	
LAND USE	MINIMUM PARKING REQUIRED
Boarding or Rooming House	1/75 SF (Sleeping Area Only)
Duplex	2/Dwelling Unit
Guest Quarters/Domestic or Security Unit	1.5/Unit
Multi-Family Unit with One (1) Bedroom	1.5/Unit
Multi-Family Unit with Two (2) Bedroom	2.0/Unit
Multi-Family Unit with Three (3) Bedroom	2.5/Unit
Servants/Caretakers Quarters	1/Bedroom
Single-Family Attached	2/Dwelling Unit
Single-Family Detached	2/Dwelling Unit
Single-Family Townhome	2/Dwelling Unit
Single-Family Zero Lot Line	2/Dwelling Unit
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	
LAND USE	MINIMUM PARKING REQUIRED
Auditorium or Assembly Hall	1/3 Seats or 1/100 SF ¹
Church/House of Worship	1/4 Seats
College, University, or Seminary	1/4 Students
Community Center	1/200 SF
Convalescent Care Facility	1/Bed & 1/Employee on Shift ³
Nursing Home	1/6 Beds & 1/Employee on Shift ³
Daycare with Seven (7) of More Children	1/300 SF & 4 Cueing Pickup/Drop-Off
Emergency Ambulance Service	1/300 SF & 1/750 SF of Site Area
Government Facility	1/300 SF
Hospice	1/6 Beds & 1/Employee on Shift ³
Hospital	1/Bed ²
Library, Art Gallery, or Museum	1/350 SF
Post Office	1/300 SF Customer Service Area
Retirement Home	1/Bedroom
Residential Care Facility	1/6 Beds & 1/Employee on Shift ³
Vocational School	1/Student
Public or Private Primary School	1/25 Students
Public or Private Secondary School	1/5 Students
OFFICE AND PROFESSIONAL LAND USES	
LAND USE	MINIMUM PARKING REQUIRED
Financial Institution with or without Drive-Through	1/300 SF
Medical Office	1/200 SF
Office Building	1/300 SF
RECREATION, ENTERTAINMENT, AND AMUSEMENT LAND USES	
LAND USE	MINIMUM PARKING REQUIRED
Billiard Parlor or Pool Hall	1/100 SF or 1/4 Seats ¹
Indoor Commercial Amusement/Recreation	1/3 Occupancy
Public or Private Community or Recreation Club	3/Game Court or Bowling Alley, 1/250 SF of Assembly Area, & 25% Permitted on Pervious Surface
Public or Private Golf Course	5/Golf Green
Park or Playground	1/1,000 SF of Site Area
Recreation Facility, Health Club, or Gym	3/Game Court & 1/200 SF
Sports Arena, Stadium, and/or Track	1/3 Seats
Private Club	1/100 SF or 1/4 Seats ¹
Theater	1/3 Seats
RECREATION, ENTERTAINMENT, AND AMUSEMENT LAND USES	
LAND USE	MINIMUM PARKING REQUIRED
Antique/Collectable	1/250 SF
Auto/Truck Parts and Accessories	1/250 SF
Hair Salon, Manicurist, or Barbershop	1/250 SF
Hotel	1/Unit & 50% of Accessory Uses
Motel	1/Unit & 50% of Accessory Uses
Laundry/Dry Cleaning	1/250 SF

Mailing Service	1/300 SF
Full Service Restaurant	1/100 SF or 1/4 Seats ¹
Limited Service Restaurant	1/250 SF
Retail Store with Gasoline Sales	1/250 SF
General Retail Store	1/250 SF
Art, Photography, or Music Studio	1/250 SF
Veterinarian (i.e. Not a Hospital or Clinic)	1/300 SF

COMMERCIAL AND BUSINESS SERVICES LAND USES	
LAND USE	MINIMUM PARKING REQUIRED
Building and Landscape Materials	1/250 SF with a Minimum of 5
Commercial Other than Listed	As Determined by the Director
Exhibit Hall	1/100 SF
Medical or Scientific Research Laboratory	As Determined by the Director
Mortuary or Funeral Home	1/300 SF & 1/100 SF for Chapel
Research and Technology	1/500 SF or 1/Employee ¹
Shoe and Boot Repair and Sales	1/250 SF
Trade School	1/20 SF of Classroom Area

AUTO AND MARINE LAND USES	
LAND USE	MINIMUM PARKING REQUIRED
Auto Body Repair	2/Service Bay
Auto Mechanical Repair	2/Service Bay
Quick Lube/Oil Change	2/Service Bay
Truck Stop with Fuel and Accessory Services	1/200 SF for Retail/Restaurant, 2/Service Bay, & Mix of Truck and Car Stalls to be Determined by the Director
Truck/Trailer Rental	1/200 SF with a Minimum of 5

INDUSTRIAL AND MANUFACTURING LAND USES	
LAND USE	MINIMUM PARKING REQUIRED
Apparel Manufacturing	1/200 SF
Asphalt or Concrete Batch Plant	As Determined by the Director
Industrial and Manufacturing Other Than Listed	As Determined by the Director
Light Assembly and Fabrication	1/500 SF or 0.75/Employee ^{1&3}
Heavy Manufacturing	1/500 SF or 0.75/Employee ^{1&3}
Printing, Engraving, and Related Businesses	1/300 SF or 1/Employee ¹
Welding Repair	1/500 SF or 1/2 Employees ¹

INDUSTRIAL AND MANUFACTURING LAND USES	
LAND USE	MINIMUM PARKING REQUIRED
Distribution of Books or Other Printed Materials	1/1,000 or 1/2 Employees ¹
Gas/Chemical Bulk Storage	1/2,000 SF of Site Area
Mini-Warehouse	3 Parking Spaces & 1/100 Units
Packaging and/or Distribution	1/2,000 SF of Site Area or 1/2 Employees ¹
Recycling Collection Center and/or Storage	1/1,000 SF or 1/Employee ¹
Warehouse with Inside Storage	1/1,000
Outside Storage	As Determined by the Director
Warehouse Distribution Center	As Determined by the Director

UTILITIES, TRANSPORTATION, AND COMMUNICATION LAND USES	
LAND USE	MINIMUM PARKING REQUIRED
Commercial Antenna	1 Parking Space
Telephone Switching Station	1 Parking Space
Electrical Substation	1 Parking Space
Utility Shop and Storage	1/2,000 SF of Site Area
Airport, Heliport, or Landing Field	As Determined by the Director
Helistop	5 Spaces for Commercial and 3 Spaces for Non-Commercial

Notes:
¹: Whichever is greater.
²: As determined by the Director of Planning and Zoning.
³: Number of employees.

ARTICLE 07 | ENVIRONMENTAL PERFORMANCE

SECTION 01 | PURPOSE

SECTION 02 | APPLICABILITY

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SECTION 01 | PURPOSE

The purpose of this Article is to set forth regulations which protect the public from the potential negative effects of industrial and intense commercial development by regulating smoke and particulate matter, odorous matter, fire or explosive materials, toxic and noxious matter, vibration, open storage, glare and fuel supply in the vicinity of such sites.

SECTION 02 | APPLICABILITY

The following performance standards shall apply to all zoning districts in the City of Rockwall.

SECTION 03 | OUTDOOR LIGHTING FOR NON-RESIDENTIAL PROPERTIES

SUBSECTION 03.01: DEFINITIONS

- (1) Candela. A measurement quantified in unit(s) of luminous intensity in any given direction. It is also commonly referred to as candlepower(s).
- (2) Floodlight. An artificial illumination in broad beam, above 15 watts with a light source that extends more than two inches below the horizontal plane of the lamina.
- (3) Footcandle (FC). means the amount of illumination provided by one lumen uniformly distributed on one square foot of surface.
- (4) Full Cut-Off. A light source that does not extend below the horizontal plan of the luminaire.
- (5) Light Source. The device which produces visible energy, such as a bulb.
- (6) Lumen. The quantity of luminous flux intercepted by a surface of one square foot, all points of which are one foot from a uniform source of one candela. A one-candela source provides 12.57 lumens.
- (7) Luminaire. A complete lighting unit including a light source and all necessary mechanical, electrical, reflective, and decorative parts.
- (8) Partial Cut-Off. A light source that extends no more than one inch below the horizontal plan of luminaire.
- (9) Standard. The light pole and base.
- (10) Temporary Holiday Lighting. The type of lighting typically used during the holiday periods.

SUBSECTION 03.02: PROHIBITED LIGHTING

It shall be unlawful to display or operate the following:

- (A) An unshielded light source, including bare bulbs, above 15 watts, except for temporary holiday lighting.
- (B) The operation of search lighting is prohibited except it shall be permitted for a period not to exceed 14 days from grand openings and promotional events with permission of the building official.

SUBSECTION 03.03: MINIMUM REQUIREMENTS

- (A) Glare. In order to preserve the night sky and to reduce glare on roadways, pedestrian areas and adjacent development, light sources (e.g. light bulbs) shall be oriented down and toward the

center of the site or shielded so as to not be visible from the property line. This applies to refractory lenses which extend beyond the lighting fixture and are designed to redirect the lighting source horizontally. This does not apply to neon or internally lit signs, or to decorative lighting with 15 watts or less per bulb.

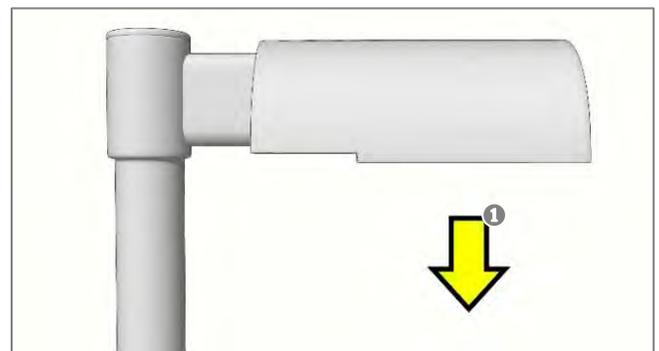
- (B) Light at Residential Property Line. The allowable maximum light intensity measured at the property line of a residentially zoned lot shall be 0.2 of one footcandle.
- (C) Light at Non-Residential Property Line. The allowable maximum light intensity measured at the property line of any non-residentially zoned lot shall be 0.2 of one (1) footcandle or 0.2 FC. For planned shopping centers or other commercial developments that contain more than one lot, the Planning and Zoning Commission may consider lighting plans that are intended to increase lighting efficiency and reduce the number of overall light fixtures, but result in light spillover across common lot lines within the same development. However, in no case shall light levels exceed 0.2 FC at the property lines adjacent to the street and/or along the perimeter of the development.
- (D) Height. No light pole, base or combination thereof shall exceed 30 feet, unless further restricted within an Overlay District as specified in [Article 05, District Development Standards, of the Unified Development Code \(UDC\)](#).
- (E) Building and Pole Mounted Lighting. All building and pole mounted luminaires exceeding 15-watts shall be directed down with either a partial cut-off or full cut-off source. See *Figures 1-4* below.

FIGURE 1: EXAMPLE OF FULL CUT-OFF BUILDING MOUNTED FIXTURE



1: DIRECTION OF LUMINATION

FIGURE 2: EXAMPLE OF FULL CUT-OFF POLE MOUNTED FIXTURE



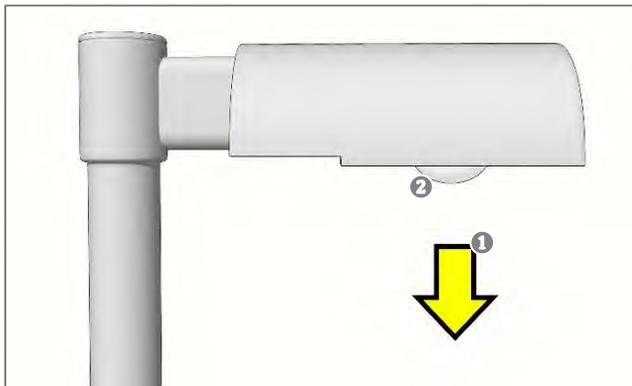
1: DIRECTION OF LUMINATION

FIGURE 3: EXAMPLE OF PARTIAL CUT-OFF BUILDING MOUNTED FIXTURE



1: DIRECTION OF LUMINATION; 2: ONE (1) INCH MAXIMUM REVEAL

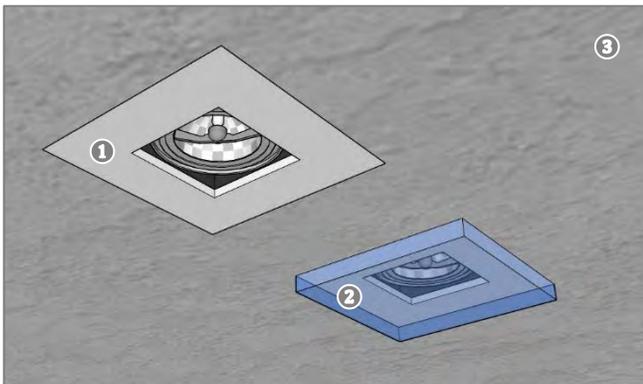
FIGURE 4: EXAMPLE OF PARTIAL CUT-OFF POLE MOUNTED FIXTURE



1: DIRECTION OF LUMINATION; 2: ONE (1) INCH MAXIMUM REVEAL

- (F) Under-Canopy Lighting. All under-canopy lighting, including, but not limited to, those fixtures utilized at fueling stations, drive-through lanes, and covered parking structures, shall be fully recessed into the canopy (See Figure 5).

FIGURE 5: EXAMPLES OF UNDER-CANOPY LIGHTING



1: FLUSH LENS (I.E. FULLY RECESSED); 2: PROJECTING LENS (I.E. NOT FULLY RECESSED); 3: CEILING

- (G) Illumination. The maximum outdoor maintained, computed and measured illumination level within any nonresidential development

shall not exceed 20 FC outdoors at any point on the site, with the following exceptions:

- (1) Under-canopy lighting (e.g., fuel stations, drive-through lanes and covered parking structures) shall not exceed 35 FC. The remainder of the property shall comply with the 20-FC maximum.
 - (2) Lighting for motor vehicle dealerships shall not exceed 30 FC within the front yard(s) of the development. The remainder of the property shall comply with the 20-FC maximum.
- (H) Exemptions. Historic or antique-style pedestrian light fixtures approved by the Planning and Zoning Commission are excluded from these standards.

SUBSECTION 03.04: PLAN REQUIRED

A photometric plan describing compliance with the provisions of this section shall be submitted to the Director of Planning and Zoning prior to the issuance of any building permit or Certificate of Occupancy (CO) that proposes additional lighting. This plan shall be prepared by an appropriate lighting designer such as a lighting engineer, architect or other qualified lighting designer. Upon installation of the lighting, the designer shall provide a letter certifying that the lighting is installed in accordance with the approved design and this section. The Director of Planning and Zoning shall have the authority to interpret and determine compliance with this section. The Planning and Zoning Commission may grant exemptions to the provisions of this Article if compliance will result in substantial financial hardship or inequity, so long as said exemption is without harm to the public. Decisions of the Planning and Zoning Commission may be appealed to the City Council.

SUBSECTION 03.05: NON-CONFORMING LIGHTING

Luminaries installed prior to the adoption of this Unified Development Code (UDC) shall be exempt from the requirements herein.

SUBSECTION 03.06: EXEMPTIONS

Lighting installed by or for a governmental agency for the public benefit that is used for activities for the public benefit such as right of way, ball fields, airports and parks. However, parking lot lighting for these activities shall be meet the requirements of the section.

SECTION 04 | NOISE

SUBSECTION 04.01: IN GENERAL

Refer to [Article IV, Noise, of Chapter 16, Environment, of the Municipal Code of Ordinances](#) for noise regulations.

SECTION 05 | SMOKE AND PARTICULATE MATTER

SUBSECTION 05.01: STANDARDS

No industrial operation or use shall cause, create, or allow the emission for more than three minutes in any one hour, of air contaminants which at the emission point or within the bounds of the property are:

- (A) In violation of the standards specified by the Texas Natural Resource Conservation commission, or subsequent agency; or
- (B) Of such capacity as to obscure an observer's view to a degree equal to or greater than does smoke or contaminants in the standard

prescribed in *Subsection A* above except that, when the presence of steam is the only reason for failure to comply or when such contaminants are emitted inside a building which prevents their escape into the outside atmosphere, performance shall be considered to comply with this section.

SUBSECTION 05.02: COMBINED STANDARDS

The emission of particulate matter from all sources in a district subject to this Article shall not exceed the level specified by the Texas Natural Resource Conservation Commission, or subsequent agency.

SUBSECTION 05.03: STANDARDS MEASURED AT THE PROPERTY LINE

Open storage and open processing operations, including on-site transportation movements which are the source of wind or airborne dust or other particulate matter; or which involve dust or other particulate air contaminant generating equipment including, but not limited to, paint spraying, grain handling, sand or gravel processing or storage or sand blasting shall be so conducted such that dust and other particulate matter so generated are not transported across the boundary property line or the tract on which the use is located in concentrations exceeding standards set by the Texas Natural Resource Conservation Commission.

SECTION 06 | ODOROUS MATTER

SUBSECTION 06.01: APPLICABILITY

No use shall be operated in any zoning district in such a manner that the emission of odorous matter occurs in such quantity or volume as to produce a nuisance, source of discomfort or hazard beyond the bounding property lines of such use.

SUBSECTION 06.02: DETERMINATION

The odor threshold as herein referred to shall be determined by observation by a person or persons designated by the City Council. In any case, where the operator of an odor-emitting use may disagree with the enforcing officer where specific measurement of odor concentration is required, the method and procedures specified by the American Society for *Testing Materials* ASTM D 1391-57 entitled Standard Method for Measuring Odors in Atmosphere shall be used.

SECTION 07 | TOXIC AND NOXIOUS MATTER

No industrial operation or other use shall emit toxic or noxious matter in any concentration across the bounding property line of the tract on which operation or use is located. The requirements of the Texas Air Control Board shall be met.

SECTION 08 | VIBRATION

Any industrial operation or activity which shall cause at any time and at any point along the nearest adjacent property line, earthborn vibrations in excess of the limits set forth in column I (below) are prohibited. In addition, any industrial operation or activity which shall cause at any time and at any point along a zone boundary line, earthborn vibrations in excess of the limits set forth in column II are prohibited. Vibrations shall be expressed as resultant displacement in inches.

TABLE 1: VIBRATION STANDARDS

FREQUENCY (CYCLES PER SECOND)	DISPLACEMENT I (INCHES)	DISPLACEMENT II (INCHES)
0 – 10	0.0008	0.0004
10 – 20	0.0005	0.0002
20 – 30	0.0002	0.0001
30 – 40	0.0002	0.0001
40+	0.0001	0.0001

This tabulation is for steady state vibration; which is defined as continuous vibration in contrast to discrete pulses. Impact vibration, that is, discrete pulses which do not exceed 100 pulses per minute, shall not produce in excess of twice (two times) the displacement stipulated above.

SECTION 09 | FIRE OR EXPLOSIVE HAZARD MATERIAL

SUBSECTION 09.01: EXPLOSIVE AND/OR FLAMMABLE MATERIAL

The storage, manufacture and/or use of all explosive and/or flammable liquids, solids or gases shall be permitted only when such storage, manufacture or use conforms to the standards and regulations established in [Chapter 18, Fire Prevention and Protection, of the Municipal Code of Ordinances](#), as well as all other applicable city codes.

SECTION 10 | WATER AND WASTE POLLUTION

SUBSECTION 10.01: WATER POLLUTION

No operation or activity shall discharge or cause to be discharged, liquid or solid waste into public waters unless in conformance with the provisions of the Texas Water Quality Board.

SUBSECTION 10.02: LIQUID OR SOLID WASTE

No discharge at any point will be allowed into any public sewer, private sewer disposal system, or stream or into the ground, except in accordance with standards approved by the state health department or standards equivalent to those approved by such department, for similar uses, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment or otherwise cause the emission of dangerous or offensive elements. All discharges shall comply with all applicable city ordinances.

ARTICLE 08 | LANDSCAPE AND FENCE STANDARDS

- SECTION 01 | PURPOSE
- SECTION 02 | APPLICATION OF ARTICLE
- SECTION 03 | LANDSCAPE PLAN
- SECTION 04 | APPROVED LANDSCAPE MATERIALS
- SECTION 05 | LANDSCAPE STANDARDS
- SECTION 06 | LANDSCAPE CREDITS
- SECTION 07 | COMPLETION OF LANDSCAPING
- SECTION 08 | FENCE STANDARDS
- SECTION 09 | GENERAL MAINTENANCE



SECTION 01 | PURPOSE

The purpose of Article 08, *Landscape and Fence Standards*, is to create standards for landscaping and fencing that will complementary to the design and location of existing buildings, streets, sidewalks, and open spaces in the City of Rockwall. By doing this, this Article acknowledges the unique natural beauty of the City, its environment, and the existing vegetation and tree canopy, and sets forth standards that ensure their protection. This Article also strives to create natural barriers and soft transition for land uses through the use of natural screening methods and non-transparent fencing.

SECTION 02 | APPLICATION OF ARTICLE

SUBSECTION 02.01: APPLICABILITY

(A) *Landscape and Screening.*

- (1) The landscape and screening provisions of this Article shall apply to:
 - (a) All new residential or non-residential development within the corporate limits of the City of Rockwall with the exception of the exemptions listed in Subsection 02.01.(A)(2).
 - (b) The expansion of a non-residential building or structure that increases the existing floor area by 30% or that adds 2,000 SF of floor area.
 - (c) The expansion of a non-residential parking lot that increases the existing impervious area by 30% or that adds 2,000 SF of impervious coverage.
- (2) The landscape and screening provisions of this Article shall *not* apply to:
 - (a) Any property with a Landscape Plan and/or Site Plan that was approved prior to the adoption of this Article, unless an amended Landscape Plan and/or Site Plan is required by the requirements of Subsection 02.01(A) or [Article 11, Development Applications and Review Procedures](#).
 - (b) The restoration of a building or structure that has been damaged by fire, flood, explosion, riot, act of the public enemy, natural disaster, or accident of any kind and is permitted by [Section 06, Non-Conforming Uses, Structures, and Sites, of Article 04, Permissible Uses](#). For the purposes of this exemption restoration is defined as repairing a building or structure to return it to its former state.
 - (c) Properties containing only single-family and/or duplex land uses.
 - (d) Properties zoned Downtown (DT) District, as defined by [Subsection 04.07, Downtown \(DT\) District, of Article 05, District Development Standards](#).

(B) *Fences.*

- (1) The fence provisions of this Article shall apply to:
 - (a) The construction of all new residential or non-residential fences.

- (b) The repair of an existing residential or non-residential fence that requires the replacement of 25-linear feet or more.
 - (c) The repair of an existing residential or non-residential fence that requires the replacement of five (5) or more posts.
- (2) The fence provisions of this Article shall *not* apply to:
 - (a) The repair of a residential or non-residential fence that does not require a fence permit and that is not subject to the requirements of Subsection 02.01(B)(1).
 - (C) *Overlay Districts.* In addition to the requirements contained in this Article, properties within an establish Overlay District shall be subject to the requirements stipulated by [Subsection 06.02, General Overlay District Standards, of Article 05, District Development Standards](#). In instances where the requirements of this Article conflict with the requirements of the *General Overlay District Standards*, the more restrictive standard will apply.
 - (D) *Planned Development Districts.* The landscaping requirements contained in this Article shall be incorporated into all new or amended Planned Development Districts, unless otherwise approved by the City Council upon recommendation from the Planning and Zoning Commission.

SUBSECTION 02.02: EXCEPTIONS TO THE LANDSCAPING STANDARDS

The Planning and Zoning Commission may grant an exception to the landscaping standards contained in this Article upon a finding that the resulting landscaping or landscaping plan will be equivalent to or exceed the requirements stipulated by this Article, and provide an improvement to the aesthetics of the surrounding area. All exceptions to these requirements will be subject to the approval criteria and voting requirements of [Section 09.01, Exceptions to the General Standards, of Article 11, Development Applications and Review Procedures](#).

SUBSECTION 02.03: EXCEPTIONS TO THE FENCE STANDARDS

All exceptions to the fence standards contained in this Article will be subject to the requirements of [Section 08, Fence Standards](#).

SECTION 03 | LANDSCAPE PLAN

SUBSECTION 03.01: LANDSCAPE PLAN SUBMITTAL

- (A) *Submittal of a Landscape Plan.* A Landscape Plan is required to be submitted as part of an application for a Site Plan or an Amended Site Plan as stipulated by [Section 03, Site Plans, of Article 11, Development Applications and Review Procedures](#).
- (B) *Landscape Plan Content.* The Director of Planning and Zoning or his/her designee shall establish and maintain a list of the required criteria necessary for the submittal of a Landscape Plan.
- (C) *Preparation of a Landscape Plan.* Landscape Plans shall be prepared by a *Landscape Architect* or a member in good standing of the American Society of Landscape Architects (ASLA) unless otherwise permitted by the Director of Planning and Zoning.

SUBSECTION 03.02: APPROVAL OF A LANDSCAPE PLAN

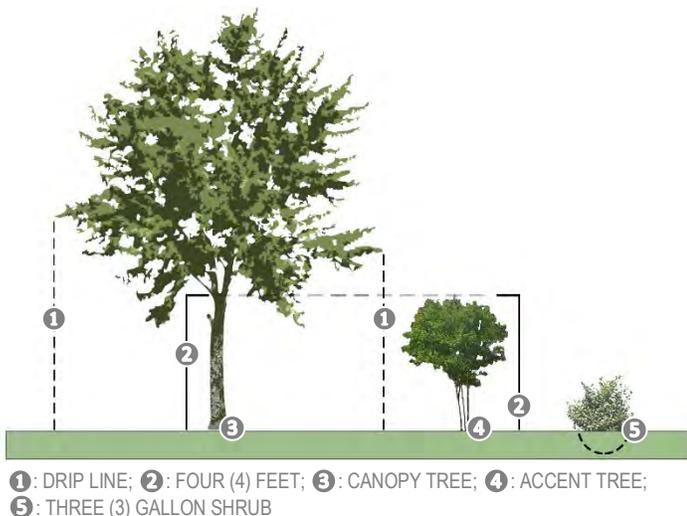
- (A) Administrative Approval. Landscape Plans that are submitted in conjunction with a Site Plan or an Amended Site Plan that can be reviewed and acted upon at an administrative level -- as defined in [Section 03, Site Plans, of Article 11, Development Applications and Review Procedures](#) -- may be approved, approved with condition, or denied by the Director of Planning and Zoning or his/her designee.
- (B) Approval by the Planning and Zoning Commission. The Planning and Zoning Commission may approve a Landscape Plan in accordance with the procedures for approving a Site Plan or an Amended Site Plan as stipulated by [Section 03, Site Plans, of Article 11, Development Applications and Review Procedures](#).

SECTION 04 | APPROVED LANDSCAPE MATERIALS

In satisfying the landscape requirements of this Article, it is recommended that all landscaping utilize high-quality, hardy plant materials. Such plant materials shall adhere to the following requirements:

- (A) Approved Planting Materials.
 - (1) All planting materials should conform to the recommended planting materials outlined in [Appendix C, Landscape Guidelines and Requirements](#); however, alternative tree, shrub, and grass varieties may be approved by the Director of Planning and Zoning pending the submission of a Landscape Plan and/or a written request.
 - (2) Unless otherwise noted in this Unified Development Code (UDC), the minimum tree and shrub size at the time of installation shall be as follows:
 - (a) *Canopy Trees* shall be a minimum of four (4) caliper inches at DBH.
 - (b) *Accent Trees* shall be a minimum of four (4) feet in total height.
 - (c) Shrubs shall be a minimum of three (3) gallons in size.

FIGURE 1: APPROVED PLANTING MATERIALS AND SIZE



- (3) For the purposes of this section, the height of an Accent Tree shall be measured from the root flare or from the soil level if still in the container.
- (4) DBH or *Diameter at Breast Height* is the standard dendrometric measurement for trees, and is measured at a height of four (4) feet above grade.
- (5) The City of Rockwall encourages developments to incorporate xeriscaping/smartscaping to promote reduced water usage through the use of drought tolerant plants. The City's *Xeriscaping/Smartscaping Standards and Guidelines* are outlined in [Section 05.05, Xeriscaping and Smartscaping Standards](#).

(B) Prohibited Planting Materials.

- (1) Artificial or synthetic plant materials (e.g. *artificial grass, turf, trees shrubs*) shall be prohibited.

SECTION 05 | LANDSCAPE STANDARDS

SUBSECTION 05.01: LANDSCAPE BUFFERS

The minimum requirements for landscape buffers shall be as follows:

- (A) Residential Landscape Buffers in Subdivisions. (see *Figure 2: Residential Landscape Buffers Example*)
 - (1) Abutting a Collector Street. A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any residential lot or subdivision that abuts a collector street. All residential lots adjacent to a collector street shall incorporate one (1) canopy tree per 50-linear feet of frontage along the collector street inside the required landscape buffer. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.
 - (2) Abutting a Perimeter Collector Street or Arterial Roadway. A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any residential lot or subdivision that abuts a perimeter collector street or arterial roadway. All landscape buffers adjacent to a perimeter collector street or arterial roadway shall incorporate ground cover, a *built-up berm* and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a total minimum height of 30-inches. In addition, one (1) canopy tree and one (1) accent tree shall be required to be planted in the required landscape buffer per 50-linear feet of frontage along the perimeter collector street or arterial roadway. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.
- (B) Non-Residential Landscape Buffers. (see *Figure 3: Commercial Landscape Buffers Example*)
 - (1) Abutting a Public Right-of-Way. A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any non-residential lot that abuts a public right-of-way (i.e. *collector street, arterial roadway, or alleyway*) or a residentially zoned or used property that is located directly across a public street (regardless of the size of the street). All landscape buffers adjacent to a public right-of-way shall incorporate ground cover, a *built-up berm* and shrubbery along the entire

length of the frontage. Berms and shrubbery shall have a total minimum height of 30-inches. In these areas a minimum of one (1) canopy tree and one (1) accent tree shall be incorporated into the landscape buffer per 50-linear feet of frontage along the adjacency. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.

(2) *Abutting Residential.* A minimum of a 20-foot wide landscape buffer shall be required along the entire length of any non-residential lot that abuts a residentially zoned or used property. For planting requirements in these landscape buffers see [Subsection 05.02\(B\), Screening from Residential.](#)

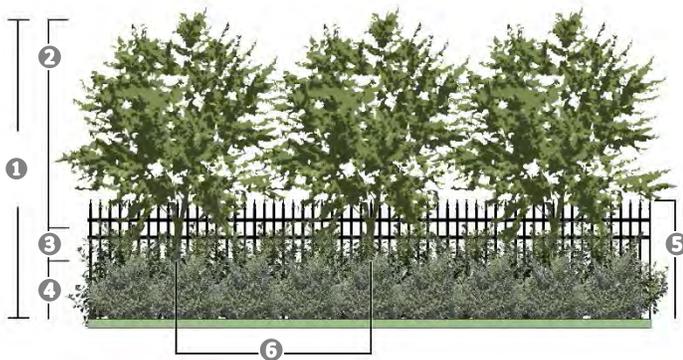
(C) *Buildings and Paving within a Required Landscape Buffer.* Buildings and paving (e.g. parking lots) shall not be permitted within any required landscape buffer; however, sidewalks and trails shall be permitted.

SUBSECTION 05.02: LANDSCAPE SCREENING

(A) *Loading Docks and Outside Storage Areas.* Off-street loading docks and outside storage areas shall be screened from all public streets, open space, adjacent properties and any residential zoning districts or residentially used properties that abut or are directly across a public street or alley from the loading dock or outside storage area in accordance with the requirements of [Subsection 01.05, Screening Standards, of Article 05, District Development Standards.](#) As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates one (1) of the following options:

(1) *Alternative #1.* A wrought iron fence and three (3) tiered screening (i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees) along the entire length of the adjacency. The canopy trees shall be placed on 20-foot centers.

FIGURE 4: ALTERNATIVE #1



1: THREE (3) TIERED SCREEN; 2: CANOPY TREE; 3: ACCENT TREE OR LARGE SHRUB; 4: SMALL SHRUB; 5: MINIMUM SIX (6) FOOT WROUGHT IRON FENCE; 6: CANOPY TREES 20-FOOT ON CENTER

(2) *Alternative #2.* A wrought iron fence with a mix of two (2) rows of staggered mature evergreen trees and one (1) row of deciduous canopy trees (a minimum six [6] caliper inches) along the entire length of the adjacency. All trees will be planted on 20-foot centers.

FIGURE 2: RESIDENTIAL LANDSCAPE BUFFERS EXAMPLE



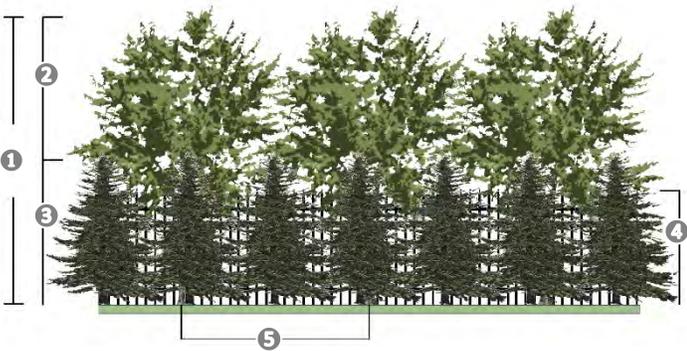
1: RESIDENTIAL PROPERTY; 2: BUILD LINE; 3: COLLECTOR STREET; 4: TEN (10) FOOT LANDSCAPE BUFFER; 5: PERIMETER COLLECTOR OR ARTERIALS ROADWAY

FIGURE 3: COMMERCIAL LANDSCAPE BUFFERS EXAMPLE



1: STREET; 2: RESIDENTIALLY ZONED OR USED PROPERTY; 3: INDUSTRIAL OR COMMERCIAL ZONING/USE; 4: ALLEYWAY; 5: TEN (10) FOOT LANDSCAPE BUFFER WITH ACCENT AND CANOPY TREES; 6: 20-FOOT LANDSCAPE BUFFER WITH THREE (3) TIERED SCREENING

FIGURE 5: ALTERNATIVE #2



①: THREE (3) TIERED SCREEN; ②: CANOPY TREE; ③: TWO (2) ROWS OF EVERGREEN ACCENT TREES 20-FOOT OFFSET; ④: MINIMUM SIX (6) FOOT WROUGHT IRON FENCE; ⑤: CANOPY TREES 20-FOOT ON CENTER

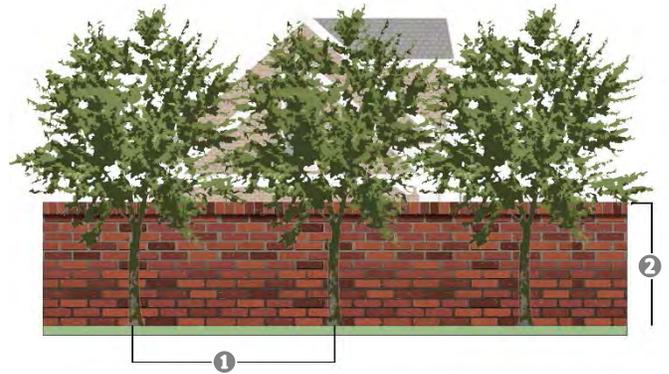
(B) *Screening from Residential.* Any non-residential or multi-family land use or parking area that has a side or rear contiguous to any residentially zoned or used property shall be screened with a masonry fence a minimum of six (6) feet in height with canopy trees planted on 20-foot centers (as depicted in Figures 6 & 7 below). As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates a wrought iron fence and three (3) tiered screening (i.e. [1] small to mid-sized shrubs, large shrubs or accent trees, and canopy trees or [2] evergreen trees and canopy trees) along the entire length of the adjacency (as depicted in Figure 8, 9, & 10 below). The canopy trees shall be placed on 20-foot centers.

FIGURE 6: MASONRY FENCE WITH CANOPY TREES IN PLAN VIEW



①: COMMERCIAL PROPERTY; ②: 20-FOOT LANDSCAPE BUFFER; ③: CANOPY TREES 20-FOOT ON CENTER; ④: MINIMUM SIX (6) FOOT MASONRY WALL ON PROPERTY LINE; ⑤: RESIDENTIAL PROPERTY;

FIGURE 7: MASONRY FENCE WITH CANOPY TREES IN PERSPECTIVE VIEW



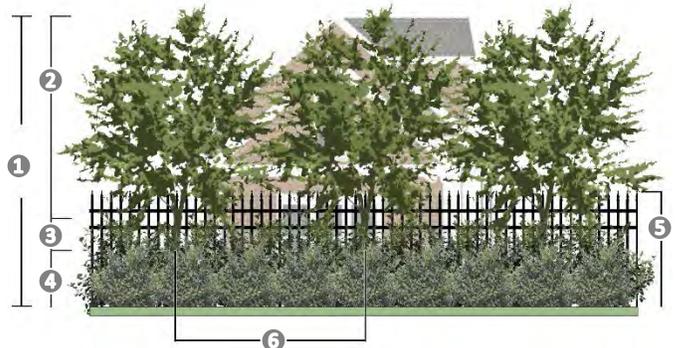
①: CANOPY TREES 20-FOOT ON CENTER; ②: MINIMUM SIX (6) FOOT MASONRY WALL;

FIGURE 8: WROUGHT IRON FENCE WITH THREE (3) TIERED SCREENING IN PLAN VIEW



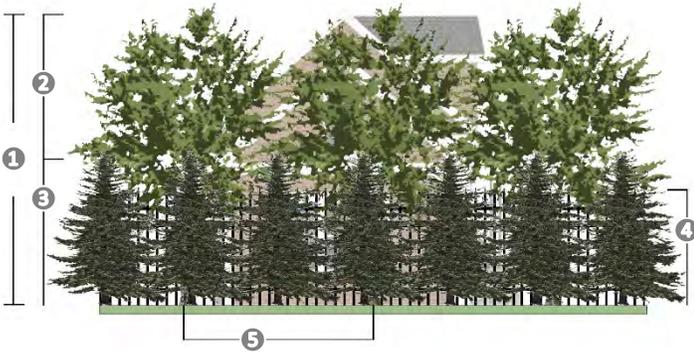
①: COMMERCIAL PROPERTY; ②: 20-FOOT LANDSCAPE BUFFER; ③: THREE (3) TIERED SCREENING; ④: MINIMUM SIX (6) FOOT WROUGHT IRON FENCE ON PROPERTY LINE; ⑤: RESIDENTIAL PROPERTY

FIGURE 9: ALTERNATIVE #1 [WROUGHT IRON FENCE WITH THREE (3) TIERED SCREENING IN PERSPECTIVE VIEW]



①: THREE (3) TIERED SCREEN; ②: CANOPY TREE; ③: LARGE SHRUB/ACCENT TREE; ④: SMALL SHRUB; ⑤: SIX (6) FOOT WROUGHT IRON FENCE; ⑥: CANOPY TREES 20-FOOT ON CENTER

FIGURE 10: ALTERNATIVE #2 [WROUGHT IRON FENCE WITH TIERED SCREENING IN PERSPECTIVE VIEW]

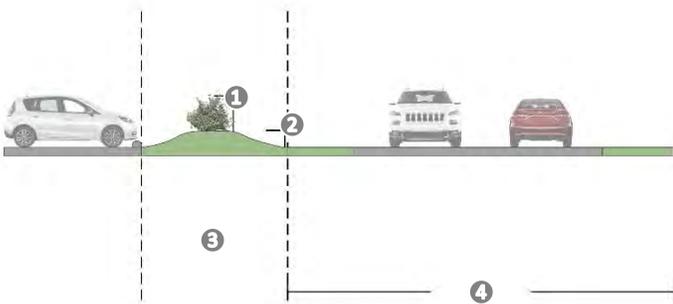


1: THREE (3) TIERED SCREEN; 2: CANOPY TREE; 3: TWO (2) ROWS OF EVERGREEN ACCENT TREES 20-FOOT OFFSET; 4: MINIMUM SIX (6) FOOT WROUGHT IRON FENCE; 5: CANOPY TREES 20-FOOT ON CENTER

(C) Headlight Screening. Head-in parking adjacent to a street shall incorporate one (1) of the following screening methods to mitigate the potential hazard that headlights may pose for on-street vehicular traffic:

- (1) Alternative #1. A minimum of a two (2) foot berm with mature evergreen shrubs along the entire adjacency of the parking areas.

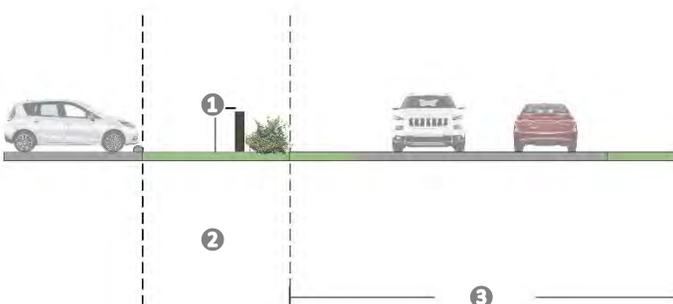
FIGURE 11: ALTERNATIVE #1 [HEADLIGHT SCREENING USING LANDSCAPING AND A BERM]



1: MINIMUM THREE (3) FOOT SHRUB; 2: MINIMUM TWO (2) FOOT BERM; 3: 20-FOOT LANDSCAPE BUFFER; 4: STREET OR ALLEYWAY

- (2) Alternative #2. A minimum of a three (2) foot masonry wall with mature shrubs situated between the wall and the right-of-way along the entire adjacency of the parking areas.

FIGURE 12: ALTERNATIVE #2 [HEADLIGHT SCREENING USING A MASONRY WALL AND LANDSCAPING]



1: MINIMUM THREE (3) FOOT MASONRY WALL; 2: 20-FOOT LANDSCAPE BUFFER; 3: STREET OR ALLEYWAY

(D) General Screening Requirements. All screening shall meet the following requirements:

- (1) Approval of a Screening Plan. Prior to construction of any required screening, a site plan and landscape plan shall be approved by the Planning and Zoning Commission showing the type of screening, the proposed materials, and the plant spacing. In approving screening plans, the Planning and Zoning Commission shall determine:
 - (a) If the proposed screening plan will adequately screen the non-residential land use.
 - (b) If the proposed screening plantings will withstand the pressures of time and nature.
- (2) Certificate of Occupancy (CO). Prior to the issuance of a Certificate of Occupancy (CO), the proposed screening shall be installed and verified by the Director of Planning and Zoning or his/her designee.

SUBSECTION 05.03: LANDSCAPE REQUIREMENTS

(A) Amount of Landscaping. The following landscaping percentages shall be required and shall apply to the total site area to be developed:

TABLE 1: REQUIRED LANDSCAPING BY ZONING DISTRICT

ZONING DISTRICT	REQUIRED LANDSCAPING	REQUIRED WITH MAXIMUM CREDIT
Multi-Family 14 (MF-14) District	35%	22½%
Residential Office (RO) District	30%	17½%
Neighborhood Services (NS) District	25%	12½%
General Retail (GR) District	20%	7½%
Commercial (C) District	20%	7½%
Heavy Commercial (HC) District	15%	2½%
Light Industrial (LI) District	15%	2½%
Heavy Industrial (HI) District	10%	2½%
Downtown (DT) District	See Subsection 04.07: Article 05	

(B) Location of Landscaping. A minimum of 50% of the required landscaping shall be located in the front of and along the side of buildings with street frontage in the Multi-Family 14 (MF-14), Residential Office (RO), Neighborhood Services (NS), General Retail (GR) and Commercial (C) Districts. A minimum of 100% of the total required landscaping shall be located in front of and along the side of buildings with street frontages in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts.

(C) Minimum Size of Required Landscape Areas. All required landscaping shall be no less than five (5) feet wide and be a minimum of 25 SF in area unless it is within ten (10) feet of a building on the same lot.

(D) Detention Basins. Detention basins shall be landscaped in a natural manner using ground cover, grasses, shrubs, berms, and accent and canopy trees. There shall be a minimum of one (1) Canopy Tree per 750 SF and one (1) Accent Tree of detention area.

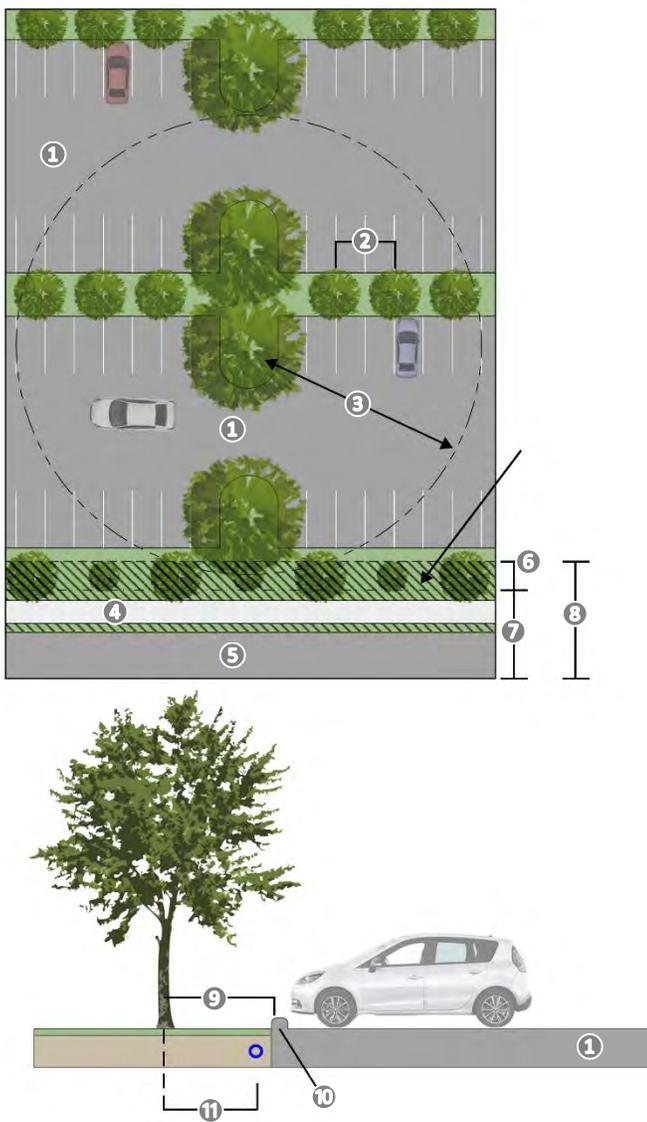
(E) Parking Lot Landscaping. The following landscape requirements will apply to parking lots:

- (1) Parking lots with more than two (2) rows of parking spaces (*i.e.* one [1] drive isle with rows of parking on either side) shall have

a minimum for five (5) percent or 200 SF of landscaping -- whichever is greater -- in the interior of the parking lot area. Such landscaping shall be counted toward the total required landscaping.

- (2) If the parking and maneuvering space exceeds 20,000 SF, one (1) large canopy tree for every ten (10) parking spaces shall be required to be planted internal to the parking areas.
- (3) No tree shall be planted closer than five (5) feet to the edge of pavement or five (5) feet from any water or wastewater line that is less than 12-inches. Water and wastewater lines that are 12-inches and greater require trees to be planted a minimum of ten (10) feet from the centerline of the pipe.

FIGURE 13: LANDSCAPE REQUIREMENTS



- ① : PARKING LOT; ② : 20-FOOT SEPARATION; ③ : 80-FOOT BUFFER;
- ④ : SIDEWALK; ⑤ : STREET; ⑥ : TEN (10) FOOT LANDSCAPE BUFFER;
- ⑦ : RIGHT-OF-WAY; ⑧ : AREA REQUIRED TO BE IMPROVED WITH SOD (I.E. HYDOMULCH IS PROHIBITED); ⑨ : TREE MUST BE A MINIMUM OF FIVE (5) FEET FROM THE EDGE OF PAVEMENT; ⑩ : VEHICLE PROTECTION; ⑪ : TREE MUST BE A MINIMUM OF FIVE (5) FEET OFF THE WATER/SEWER LINE

(4) No required parking spaces may be located more than 80-feet from the trunk of a canopy tree.

- (F) Protection of Landscape Areas. Required landscape areas must be protected from vehicular traffic through the use of a concrete curb, or other permanent barrier.
- (G) Landscaping in Landscape Buffers and Public Right-of-Way. All landscape buffers and public right-of-way located adjacent to a proposed development shall be improved with grass (i.e. sod -- hydro mulch shall be prohibited in these areas) prior to the issuance of a Certificate of Occupancy (CO). In addition, it shall be the responsibility of the developer to design the irrigation system within the lot to ensure that the grass placed in public right-of-way is watered and maintained, and to ensure that minimal water will be shed on to the street. The designer of the irrigation system shall base the systems design on the ultimate proposed width of the street. The plans for design of the irrigation system shall be approved by the Building Inspections Department prior to installation and acceptance of the project.

SUBSECTION 05.04: IRRIGATION REQUIREMENTS

- (A) General Irrigation Requirements. The owner shall be responsible for the health and vitality of plant material through the irrigation of all landscaped areas, turf and plant materials, and shall:
 - (1) Provide a moisture level in an amount and frequency adequate to sustain growth of the plant materials on a permanent basis.
 - (2) Be in place and operational at the time of the landscape inspection for Certificate of Occupancy (CO).
 - (3) Be maintained and kept operational at all times to provide for efficient water distribution.
- (B) Irrigation Methods.
 - (1) Landscaped Areas. One (1) of the following irrigation methods shall be used to ensure adequate watering of plant material in landscaped areas:
 - (a) Conventional System. An automatic or manual underground irrigation system that may be a conventional spray or bubbler type heads.
 - (b) Drip or Leaky-Pipe System. An automatic or manual underground irrigation system in conjunction with a water-saving system such as a drip or a leaky pipe system.
 - (c) Temporary and Aboveground Watering. Landscape areas utilizing xeriscape plants and installation techniques, including areas planted with native grasses and wildflowers, may use a temporary and above ground system, and shall be required to provide irrigation for the first two (2) growing seasons only.
 - (2) Natural and Undisturbed Areas. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.
 - (3) Compliance with State Law. All irrigation systems shall comply with the irrigation code of [Chapter 10, Buildings and Building Regulations, Article XVI, Irrigation Code, of the City of](#)

[Rockwall Code of Ordinances](#), and all applicable state laws, as may be amended.

SUBSECTION 05.05: XERISCAPING/SMARTSCAPING STANDARDS

- (A) *Purpose*. The purpose of this section is to promote the establishment of water conscious landscaping through the implementation of xeriscaping/smartscape principles. Additionally, this section is intended to provide an alternative to the typical landscape requirements for commercial properties.
- (B) *Principles*. All xeriscaping/smartscape plans submitted to the city should demonstrate conformance with the following principles:
- (1) *Planning and Design*. Landscape designs and plans should take into account the regional and microclimatic conditions of the site, its existing vegetation and topographical conditions, the intended use, and the zoning (*i.e. vegetation zone*) of plant materials according to their unique water needs. Plans should take into account the various heights of landscaping materials. If the landscape plan is proposed in phases, to account for optimum planting times, all future phases should be included on the submitted landscape plan. In reviewing plans to ensure proper site planning and design, staff shall ensure that the plan: [1] preserves and protects existing vegetation, [2] preserves and protects topsoil, [3] stabilizes and covers all bare soil areas, and [4] incorporates energy/water conservation.
 - (2) *Soil Improvement*. Since soil tends to vary from site to site all soil should be analyzed to determine what plants are suitable to include on the landscape plan and if any soil amendments are required. Soil may require additional organic material be added to ensure the continued health of plants.
 - (3) *Appropriate Plant Selection*. Plant selection should be based on the plant's adaptability to the existing site conditions and need for supplemental watering. Most xeriscape/smartscape plants will not require supplemental watering. In selecting plant materials, mature plants and shrubs should be used to ensure establishment after installation. A list of plants that are native and acceptable within the city has been provided in [Appendix C, Recommended Plantings](#); however, staff may approve alternate plantings if they are deemed appropriate for the site. In reviewing plans for conformance to this principle staff will consider the: [1] diversity of the plant species being proposed, [2] size, maturity and water requirements of the selected plantings, and [3] variation of height, spread and color.
 - (4) *Practical Turf Areas*. The type and location of turf areas are considered to be a major design element in xeriscape/smartscape plans. Turf in this case involves typical varieties of Bermuda, St. Augustine, Ryegrass blends, etc. The maintenance needs of turf can be minimized by the shape, area, irrigation equipment, and turf type selected. Drainage areas and sloped areas are especially suited to the use of native grasses as opposed to turf. In reviewing plans to ensure that the turf areas being proposed are practical staff will review: [1] the design of the turf areas (with rounded, compact turf areas being more efficient), [2] turf areas should be designed to be on a separate zone from other landscaping, [3] turf should be appropriate for the selected location, [4] turf should be

avoided on slopes and drainage areas in favor of native grasses, and [5] minimize turf areas by using native grasses, hardscape elements and alternatives.

- (5) *Efficient Irrigation*. All landscaping is required to have an irrigation system that is designed by a licensed irrigator. Additionally, all irrigation systems should be designed to be water efficient utilizing low-flow irrigation equipment. The plan should show that turf areas should be watered separately, and plants should be grouped in separate zones based on water need. Finally, all irrigation systems are required to be maintained in proper working order.
 - (6) *Use of Mulches*. Mulches minimize evaporation, reduce weed growth, slow erosion and help maintain soil temperature. In reviewing the use of mulches in xeriscape/smartscape plans staff shall ensure: [1] the use of a deep layer of mulch in planting beds (*typically three to four inches*) is utilized, and [2] mulches should be locally or regionally derived materials. Additionally, mulches may include the use of pea gravel, crushed granite, rock or pebbles in unplanted areas.
 - (7) *Appropriate Maintenance*. Proper pruning, weeding and fertilization as required with all landscape plans shall be required. Typically, xeriscape/smartscape plans require less maintenance, fertilizer and other chemicals and pesticides.
- (C) *Standards*.
- (1) If approved with a *Landscape Plan* native grasses shall be exempt from the rules and requirements of [Section 16-43, Weeds, Brush and Grass, of Chapter 16, Environment, of the Municipal Code of Ordinances](#); however, the grass should be maintained to a height typical for the particular native grass.
 - (2) Drainage or detention areas that utilize native grasses in lieu of turf shall be exempt from the requirements stipulated by [Subsection 05.03\(D\)](#) (*i.e. one [1] tree per every 750 SF and one [1] accent tree per 1,500 SF of detention area*). Instead, a shrub or ornamental grass per every 750 SF of dry land area shall be required to be planted on the site or around the detention area.
 - (3) A maximum of 30% mulches or hardscape is permitted to be incorporated into all xeriscape plans. This may be increased by the Planning and Zoning Commission if deemed appropriate and necessary for the proposed plan.
- (D) *Approval of Xeriscape/Smartscape Plans*. All xeriscape/smartscape plans shall require approval by the Planning and Zoning Commission, upon a recommendation by staff concerning conformance to the requirements of this section, at the time of site plan approval.

SECTION 06 | LANDSCAPE CREDITS

Credits to the landscape requirements may be achieved as follows:

SUBSECTION 06.01: CREDIT FOR REQUIRED LANDSCAPE BUFFERS BETWEEN NON-RESIDENTIAL AND RESIDENTIAL USED OR ZONED LAND

The overall landscape requirement may be reduced by five (5) percent when the required landscape buffer between a non-residential or multi-family land use and a residentially zoned or used property is increased from 20-feet to 40-feet, and utilizes a berm along the entire length of the required landscape buffer. The length of the landscape buffer must be at least the length of the minimum lot depth of the zoning district for which the subject property is located as stipulated by [Article 05, District Development Standards](#).

SUBSECTION 06.02: CREDIT FOR REQUIRED LANDSCAPE BUFFER ADJACENT TO A PUBLIC STREET

The overall landscape requirement may be reduced by five (5) percent when the required landscape buffer adjacent to a public street is increased from ten (10) feet to 20-feet, and a minimum of two (2) Canopy Trees and four (4) Accent Trees are added per 100-linear feet of frontage. The landscape buffer shall also incorporate a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. The berm and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches.

SUBSECTION 06.03: CREDIT FOR XERISCAPING/SMARTSCAPING

The overall landscaping requirement may be reduced by 2½% when the Director of Planning and Zoning or his/her designee determines that the standards stipulated by [Section 05.05, Xeriscaping/Smartscaping Standards](#), of this Article have been satisfied.

SECTION 07 | COMPLETION OF LANDSCAPING

SUBSECTION 07.01: IN ACCORDANCE WITH APPROVED PLANS

Except as otherwise provided in [Subsection 07.02](#), all landscaping must be completed in accordance with the approved *Landscape Plan* before a Certificate of Occupancy (CO) may be issued for any building on the lot; however, during drought or water emergency response stages the Director of Planning and Zoning or his/her designee can grant an applicant permission to delay the installation of required landscaping (independent of [Subsection 07.02](#)) upon receipt of a letter from the applicant stating that the landscaping will be installed by a specific date that is within a reasonable time period not to exceed six (6) months. The Director of Planning and Zoning may extend the agreement for successive terms if the City is still under drought or water emergency response stages.

SUBSECTION 07.02: ESCROW AND ASSURANCE

If, due to circumstances beyond the property owner's control, the required landscaping cannot be installed prior to completion of the building and if the property owner provides the Chief Building Official with documented assurance that the landscaping will be completed within six (6) months and the funds required to complete the project are placed in escrow with the City, the Chief Building Official may issue one (1), six (6)

month temporary Certificate of Occupancy (CO) and permit the property owner to complete his landscaping during the six (6) month period. For purposes of this subsection, "documented assurance" means a copy of a valid contract to install the landscaping in accordance with the landscape plan within the six (6) month period. The City shall hold the funds in escrow until such time as the landscaping is completed in accordance with the approved plan.

SUBSECTION 07.03: FORFEITURE OF ESCROW

If a temporary Certificate of Occupancy (CO) is issued under [Subsection 07.02](#) and, at the end of the six (6) month period, no permanent Certificate of Occupancy (CO) has been issued because the landscaping has not been installed in accordance with the landscape plan, the property owner shall be deemed in violation of this section, the funds placed in escrow shall be forfeited, and the City shall issue a citation for said violation, unless an extension is granted by the City Manager.

SECTION 08 | FENCE STANDARDS

SUBSECTION 08.01: FENCE PERMIT

No fence shall be constructed within the City without the owner or authorized agent of the owner having secured a permit from the Chief Building Official or his/her designee. A fence repair permit shall be required for the replacement of 25-feet or more of fencing and/or the replacement of five (5) or more posts. The Chief Building Official or his/her designee shall establish and maintain an application for a fence permit that can be utilized for the purpose of issuing fence permits. The fees for such permits shall be established by resolution by the City Council.

SUBSECTION 08.02: GENERAL FENCE STANDARDS

The following general fencing requirements shall apply for all residential and non-residential fences:

- (A) *Projections*. No fence guy wire, brace, light standard, sign, vee arm barbed wire base and arm, or any structure attached to a fence shall protrude over any property line.
- (B) *Material Requirements*. Unless otherwise provided for in this section [*i.e.* [Section 08, Fence Standards](#)], the following material requirements shall apply to all residential and non-residential fences:
 - (1) Permitted fencing materials are limited to wood pickets, vinyl coated chain link, wrought iron, decorative metal (*i.e. with the appearance of wrought iron but is made of powder-coated steel, aluminum or covered with a corrosion protection finish*), brick, stone, split face CMU or burnished block, vinyl, fiberglass composite, and concrete with stone face/form liner.
 - (2) Steel pipe shall be allowed for residential fences as specified in [Subsection 08.03\(C\)](#).
 - (3) Barb wire fences may be used without restrictions when in conjunction with an agricultural related land use; however, no barbed wire fence shall be located on any property that is zoned or used as a residential property. In areas where barbed wire fences are allowed, arms or base and arms with barbed wire shall not have more than three (3) stands a fixed to the arm or base and arm. Constantine or razor wire is prohibited.

Any projection of an arm or base for the purpose of affixing barb wire will be considered a part of the fence for the purposes of determining the maximum height.

- (4) It shall be unlawful for any person to construct or maintain any electrical fence or electrical attachment to a fence.
- (5) Precast, smooth face CMU, and corrugated or *R-Panel* fencing shall be prohibited.
- (6) Solid wood fencing exceeding 48-inches in height shall be constructed using metal posts set in concrete, or brick, stone or a combination of brick and stone columns.

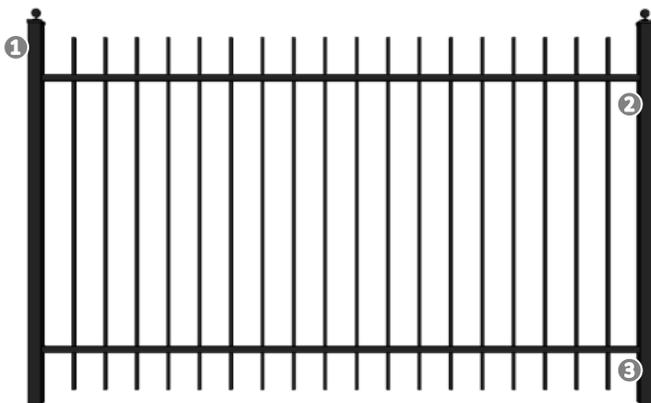
(C) General Fence Details. Unless otherwise specified in this section, fences constructed in the City of Rockwall shall generally conform to the following minimum fence details:

(1) Wood Fences.



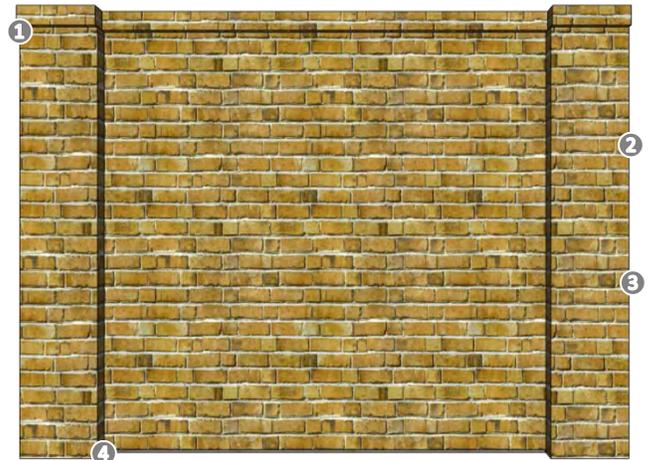
1: Top Rail; 2: Galvanized or Stainless-Steel Post (Recommended Minimum of 2.375"); 3: Stinger Board (Recommended Minimum of 2" x 3"); 4: Minimum 1/2" Wood Screen.

(2) Wrought Iron Fence.



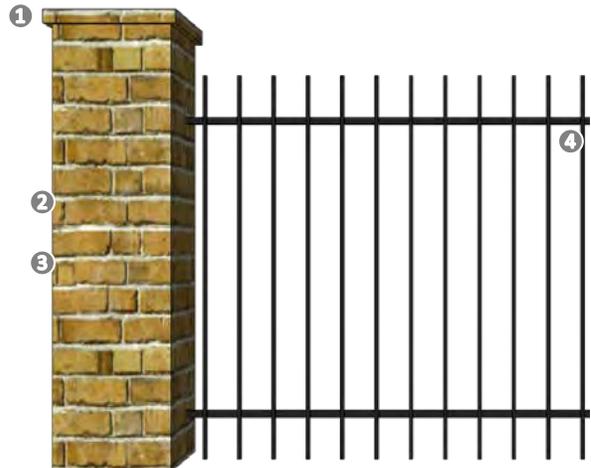
1: Painted or Powder Coated with a Decay Resistant Paint; 2: Top Rail; 3: Bottom Rail.

(3) Masonry Wall.



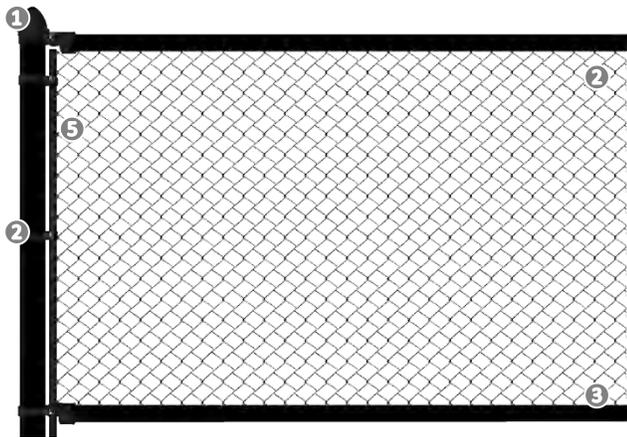
1: Rowlock Cap; 2: Running Bond; 3: 3/8" Tooled Joints (Typical); 4: Concrete Footing/Mow Strip.

(4) Fence with Masonry Columns.



1: Rowlock Cap; 2: Running Bond; 3: 3/8" Tooled Joints (Typical); 4: Wrought Iron or Board-On-Board Wood Fence.

(5) *Vinyl Coated Chain-Link Fence.*



1: Post Cap; 2: Top Rail; 3: Bottom Rail; 4: Tension Band;
5: Tension Bar.

(D) *Fence Height Requirements.* All fence heights shall be measured vertically from the inside natural or mean grade elevation of the yard, and shall adhere to the following height requirements:

- (1) Residential fencing shall have a maximum height of eight (8) feet.
- (2) Non-residential fencing shall have a maximum height of 12-feet.

(E) *Temporary Fences.* The Chief Building Official or his/her designee may permit temporary fencing for the purpose of protecting or securing a construction site. The temporary fences duration of use, location, height, and materials of the temporary fence shall be stated in the request to the Chief Building Official or his/her designee. Barbed wire fencing may be permitted for temporary use; however, Constantine or razor wire is prohibited.

SUBSECTION 08.03: RESIDENTIAL FENCES

(A) *Fence Standards for New Subdivisions.* All individual residential fencing and walls proposed for new subdivisions shall be architecturally compatible with the design, materials, and colors of the primary structure or structures on the same lot or within the subdivision, and meet the following minimum standards:

- (1) *Solid Fencing.* All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of 1/2-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the *public side* (i.e. facing streets, alleys, open space, parks, and/or neighboring properties). All posts and/or framing shall be placed on the *private side* (i.e. facing towards the home) of the fence. All wood fences shall be smooth-finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall

FIGURE 15: CORNER LOTS



FIGURE 16: FENCES BACK TO A STREET

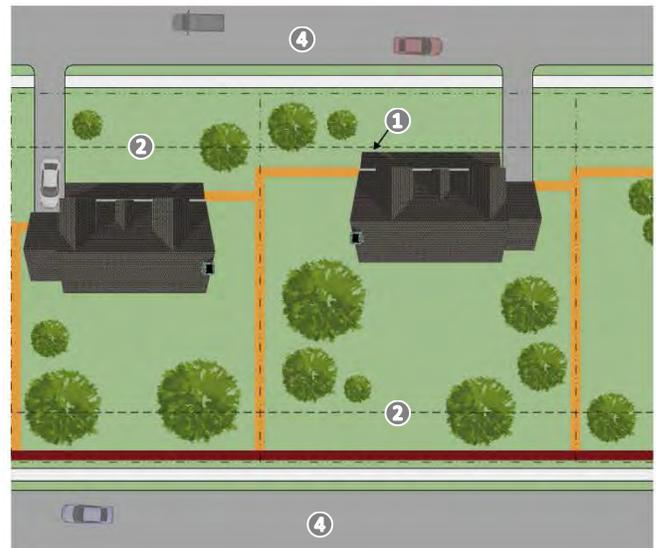
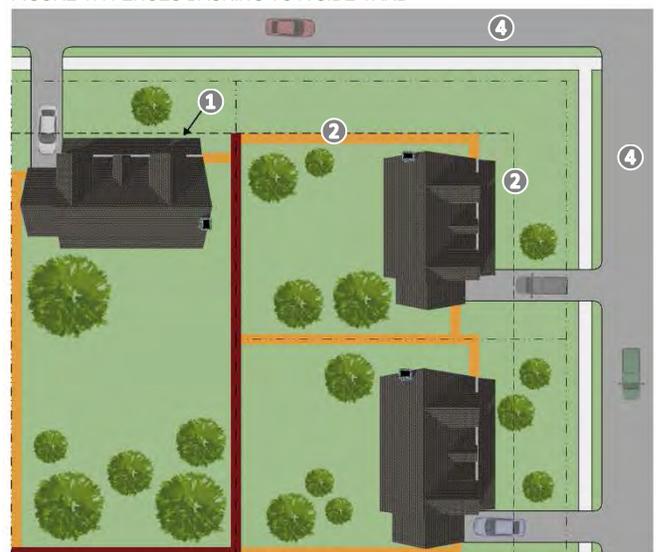


FIGURE 17: FENCES BACKING TO A SIDE YARD



1: PORCH; 2: 20-FOOT BUILD LINE; 3: TEN (10) FOOT BUILD LINE;
4: STREET; 5: ALLEYWAY; REAR YARD FENCE; SIDE YARD FENCE

incorporate a decorative top rail and/or cap detailing the design of the fence.

- (2) **Transparent Fencing.** All transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height. Transparent fencing is required adjacent to all perimeter roadways (i.e. along the perimeter of the subdivision), abutting open spaces, greenbelts and parks.
- (3) **Corner Lots.** Corner lot fences (i.e. adjacent to a street, open space, or parks) shall provide masonry columns at 45-foot off center spacing that begins at the rear of the property line. A solid cedar board-on-board panel fence that is a minimum of six (6) feet in height and a maximum of eight (8) feet in height shall be allowed between the masonry columns along the side and/or rear lot adjacent to an interior street. The fence shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
- (4) **Perimeter Subdivision Fencing.** Perimeter subdivision fencing shall be constructed of six (6) foot tall tubular steel or wrought-iron type fencing with masonry columns, landscaping, and entry features. All common areas and perimeter subdivision fencing shall be maintained by a Homeowner's Association (HOA) as specified in the City's subdivision regulations.
- (5) **Exceptions.** The Planning and Zoning Commission may consider alternative materials that are permitted by [Subsection 08.02\(B\)](#) (e.g. vinyl or split rail fencing) or alternative screening for perimeter fencing (e.g. earthen berms with landscaping) on a case-by-case basis at the time of preliminary plat and/or site plan for all new residential subdivisions. These exceptions will *not* be subject to the approval criteria and voting requirements stipulated by [Section 09.01, Exceptions to the General Standards, of Article 11, Development Applications and Review Procedures](#).

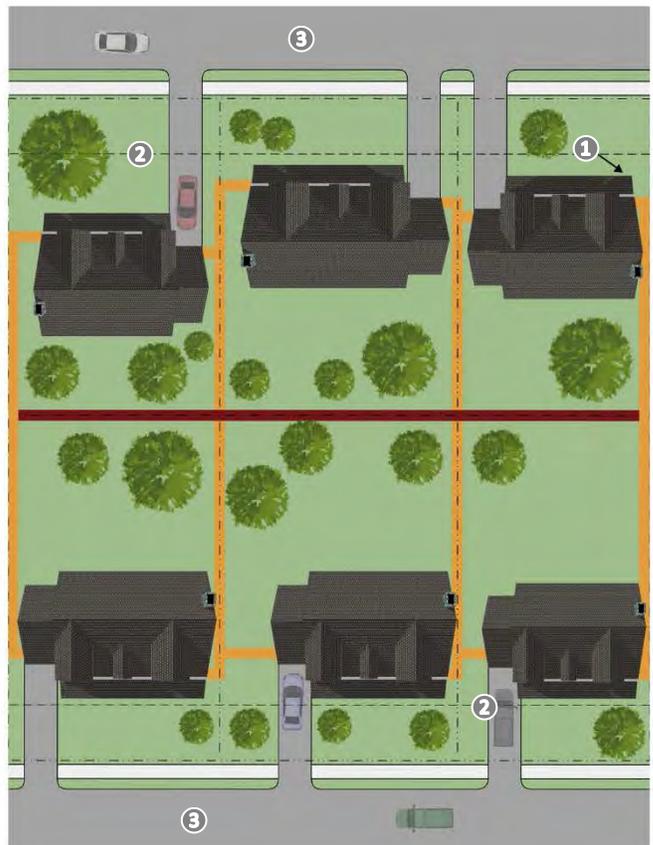
(B) **Fence Standards for Existing and Infill Single-Family and Duplex Properties.** All fences being proposed in established residential areas (i.e. established single-family or duplex subdivision or areas) -- that are not regulated by a Planned Development District ordinance -- shall be architecturally compatible with the design, materials, and colors of the existing fences in the area; however, the following minimum standards shall apply to all fences requiring a fence permit in these areas:

- (1) **Solid Fencing.** All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the *public side* (i.e. facing streets, alleys, open space, parks, and/or neighboring properties). All posts and/or framing shall be placed on the *private side* (i.e. facing towards the home) of the fence. All wood fences shall be smooth-finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.

FIGURE 18: THROUGH LOTS



FIGURE 19: FENCES WITH COMMON REAR YARDS



1: PORCH; 2: 20-FOOT BUILD LINE; 3: STREET; REAR YARD FENCE; SIDE YARD FENCE

- (2) Transparent Fencing.
- (a) Wrought Iron Fences. All new transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height.
- (b) Chain-Link Fences.
- (I) New Chain-Link Fences. New chain-link fences shall be prohibited.
- (II) Replacement of an Existing Chain-Link Fence. Existing chain-link fences may be replaced with a new vinyl coated, chain-link fence that is a minimum of four (4) feet in height and a maximum of six (6) feet in height. Replacement chain-link fences may only be placed in the location of the existing chain-link fence.
- (III) Chain-Link Fences in Conjunction with an Accessory Use. Chain-link fences that are integral to the design of an accessory use (e.g. dog run, batting cage, etcetera) may be permitted; however, the fence shall be placed a minimum of ten (10) feet from the property lines unless completely screened from adjacent properties, open spaces, right-of-way, and parkland by a structure, fence or solid landscape screen.
- (3) Special Exceptions. The Planning and Zoning Commission may consider alternative materials that are permitted by [Subsection 8.02\(B\)](#) (e.g. vinyl or split rail fencing) and/or alternative fence standards on a case-by-case basis. These exceptions will *not* be subject to the approval criteria and voting requirements stipulated by [Section 09.01, Exceptions to the General Standards, of Article 11, Development Applications and Review Procedures.](#)
- (C) Fence Standards for Agricultural and Single-Family Estate Properties. Fences in the Agricultural (AG), Single-Family Estate 1.5 (SFE-1.5), Single-Family Estate 2.0 (SFE-2.0), and Single-Family Estate 4.0 (SFE-4.0) Districts shall meet all the requirements stipulated for [Subsections 08.03\(A\) & 08.03\(B\)](#); however, a metal split-rail or pipe fencing shall be permitted in these districts. Metal split-rail or pipe fencing shall be a minimum of four (4) feet and a maximum of eight (8) feet in height.

FIGURE 14: EXAMPLES OF SPLIT-RAIL AND/OR PIPE FENCING

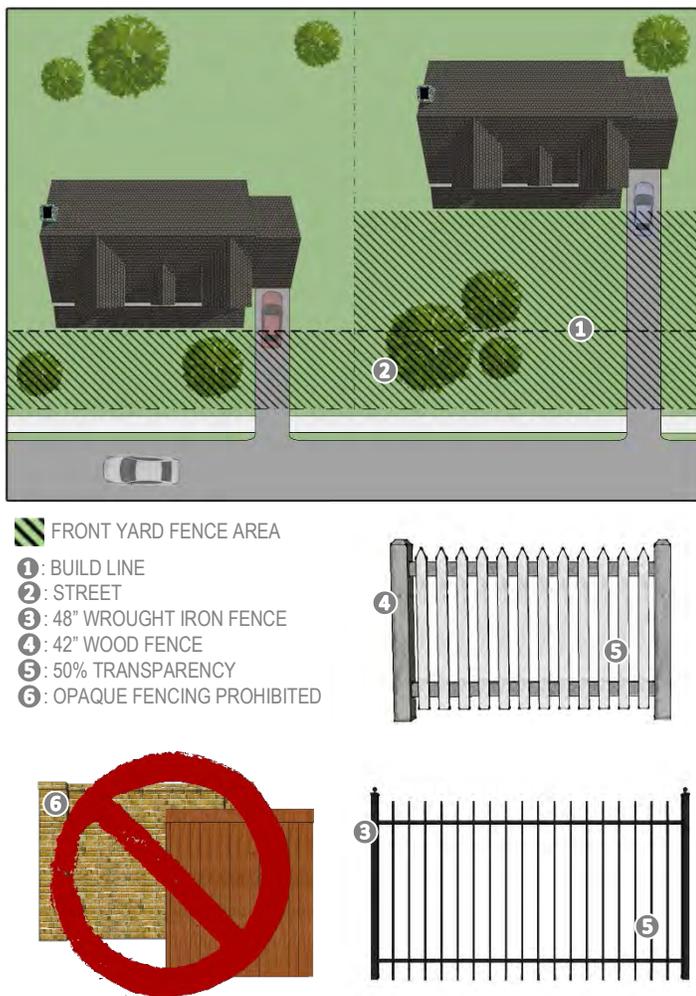


- (D) Fence Placement.
- (1) Fences in the Rear and Side Yard. Fences may be placed in the rear and side yards; however, the following conditions shall apply:

- (a) Side Yard Fences. Side yard fences shall not extend beyond the front façade of a single-family structure. In cases where a structure has a front porch or other encroachment, the fence shall not extend beyond where the front porch or encroachment meets the front façade of the single-family structure (as depicted in Figure 18).
- (b) Abutting an Alleyway. Fences abutting an alleyway are permitted to be constructed on the side or rear property lines (as depicted in Figure 14).
- (c) Through Lots. Fences proposed for *Through Lots* (i.e. lots that have street frontage adjacent to the front and rear yard property lines) may construct a fence on the rear yard property line if all lots within the block have the same lot configuration (i.e. if all lots are *Through Lots* fronting in the same direction) (as depicted in Figure 15). If a *Through Lots*' rear property line is adjacent to a house, the rear yard fence for the *Through Lot* shall not extend past the front yard building line (as depicted in Figure 17).
- (d) Corner Lots. Corner lots shall be permitted to construct a fence along the side yard property line adjacent to a street (as depicted in Figure 14); however, in cases where a house is facing in the same direction as the side yard of a corner lot, the side yard fence adjacent to the street shall not extend beyond the front yard building setback (as depicted in Figure 16).
- (2) Fences in the Front Yard. No fence shall be constructed in the front yard of a residential property without being granted an exception from the Planning and Zoning Commission unless specifically permitted by Subsection 08.03(D)(3). For the purposes of this provision the front yard is defined as the area between the front façade of the primary structure and the front property line (as depicted in Figure 14). The Planning and Zoning Commission may authorize the issuance of an exception for the construction of a front yard fence subject to the following provisions:
- (a) Wood Fences. Wood fences that are 50% transparent (e.g. as depicted in Figure 14) shall not exceed 42-inches in height.
- (b) Wrought Iron or Decorative Metal Fences. Wrought iron or decorative metal fences that are 50% transparent (e.g. as depicted in Figure 14) shall not exceed 48-inches in height.
- (c) Opaque Fences. Opaque fences are prohibited in the front yard of residential properties.
- In considering a front yard fence, the Planning and Zoning Commission may require applicants to provide additional information, plans, drawings, and/or other information concerning the proposed front yard fence. In addition, the Planning and Zoning Commission may establish additional conditions of construction for any fence.
- (3) Exemptions to the Front Yard Fence Requirements. The following front yard fences are exempted from the exception process for front yard fences:

- (a) Model Homes. Model homes that incorporate a fence that is 50% transparent (e.g. as depicted in Figure 14), and that does not exceed a maximum height of 42-inches may establish a front yard fence; however, these fences are considered to be temporary and must be removed at the time a permanent residence is established. Alternatively, an exception for a front yard fence can be approved in accordance with the procedures outline in [Subsection 08.03\(D\)\(2\)](#).
- (b) Single-Family Estate Properties. Properties in a Single-Family Estate 1.5 (SFE-1.5), Single-Family Estate 2.0 (SFE-2.0), or Single-Family Estate 4.0 (SFE-4.0) District shall be permitted to construct a front yard fence that is 50% transparent (e.g. as depicted in Figure 14) and that does not exceed 48-inches in height as long as the fence is [1] architecturally harmonious with the development, and [2] constructed of metal split rail, wood picket, vinyl, wrought iron, and/or painted steel.

FIGURE 20: RESIDENTIAL FRONT YARD FENCES



SUBSECTION 08.04: NON-RESIDENTIAL FENCES

- (A) Fence Standards for Properties in a Commercial District. Non-required fences in the Neighborhood Services (NS), General Retail

(GR), and Commercial (C) Districts, shall be constructed of the materials outlined in [Subsection 8.02\(B\)](#); however, wood and vinyl coated chain-link fences shall be prohibited.

- (B) Fence Standards for Properties in the Residential Office (RO) and Downtown (DT) Districts. Fences in the Residential Office (RO) District and the Downtown (DT) District shall be constructed of the materials outlined in [Subsection 8.02\(B\)](#). Unless otherwise specified in [Subsection 04.07, Downtown \(DT\) District, of Article 05, District Development Standards](#), wood fences proposed in a Residential Office (RO) District or Downtown (DT) District -- in conformance with the requirements of [Subsection 08.03\(B\)](#) -- shall be permitted on properties that have adjacency with a residential zoning district, residentially used property, or a property that has an existing wood fence.
- (C) Fence Standards for Properties in an Industrial District. Non-required fences in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts, shall be constructed of the materials outlined in [Subsection 8.02\(B\)](#); however, wood fences shall be prohibited.

(D) Fence Placement.

- (1) Side and Rear Yard Fences. Fences may be placed on the side and/or rear yard property line of any non-residential property; however, the Planning and Zoning Commission may require a fence location to be adjusted to account for site constraints through the site plan process.
- (2) Front Yard Fences. No fence shall be constructed in the front yard of a non-residential property without being granted an exception from the Planning and Zoning Commission. For the purposes of this provision the front yard is defined as the area between the front façade of the primary structure and the front property line (as depicted in Figure 15). The Planning and Zoning Commission may authorize the issuance of an exception for the construction of a front yard fence subject to the following provisions:
 - (a) Location. Properties adjacent to IH-30, John King Boulevard, and SH-205 shall be prohibited from having a front yard fence.
 - (b) Wrought Iron or Decorative Metal Fences. Wrought iron or decorative metal fences (e.g. as depicted in Figure 15) shall not exceed eight (8) feet in height.
 - (c) Vinyl Coated Chain-Link. In the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) District a vinyl coated chain-link fence may be established in the front yard pending that it [1] is situated a minimum of ten (10) feet off of the front property line, and [2] three (3) tiered screening (i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees) is established in front of the proposed front yard fence along the entire length of the front property line.
 - (d) Opaque Fences. Opaque fences are prohibited in the front yard of non-residential properties.

In considering a front yard fence, the Planning and Zoning Commission may require applicants to provide additional information, plans, drawings, and/or other information

concerning the proposed front yard fence. In addition, the Planning and Zoning Commission may establish additional conditions of construction for any fence.

FIGURE 21: NON-RESIDENTIAL FRONT YARD FENCES



SUBSECTION 09.03: UTILITY LINES AND RIGHT-OF-WAY

Any damage to utility lines resulting from the negligence of the property owner, his agents, or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the landscaping materials, and return them to their prior locations after the utility work. If, nevertheless, some plant materials die, it is the obligation of the property owner to replace the plant materials.

SECTION 09 | GENERAL MAINTENANCE

SUBSECTION 09.01: MAINTENANCE REQUIREMENTS FOR LANDSCAPING

Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all plantings as needed. Any plant that dies must be replaced with another approved plant variety, generally of the same size, that complies with the approved *Landscape Plan* within 90 days after notification by the City.

SUBSECTION 09.02: MAINTENANCE AND INSPECTION REQUIREMENTS FOR FENCES

For information concerning the inspection and maintenance of fences see [Article XI, Fences, of Chapter 10, Building and Building Regulations](#), of the Municipal Code of Ordinances.

ARTICLE 09 | TREE PRESERVATION

SECTION 01 | PURPOSE, APPLICABILITY, AND EXEMPTIONS

SECTION 02 | DEFINITIONS

SECTION 03 | TREESCAPE PLAN

SECTION 04 | TREE REMOVAL PERMIT

SECTION 05 | TREE MITIGATION REQUIREMENTS

SECTION 06 | TREE PLANTING AND TRANSPLANTING REQUIREMENTS

SECTION 07 | TREE PROTECTION DURING CONSTRUCTION

SECTION 08 | TREE PRUNING

SECTION 09 | TREE FUND

SECTION 10 | VIOLATIONS



SECTION 01 | PURPOSE, APPLICABILITY, AND EXEMPTIONS

SUBSECTION 01.01: PURPOSE

The purpose of this Article is to secure the preservation of mature, healthy trees and natural areas, and to ensure the consideration of protected trees during the planning and design process for development and/or redevelopment within the City. In addition, this Article is intended to layout procedures for the protection of trees during the construction process, and outline the requirements for the replacement and replanting of trees that have been removed. This Article also provides protection for the indiscriminate clearing of any property within the City.

SUBSECTION 01.02: APPLICABILITY

The terms and provisions of this Article shall apply to all real property within the City's corporate limits that meets one of the following criteria:

- (A) The establishment of a new subdivision of land.
- (B) The replatting of undeveloped land for the purpose of combining and/or subdividing real property.
- (C) The development of a residential tract of land that is greater than or equal to three (3) acres.
- (D) The development and/or removal of trees on a non-residential tract of land that is greater than or equal to one acre.
- (E) A submission of a site plan and/or plat for the purpose of developing, subdividing or combing non-residential land.

SUBSECTION 01.03: EXEMPTIONS

The terms and provisions of this Article shall not apply if the following conditions exist:

- (A) Agricultural Property. Property zoned Agricultural (AG) District and being actively used for agricultural purposes shall be exempt from the requirements specified by this Article; however, clear-cutting of land on property zoned Agricultural (AG) District that is not being actively used for agricultural purposes is prohibited.
- (B) Damaged/Diseased Trees. If a certified arborist establishes that the tree is dead, diseased, damaged beyond the point of recovery, or in danger of falling the tree maybe removed.
- (C) Residential Property. The owner of a property with an existing single-family home shall be exempt from the tree protection and replacement requirements specified by this Article as it pertains to that property on which the home is located.
- (D) Public Safety. If the City determines that a tree or trees create unsafe vision clearance or conflicts with other ordinances or regulations, or the tree or trees are determined to be in a diseased, dead, hazardous or dangerous condition so as to endanger the public health, safety or welfare of the general public, the City or property owner may remove the tree or trees without being required to follow the terms and provisions of this ordinance.
- (E) Utility Service Interruption. The tree has disrupted a public utility service due to tornado, flood or another act of God. Removal shall be limited to the part of the tree that is found necessary to be removed to reestablish and maintain the utility service.
- (F) Utility Companies, Utility Service and or Distribution/Transmission Lines. Utility companies shall not be subject to the tree protection or

replacement requirements in this Article when establishing distribution and transmission lines. When establishing new utility service, services should be routed between the service pole or transmission and distribution lines and the building being served in a manner that does not require the removal of a protected of feature tree. All right-of-way, easements or similar types of public property maintained by utility companies shall not be subject to the tree protection or replacement requirements of this Article.

- (G) Public Property. All right-of-way, easements or similar types of public property maintained by the City shall not be subject to the terms and provisions of this Article.

SECTION 02 | DEFINITIONS

- (1) Critical Root Zone (CRZ). The area of undisturbed natural soil around a tree defined by a concentric circle with a radius equal to the distance from the trunk to the outermost portion of the drip line but not less than a one-foot radius for each one-inch DBH.
- (2) Clear-Cutting. The removal of all trees or a significant majority of the trees within an area.
- (3) Diameter at Breast Height (DBH). The diameter in inches of a tree as measured through the main trunk at a point 4½-feet above the natural ground level.
- (4) Drip Line. A vertical line running through the outermost portion of the crown of a tree and extending down to the ground.
- (5) Feature Tree. Any tree -- excluding non-protected trees -- that has a DBH of greater than 25-inches. Feature trees may not be removed without approval of the Planning and Zoning Commission.
- (6) Limits of Construction. A delineation on the treescape plan that shows the boundary of the area within which all construction activity will occur.
- (7) Non-Protected Tree. All Bois d'Arc, willow, cottonwood, locust, and Chinaberry regardless of size and hackberry and cedar trees less than 11-inches shall be considered non-protected trees and do not require mitigation to be removed.
- (8) Primary Protected Tree. Any tree -- excluding non-protected trees and hackberry and cedar trees -- that have a DBH of four (4) inches or greater. The removal of any protected tree shall require the approval of the Planning and Zoning Commission. The diameter of a multi-trunk tree shall be determined by adding the total diameter of the largest trunk at DBH to one-half (½) the diameter of each additional trunk.
- (9) Protective/Temporary Fencing. Snow fencing, chain-link fencing, orange vinyl construction fencing or similar fencing with a four-foot approximate height. The Director of Planning and Zoning and zoning or his/her designee, shall determine the appropriate type of fencing for any particular property or portion thereof.
- (10) Replacement Tree. A tree from the reclamation/tree preservation list contained in [Table 1.1: Required Trees by District](#) contained in [Appendix C, Landscape Guidelines and Requirements, of the Unified Development Code \(UDC\)](#) with a minimum caliper size of four (4) inches and height of seven (7) feet. For the purpose of determining size, replacement trees should be measured at DBH.

- (11) Secondary Protected Tree. Any hackberry or cedar tree that measures 11-inches or more. The removal of any protected tree shall require the approval of the Planning and Zoning Commission. The diameter of a multi-trunk tree shall be determined by adding the total diameter of the largest trunk at DBH to one-half the diameter of each additional trunk.
- (12) Tree. Any self-supported woody perennial plant that will attain a trunk diameter of three (3) inches DBH and normally attains an overall height of at least 15-feet at maturity; usually with one main stem or trunk and many branches.

SECTION 03 | TREESCAPE PLAN

SUBSECTION 03.01: TREESCAPE

A treescape plan is a plan showing the exact location, size (*i.e. trunk diameter and height*), and common name of all trees, four (4) inches and greater and indicating the trees that are proposed to be removed, transplanted or replaced. A treescape plan shall be prepared by a landscape architect or design professional, be drawn to the largest scale practical, and incorporate the following elements:

- (A) The location of all existing and/or proposed structures, or building pads as shown on the grading plan and all improvements properly dimensioned and referenced to the property lines.
- (B) The building setbacks.
- (C) All existing and proposed site elevations, grades, major contour lines and the limits of construction.
- (D) The location of all existing or proposed utilities and easements.
- (E) The location of all protected and feature trees.
- (F) The location of all trees to be removed from the site and the location of all replacement trees.
- (G) A spreadsheet indicating all trees by species, location key shown on the treescape plan, the DBH, the physical condition of tree, and an indication of whether or not the applicant is proposing to remove that tree. Each column with numeric values shall be totaled.
- (H) A title block stating street address, lot and block, subdivision name, date and project number.
- (I) The name, address, and phone number of the person preparing the plan and the developer/property owner.

SUBSECTION 03.02: TREESCAPE PLAN REQUIRED

No person, directly or indirectly, shall cut down, destroy, remove or move, or effectively destroy through damaging, any tree situated on a property regulated by this Article without first submitting and receiving approval of a treescape plan unless otherwise allowed by this Article.

For properties that have no protected or feature trees or where the development of the property will not require the removal of any protected or feature trees, the developer or property owner may submit a letter certifying that no protected or feature trees will be affected as a result of the proposed development. This letter will be submitted with the understanding that if it is determined that there are protected or feature trees on the property any violation of the provisions of this Article shall be subject to the violation provisions and fines stipulated in [Section 10, Violations](#).

Staff may administratively approve any treescape plan or letter that does not involve the removal of any protected or feature trees.

SUBSECTION 03.03: TREESCAPE APPLICATION

All applications for treescape plans shall be submitted to the Director of Planning and Zoning or his/her designee. In addition to the application, an applicant shall also submit [1] a treescape plan conforming to the requirements of this Article and [2] a letter from the applicant or property owner indicating the reason for the removal of any protected or feature trees. A treescape plan may also be required with an application for a site plan and/or a preliminary plat, replat, or final plat.

SUBSECTION 03.04: TREESCAPE PLAN REVIEW PROCESS

The Director of Planning and Zoning, or his/her designee, shall review the treescape plan and approve the plan per the requirements of this Article, or forward any recommendations to the Planning and Zoning Commission. As part of the treescape plan review process, the City has the right to request changes or adjustments in the layout and design of a development to save trees. The Planning and Zoning Commission will review and approve or disapprove the treescape plan. The decision of the Planning and Zoning Commission may be appealed to the City Council.

SUBSECTION 03.05: TREESCAPE PLAN EXPIRATION

A treescape plan shall be valid for two years from the approval date. A treescape plan that is approved in conjunction with a preliminary plat, final plat, site plan, and/or building permit shall be valid for the same amount of time as the corresponding plan and/or permit.

SUBSECTION 03.06: BUILDER/CONTRACTOR RESPONSIBILITY

It shall be the responsibility of the builder/contractor to verify that a parcel of land has an approved treescape plan prior to commencing work on a property. In addition, the builder/contractor shall be responsible for ensuring that all construction activities meet the requirements of this Article.

SECTION 04 | TREE REMOVAL PERMIT

Once a treescape plan has been approved for a property, a tree removal permit will be required to remove any tree(s). Tree removal permits may be approved administratively by the Director of Planning and Zoning or his/her designee, or forwarded on to the Planning and Zoning Commission for approval. Feature trees may not be removed without the approval of the Planning and Zoning Commission. All trees removed through this process will require mitigation in accordance with the sections contained in this Article.

SECTION 05 | TREE MITIGATION REQUIREMENTS

The tree mitigation requirements shall apply for all properties that do not fall under the exemptions listed in [Section 01.03, Exemptions](#), of this Article. In addition, if a treescape plan or tree removal permit allows for the removal of a protected or feature tree(s), the applicant and/or property owner shall account for the number of inches of tree being removed using the following criteria:

- (A) Primary Protected Trees. Primary protected trees measuring four inches through 25-inches DBH shall be replaced on an inch-for-inch basis (i.e. the total number of caliper inches of tree being replaced shall equal the total number of caliper inches being removed).
- (B) Secondary Protected Trees. Hackberry and cedar trees measuring 11-inches through 25-inches DBH shall be replaced with a half-inch for every inch removed (i.e. the total number of caliper inches of tree required to be replaced shall be half (½) of the inches being removed).
- (C) Featured Trees. Featured trees (i.e. all trees greater than 25-inches) shall be replaced with twice the number of inches being removed (i.e. the total number of caliper inches of tree being replaced shall be twice the number of caliper inches being removed).
- (D) Non-Protected Tree. No mitigation will be required for the removal of any tree that is less than four (4) inches DBH or less than 11-inches DBH for hackberry and cedar trees. In addition, no mitigation shall be required for the removal of Bois d'Arc, willow, cottonwood, locust and Chinaberry trees.

TABLE 1: SUMMARY OF MITIGATION REQUIREMENTS

Type of Tree	Mitigation Value	Mitigation Requirement	Example of Mitigation Requirements
Primary Protected Trees	4" – 25"	1":1"	A 20-inch tree would require 20-inches of mitigation.
Secondary Protect Trees	11" – 25"	1":½" or 1":0.5"	A 20-inch tree would require ten (10) inches of mitigation.
Featured Trees	Greater Than 25"	1":2"	A 30-inch tree would require 60-inches of mitigation.

- (E) Tree preservation credits. For each saved oak, pecan or elm tree(s) 25-inches DBH or greater the mitigation balance can be reduced on an inch-for-inch basis for up to 20% of the total mitigation balance (i.e. total mitigation balance × 20% = total eligible tree preservation credit).
- (F) Mitigation balance. The total mitigation balance (i.e. mitigation balance – tree preservation credits = total mitigation balance) may be satisfied through one or a combination of the following:
 - (1) The developer/property owner can provide the required number of trees -- four (4) inch caliper DBH minimum -- on the subject property to offset the total mitigation balance (e.g. if the total mitigation balance is 12-inches then three (3), four (4) inch caliper trees could be planted on-site to satisfy the mitigation requirements).
 - (2) The developer/property owner may petition the parks and recreation department to accept the required number of trees - - four (4) inch caliper DBH minimum -- to offset the total mitigation balance (e.g. if the total mitigation balance is 12-inches then three (3), four (4) inch caliper trees could be submitted to the parks and recreation department to satisfy the mitigation requirements). Depending on the number of trees being submitted the Director of Parks and Recreation or his/her designee could require a facilities agreement be approved prior to accepting the trees.
 - (3) Tree preservation credits may be purchased at a rate of \$200.00 per inch for up to 20% of the total replacement inches. For example, if total mitigation required was 100-inches the developer/property owner could pay a total of \$4,000.00 [i.e.

(20% × 100) × \$200.00 = \$4,000.00] into the City's tree fund; however, the developer/property owner would still be required to satisfy a remaining tree mitigation balance of 80-inches. In addition, if the developer/property owner plants a tree on [1] the property for which the tree preservation credit was assessed or [2] a location that is mutually agreed upon by the City and the developer/property owner, the developer/property owner shall be eligible for a reduction in the cost of tree preservation credits of up to 50%. These funds will be deposited in the City's tree mitigation fund and will be used for planting trees in the City's parks, medians, street rights-of-way, or other similar areas as determined by the parks and recreation department.

- (4) Trees required by [Article 08, Landscape Standards, of the Unified Development Code \(UDC\)](#) shall be permitted to be subtracted from the total mitigation balance if provided on site as part of the required landscaping.
- (G) Alternative tree mitigation settlement agreements. In certain cases, the City Council -- upon recommendation from the Planning and Zoning Commission -- may consider an alternative tree mitigation settlement agreement where, due to hardship, the applicant is unable to meet the requirements of this Article or where it is determined that adherence to the tree mitigation requirements will create a hardship for an applicant. These funds will be deposited in the City's tree mitigation fund and will be used for planting trees in the City's parks, medians, street rights-of-way, or other similar areas as determined by the parks and recreation department.

SECTION 06 | TREE PLANTING AND TRANSPLANTING REQUIREMENTS

SUBSECTION 06.01: REPLACEMENT TREES

All replacement trees shall be subject to the following planting requirements:

- (A) All replacement trees must be maintained in a healthy growing condition for a minimum of two (2) years from the date of planting.
- (B) Replacement trees shall not be planted within an area such that the mature root zone will interfere with underground public utility lines, and/or where the mature canopy of the tree will interfere with overhead utility lines. In addition, no tree shall be planted within five (5) feet of an existing fire hydrant, water line or sewer line.
- (C) Replacement trees shall be selected from the reclamation/tree preservation section of *Table 1.1: Required Trees by District* contained in [Appendix C, Landscape Guidelines and Requirements, of the Unified Development Code \(UDC\)](#).
- (D) All replacement trees shall be a minimum of four (4) caliper inches DBH.

SUBSECTION 06.02: TRANSPLANTING TREES

All trees conforming to the species permitted in the reclamation/tree preservation section of *Table 1.1: Required Trees by District* contained in [Appendix C, Landscape Guidelines and Requirements, of the Unified Development Code \(UDC\)](#) can be transplanted to meet the replacement requirements and shall be subject to the following planting requirements:

- (A) All trees three (3) caliper inches DBH through six (6) caliper inches DBH are eligible for transplanting.
- (B) All transplanted trees must survive and be maintained in a healthy condition for a minimum of two (2) years from the date of transplanting. The developer/property owner who received the transplanting credit must replace trees that do not meet these criteria.
- (C) Transplanted protected trees will be listed in the tree survey with the notation that they are being transplanted.

SECTION 07 | TREE PROTECTION DURING CONSTRUCTION

SUBSECTION 07.01: TREE PROTECTION

- (A) Prior to any construction or land development, the developer shall clearly mark all protected and feature trees with an aluminum tag -- *indicating the trees relationship to the treescape plan* -- and flag (*i.e. bright fluorescent red vinyl tape*). The red tape should be wrapped around the main trunk of the protected and/or feature tree at a height of approximately five (5) feet so that the tape is clearly visible during construction. In those instances where a protected tree is so close to the construction area that construction equipment could possibly damage the tree, a protective fence shall be required. The protective fence must be maintained during all construction phases until the project is finished.
- (B) The developer or property owner shall be responsible for preserving all protected and feature trees during construction. This includes hiring an arborist, if necessary.

SUBSECTION 07.02: MATERIAL AND EQUIPMENT STORAGE

The developer or contractor shall not store any material or equipment under the canopy of any protected or featured tree. During the construction stage of the development no cleaning or storage of equipment or material shall be allowed within the drip line of any tree scheduled to be preserved on an approved treescape plan. Those materials include, but are not limited to, oils, solvents, mortar, asphalt and concrete.

SUBSECTION 07.03: SIGNS

No signs, wire or other attachments shall be affixed to any tree scheduled to be preserved on an approve treescape plan.

SUBSECTION 07.04: TRAFFIC

No vehicular traffic, construction equipment traffic or parking shall take place within the drip line of any tree unless on existing street pavement. This restriction does not apply to single incident access for purposes of clearing underbrush, establishing the building pad and associated lot grading, vehicular traffic necessary for routine utility maintenance or emergency restoration of utility service or routine mowing operations.

SUBSECTION 07.05: GRADE

No grade change in excess of two (2) inches shall be allowed within the drip line of any protected or featured tree unless adequate construction methods are approved beforehand. If approved, major grade changes (*i.e. two [2] inches or greater*) within the critical root zone of a protected or featured tree will require additional measures to maintain proper

oxygen and water exchange with the roots. Root pruning will be required when disturbance will result in root exposure.

SUBSECTION 07.06: TREE FLAGGING

At the time of submittal of a treescape plan all protected trees or feature trees should be marked with an aluminum tag, which indicates its relationship to the treescape plan, and clearly flagged with bright fluorescent red vinyl tape. The red tape should be wrapped around the main trunk of the protected tree at a height of approximately four (4) feet so that the tape is clearly visible.

SUBSECTION 07.07: BORING

Boring of utilities under protected or feature trees shall be required in those circumstances where it is not possible to trench around the critical root zone of a protected or feature tree. When required, the length of the bore shall be the width of the critical root zone plus two (2) feet on either side of the critical root zone and shall be at a minimum depth of 48-inches.

SUBSECTION 07.08: DAMAGE

Any physical damage to a tree being preserved for a tree credit that is considered to place the survival of the tree in doubt shall be eliminated as a credited tree and will require additional trees to planted in its place at the required ratio. A certified arborist shall be consulted to determine whether physical damage to a tree places the survival of the tree in doubt.

SECTION 08 | TREE PRUNING

SUBSECTION 08.01: GENERAL

No protected or featured tree shall be pruned in a manner that would significantly disfigure the tree, or in a manner that would lead to the death of the tree.

SUBSECTION 08.02: PRUNING BY UTILITY COMPANIES

Utility companies may prune trees as necessary to reestablish disrupted service or maintain existing service without obtaining a permit.

SUBSECTION 08.03: ALLOWED PRUNING

A protected or featured tree may be pruned in cases where it is necessary to remove branches broken during the course of construction, or where protected or featured trees must be pruned to allow construction of a structure. Pruning should be done in manner that does not significantly disfigure the tree or lead to the death of the tree.

SECTION 09 | TREE FUND

SUBSECTION 09.01: ADMINISTRATION OF THE TREE FUND

The City shall administer the tree fund. The funds shall be used to purchase plant material as permitted by this ordinance, install (*including the equipment or labor necessary to install the plant materials*) and maintain trees on public property including the necessary irrigation equipment, to acquire wooded property that remains in a naturalistic state in perpetuity, to perform and maintain a city-wide tree inventory and to educate citizens and developers on the benefits and value of trees. The City Council shall have the ability to adopt alternative methods of creating

tree credits and methods of distribution of trees and/or funds for purchasing trees.

Funds collected as a result of the mitigation of trees may be used to purchase trees, both deciduous and coniferous, any woody type plant or any perennial appropriate for the climatic conditions of the north Texas region.

SUBSECTION 09.02: COLLECTION OF MONEY FOR THE TREE FUND

Money contributed to the tree fund shall be paid prior to the issuance of a building permit and/or prior to the filing of a final plat.

SECTION 10 | VIOLATIONS

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this Article shall be fined \$500.00 for each offense. The unlawful damage, destruction or removal of each tree shall be considered a separate incident and each offence subjects the violator to the maximum penalty of \$500.00 for the first tree with each subsequent tree increasing by \$500.00 increments.

No acceptance of public improvements shall be authorized and no Certificates of Occupancy (CO) shall be issued until all fines for violations of this Article have been paid to the City.

ARTICLE 10 | PLANNED DEVELOPMENT REGULATIONS

- SECTION 01 | GENERAL
- SECTION 02 | PLANNED DEVELOPMENT DISTRICT STANDARDS
- SECTION 03 | PLANNED DEVELOPMENT PROCEDURES
- SECTION 04 | EFFECT ON EXISTING PD'S
- SECTION 05 | AMENDMENTS TO APPROVED PD APPLICATIONS



SECTION 01 | GENERAL

SUBSECTION 01.01: PURPOSE

The purpose of this Article is to provide for the creation of Planned Development zoning districts (*PD Districts*). PD Districts are intended to provide for the development of land as an integral unit for single or mixed use in accordance with a PD Concept Plan that may include uses, regulations and other requirements that vary from this Unified Development Code (UDC) or from other ordinances, rules or regulations of the city. PD Districts are intended to implement the goals and objectives of the city's Comprehensive Plan, but may be accompanied by specific amendments to provisions of the Comprehensive Plan, the parks and open space plan or the thoroughfare plan. PD Districts are also intended to encourage flexible and creative planning, to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community by meeting one or more of the following purposes:

- To provide for a superior design of lots or buildings;
- To provide for increased recreation and/or open space opportunities for public use;
- To provide amenities or features that would be of special benefit to the property users or community;
- To protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes or hills and view corridors;
- To protect or preserve existing historical buildings, structures, features or places; or
- To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services.

SUBSECTION 01.02: NATURE OF PD DISTRICTS

Each Planned Development (PD) District is intended to be a freestanding zoning district in which land uses and intensities of land use may be tailored to fit the physical features of the site and to achieve compatibility with existing and planned adjacent uses. In order to ensure that a PD District implements the policies of the Comprehensive Plan, and to further ensure that the PD District is in accordance with a Comprehensive Plan of zoning regulation, it is necessary to establish minimum standards for residential and nonresidential uses proposed for the PD District that must be incorporated within an ordinance adopted by the City Council (*the PD Ordinance*).

SUBSECTION 01.03: PD PLANS REQUIRED

There are three (3) types of plans that may be required as part of the development process within a PD District. Each successive plan may modify the previous plan provided that it does not substantially change the general intent of the original PD district. Each successive plan becomes part of the zoning ordinance governing the property and replaces the previously approved plan.

- (A) *PD Concept Plan*. The PD Concept Plan is mandatory and is intended to be used as the first step in the PD development process. It establishes the most general guidelines for the PD District by

identifying the land uses and intensities, thoroughfare locations, and open space boundaries (*including public trail systems*). It may include images of intended style and type of development. The concept plan illustrates the integration of these elements into a master plan for the whole PD District. The PD Concept Plan establishes the development standards for the PD district.

- (B) *PD Development Plan*. A PD Development Plan is optional and is intended to be used where appropriate as the second step of the PD development process. It may be required by the PD Ordinance, or it may be submitted voluntarily by the property owner. A PD Development Plan constitutes an amendment to the approved PD Concept Plan and PD Ordinance and may be used where the developer requests, or the City Council requires, certain standards for the PD District to be specified after initial establishment of the PD District. A PD Development Plan includes more detailed information as to the specific development standards and land uses, including their boundaries. The purposes of a PD Development Plan are to allow flexibility in the development process by deferring specification of all development standards at the time of PD District creation and to enable developers to satisfy conditions imposed on creation of the District prior to submittal of a PD Site Plan.
- (C) *PD Site Plan*. A PD Site Plan is mandatory and is the final step of the PD development process. The purposes of a PD Site Plan are to ensure that the development of individual building lots, parcels, or tracts within the PD District are consistent with the approved concept plan and development plan, if any, and to ensure that the standards applicable within the PD District are met for each such lot, parcel or tract. A PD Site Plan shall continue to be valid for a period of two (2) years after it is approved by the commission; however, such period may be extended by the City Council upon recommendation of the planning commission.
- (1) The site plan shall be accompanied by building elevations and landscape and master sign plans, which shall be reviewed by the Architectural Review Board (ARB) for consistency with the overall objectives of the district. The board's recommendation shall be forwarded to the Planning and Zoning Commission for consideration in their recommendation to City Council, if applicable.
 - (2) A PD Site Plan shall terminate at the end of a two (2) year period (*or more with an extension approved by the City Council*) unless, within such period, a preliminary or master plat as required by the city's subdivision ordinance has been filed with the city for all of the land covered by the PD Site Plan. In which case, the site plan will remain valid as long as there is an approved plat for the property. If a PD Site Plan terminates, development of the land covered by the terminated plan cannot occur until a new PD Site Plan has been approved for the land as provided by this Article.

SUBSECTION 01.04: PD COMPLIANCE WITH APPROVED PLANS

Except as otherwise provided by the subdivision provisions of this Unified Development Code (UDC), no development shall begin and no building permit shall be issued for any land within a PD District until a PD Site Plan that is consistent with the PD Concept Plan and applicable PD Development Plan has been approved. Each PD District shall be developed, used, and maintained in compliance with the approved PD Site Plans for the district. Compliance with the PD Ordinance shall be

construed as a condition precedent to granting of Certificates of Occupancy (CO's).

SECTION 02 | PLANNED DEVELOPMENT DISTRICT STANDARDS

SUBSECTION 02.01: GENERAL STANDARDS FOR PLANNED DEVELOPMENT DISTRICTS

All Planned Development (PD) District ordinances shall conform to the following general standards:

- (A) Size and Acreage Requirements. A Planned Development (PD) District requires a minimum of 15 contiguous acres for non-residential PD Districts, and 25 contiguous acres for residential PD Districts; however, PD Districts may be less than the stated acreages when the Director of Planning and Zoning determines that the PD District will be in conformance with the policies and guidelines contained in the City's Comprehensive Plan or will serve the public's interest.
- (B) Permitted Land Uses. Unless otherwise provided by the Planned Development (PD) District ordinance, only those uses authorized by [Article 04, Permissible Uses](#), shall be permitted within a PD District.
- (C) Base Zoning. All Planned Development (PD) District ordinances shall reference an appropriate base zoning district that can provide standards for density and dimensional requirements not specifically addressed in the PD District ordinances. If the standards of the base zoning district are amended, then the amended standards shall apply to a PD District unless the standards are specifically addressed in the PD District ordinance. Any amendments to a base zoning district that affect a PD District do not require special notice to be provided to the properties within the PD District.

SUBSECTION 02.02: MINIMUM STANDARDS FOR RESIDENTIAL PLANNED DEVELOPMENT DISTRICTS

The minimum requirements for residential Planned Development (PD) Districts shall be in accordance with [Section 03, Residential Districts, of Article 05, District Development Standards](#), unless otherwise specified below. If the subject property is situated within an established overlay district -- as noted in [Section 06, Overlay Districts, of Article 05, District Development Standards](#) --, and a particular use or standard conflicts with the below minimum requirements then the more restrictive standard would apply.

- (A) Density. Residential Planned Development (PD) Districts shall allow for density in conformance to the density guidelines contained in the Comprehensive Plan or as otherwise approved by the City Council upon a recommendation from the Planning and Zoning Commission.
- (B) Roof Pitch. A minimum of an 8:12 roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a 4:12 roof pitch. Rear elevations may have a minimum of 6:12 roof pitch.
- (C) Fencing Standards. The fence standards contained in a Planned Development (PD) District ordinance shall -- at a minimum -- conform to the requirements contained in [Section 08, Fence Standards, of Article 08, Landscape and Fence Standards](#).

(D) Landscape and Hardscape Standards.

- (1) Landscape Buffer. A minimum of a 30-foot landscape buffer shall be provided adjacent to all perimeter roadways (outside of and beyond any required right-of-way dedication), and shall incorporate ground cover, a built-up berm and shrubbery along the entire length of the frontage. Berms shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage.
 - (2) Street Trees. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-foot vertical clearance height for any trees overhanging a public right-of-way.
 - (3) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.
- (E) Open Space. A minimum of 20% of the gross land area within the entire Planned Development (PD) District shall be devoted to public and private open space. Floodplains shall be counted towards open space requirement at a rate of ½-acre for every acre of dedicated floodplain. Open space for PD Districts may be satisfied by either public, private, or a combination of public and private open space. Open space requirements specified in this subsection are in addition to the requirements for site landscaping and buffering. Public open space shall be dedicated to the City. In addition, open space in a PD District shall adhere to the following:
- (1) Preservation of Natural Areas. Floodplain areas shall be preserved and maintained as open space. Significant stands of native trees and shrubs shall be preserved and protected from destruction or alteration.
 - (2) Multi-Phase Developments. Open space requirements shall be satisfied for each phase of a multi-phased residential development. If open space is not to be provided proportionally among phases of the development, the applicant must execute a reservation of open space in a form that will assure the City that such open space will be provided. The City may require that all open space within the district be provided prior to completion of development within the Planned Development (PD) District.
 - (3) Open Space Proximity Requirements. In a residential Planned Development (PD) Districts, all lots less than 12,000 SF shall be located within 800-feet of a neighborhood-oriented park or open space (i.e. private or public). All open space areas shall be landscaped and serve as a visual amenity and/or gathering place for socializing with neighbors.
- (F) Lighting Standards. Light poles shall not exceed 20-feet in total height (i.e. base and lighting standard). All fixtures shall be directed downward and positioned to contain all light within the developed area.
- (G) Buried Utilities. New distribution power-lines required to serve the Subject Property shall be placed underground, whether such lines are located internally or along the perimeter of the Subject Property, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the Subject

Property necessary to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

- (H) Homeowner's Association (HOA). A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of [Chapter 38, Subdivisions, of the Municipal Code of Ordinances](#) of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas (including drainage facilities), irrigation, landscaping, amenity center, screening fences and neighborhood signage associated with this development.
- (I) Variances. The variance procedures and standards for approval that are set forth in Section 9, Exceptions and Variances, of [Article 11, Development Applications and Review Procedures](#), shall apply to all Planned Development (PD) Districts.

SUBSECTION 02.03: MINIMUM STANDARDS FOR NON-RESIDENTIAL PLANNED DEVELOPMENT DISTRICTS

Unless otherwise specified in the Planned Development (PD) District ordinance, the minimum standards for all non-residential development shall conform to the minimum standards for overlay districts, which are outlined in [Subsection 06.02, General Overlay District Standards, of Article 05, District Development Standards](#). In cases where the standards differ by overlay district, the most restrictive standard shall apply.

SECTION 03 | PLANNED DEVELOPMENT PROCEDURES

SUBSECTION 03.01: ESTABLISHMENT OF A PD DISTRICT

- (A) Zoning Amendment. An application for the establishment of a PD District shall be made to the [planning and zoning] commission. The application shall:
 - (1) Be accompanied by a PD Concept Plan;
 - (2) Be accompanied by a list of proposed PD District development standards;
 - (3) Identify the city's then-current zoning district which shall apply to the extent not otherwise provided by the PD Concept Plan or by the proposed PD District development standards;
 - (4) Be accompanied by a concept plan informational statement, and traffic impact analysis unless waived by the City Council.
 - (a) Except to the extent provided by the PD Concept Plan and the PD Ordinance, development within the PD District shall be governed by all of the ordinances, rules, and regulations of the city in effect at the time of such development (*including the standards of the city's zoning district so identified in the application*). In the event of any conflict between:
 - (1) The PD Concept Plan and the PD Ordinance; and
 - (2) The then-current ordinances, rules, and regulations of the city;

- (3) the terms, provisions, and intent of the PD Concept Plan and PD Ordinance shall control. In addition, prior to action by the commission on the establishment of the PD District, the applicant shall submit a traffic impact analysis.

- (B) PD Concept Plan. A PD Concept Plan (*or, at the applicant's option, a PD Development Plan*) shall be processed simultaneously with the zoning amendment application, and if the zoning amendment application is approved, the PD Concept Plan (*or PD Development Plan*) shall be incorporated as part of the PD Ordinance. The graphic depictions contained on a PD Concept Plan shall be considered as regulatory standards. Each PD Concept Plan shall be prepared on one or more standard sheets of sizes of 30-inches by 42-inches or 24-inches by 36-inches and at an engineering scale of one (1) inch equals 100-feet or larger. If multiple sheets are required, an overall plan shall be submitted as well (*which may be to any scale*). Unless waived by the City Council on recommendation of the Director of Planning and Zoning, each PD Concept Plan shall graphically depict the following:
 - (1) A diagram or drawing of the boundaries of the proposed PD District;
 - (2) Proposed and existing land uses by category (including, if applicable, proposed and existing land uses by category for any sub-areas to be developed within the PD District);
 - (3) Proposed density by type of residential uses, including the maximum numbers of dwelling units for residential uses other than single-family detached, and lot sizes for single-family detached;
 - (4) Proposed estimated total floor area and floor area ratios by category of nonresidential uses, together with residential view analysis, if any;
 - (5) Proposed configuration of public and private open space serving the development, showing the relationship to the city's parks and open space plan, including trail system and access points to the trail system, estimated dimensions and approximate area, and areas to be dedicated to the public or to a private maintenance organization, if known;
 - (6) Proposed and existing thoroughfares, boulevards and roadways;
 - (7) To the extent known for adjoining land, existing land uses (by zoning district), existing thoroughfares; and existing open space for such adjoining land; and
 - (8) A general plan for circulation of traffic and pedestrians within and external to the development, including designated points of access.
- (C) Concept Plan Informational Statement. A PD Concept Plan shall be accompanied by an informational statement containing the information set forth below. If the zoning amendment application is approved, the informational statement shall not be binding on the applicant or the land owner and shall not be considered part of the PD Concept Plan or the PD Ordinance. Informational statements shall be updated concurrently with any amendment to the PD Concept Plan and with each PD Development Plan. Each statement shall include the following:

- (1) A general statement setting forth how the proposed PD District will relate to the city's Comprehensive Plan;
 - (2) The total acreage within the proposed PD District;
 - (3) If the development is to occur in phases, a conceptual phasing plan that identifies the currently anticipated general sequence of development, including the currently anticipated general sequence for installation of major capital improvements to serve the development; and
 - (4) An aerial photograph with the boundaries of the PD Concept Plan clearly delineated.
- (D) Proposed PD Development Standards. Proposed PD District development standards shall be processed simultaneously with the zoning amendment application, and if the zoning amendment application is approved, such standards shall be incorporated as part of the PD Ordinance. Such proposed development standards may include (but shall not be limited to) uses; density; lot size; lot dimensions; setbacks; coverage; height; landscaping; lighting, fencing, parking and loading; signage; open space; drainage; and utility and street standards. Any graphic depictions used to illustrate such standards, unless otherwise provided in the PD Ordinance, shall be considered as regulatory standards.
- (E) Traffic Impact Analysis. Prior to or simultaneous with submission of an application for the establishment of a PD District, the applicant shall submit to the City Engineer a traffic impact analysis for the proposed PD District, unless waived by the City Council. The analysis must be approved by the City Council prior to or concurrently with the approval by the City Council of the PD District. The traffic analysis shall not be considered part of the PD Concept Plan or the PD Ordinance but may be used to condition the density or intensity of uses or the timing of development within the district based upon the existence of a supporting roadway network adequate to accommodate the traffic expected to be generated. The traffic impact analysis shall be updated with each PD Site Plan.
- (F) Complete Application. No application for the establishment of a PD District shall be deemed to be filed with the city until the Director of Planning and Zoning has determined that the PD Concept Plan is complete, that the proposed PD District development standards have been identified, a traffic impact analysis has been submitted, and that the informational statement is complete. Fifteen copies of all such materials shall be submitted.
- (G) Commission Recommendation. The commission, after notice and public hearing in accordance with this Unified Development Code (UDC) procedures, shall formulate its recommendation with respect to establishment of a PD District. The recommendation of the commission shall be forwarded to the City Council for decision.
- (H) Council Decision. Following receipt of the commission's recommendation, the City Council, after notice and public hearing in accordance with the Unified Development Code (UDC) procedures, shall conduct a public hearing and shall approve, approve with conditions, or deny the application for establishment of the PD District.
- (I) Approval Criteria. Based upon the PD Concept Plan, the commission, in making its recommendations to the City Council, and the City Council, in determining whether the PD District should be

established, shall consider whether the following criteria have been met:

- (1) The plan of development is generally consistent with the city's Comprehensive Plan (as such plan may be amended prior to or concurrently with approval of the PD District);
 - (2) Proposed uses and the configuration of uses are compatible with existing and planned adjoining uses;
 - (3) The general arrangement of streets conforms to the city's thoroughfare plan (as such plan may be amended prior to or concurrently with approval of the PD District);
 - (4) Proposed uses, development densities and intensities, and development regulations are generally consistent with this Article;
 - (5) The configuration of the proposed open space serving the development is consistent with the city's parks and open space plan (as such plan may be amended prior to or concurrently with approval of the PD District);
 - (6) The amenities proposed justify proposed densities or intensities;
 - (7) The proposed plan of development furthers the public health, safety and general welfare of the community; and
 - (8) The traffic impact analysis demonstrates that the capacity of the proposed roadways shown on the proposed PD Concept Plan, together with any roadways within related PD Districts and the supporting roadway network, are adequate to accommodate the traffic expected to be generated by the uses, densities and intensities of use shown on the PD Concept Plan in and authorized in the PD Ordinance in a timely and efficient manner.
- (J) Conditions. The commission may recommend, and the City Council may require, such conditions to the establishment of a PD District and to the approval of a PD Concept Plan as are reasonably necessary to ensure that the purposes of the district and the approval criteria for the PD Concept Plan are met. Such conditions may include the requirement of a PD Development Plan.
- (K) Adopting Ordinance. The PD Ordinance shall include the PD Concept Plan as an exhibit to this Article and shall include the following:
- (1) A statement of the purpose and intent of the PD District;
 - (2) A metes and bounds description of the land within the PD District;
 - (3) A list of the specific land uses permitted within the PD District, together with a description of the sub-areas, if any, in which such uses are allowed;
 - (4) The maximum density or intensity of each permitted land use;
 - (5) A list of all the PD District development standards, together with necessary graphic illustrations;
 - (6) Identification of the city's then-current zoning district standards that shall apply to the extent not otherwise provided by the PD Concept Plan or PD Ordinance;

- (7) Identification of the development standards, if any (*whether in the PD Ordinance or in the then-existing ordinances, rules, or regulations of the city*), that may be deferred for specification until approval of a PD Development Plan or that may be varied by the City Council as part of the approval process for a PD Site Plan;
- (8) Unless otherwise identified on the PD Concept Plan, the general location and size of open space serving the development, including any proposed dedication of open space to the public or to a maintenance organization;
- (9) Provisions governing amenities, if any, to justify densities or intensities;
- (10) Such additional conditions as are established by the City Council to ensure that the PD District and PD Concept Plan are consistent with the purposes of the district and the approval criteria for the concept plan.

SUBSECTION 03.02: PD DEVELOPMENT PLANS

If the City Council requires as a condition of establishing the PD District and approving a PD Concept Plan that PD Development Plans be submitted prior to submittal of a PD Site Plan, a PD Development Plan may be prepared and submitted for the entire development at one time or for individual phases of development. Each required copy of the PD Development Plan shall be accompanied by [1] a development plan informational statement and [2] a preliminary drainage study for the area covered by the proposed plan. If deemed necessary by the City Engineer or Director of Planning and Zoning, the applicant for a PD Development Plan shall also submit an updated traffic impact analysis prior to commission action.

(A) Submittal Requirements for PD Development Plans.

- (1) Approximations of the following: site boundaries and dimensions, lot lines, site acreage and square footage, and distances to the nearest cross streets;
- (2) Location map, north arrow, title block and site data summary table;
- (3) Existing land uses and zoning classifications on adjacent properties;
- (4) Preliminary tree survey;
- (5) Any features omitted from the PD Concept Plan upon City Council authorization; and
- (6) Such additional features as are necessary to ensure compliance with conditions established by the City Council to be satisfied by the development plan.

(B) PD Development Standards. Development standards that were not specified in the PD Ordinance, as authorized by the City Council, shall be submitted and approved as an amendment to the PD Ordinance and incorporated therein, in conjunction with approval of the PD Development Plan.

(C) Development Plan Informational Statement. Each PD Development Plan shall be accompanied by an informational statement containing the information set forth below. Informational statements shall be updated concurrently with any amendment to a PD Development

Plan and with each PD Site Plan. Each informational statement shall include the following:

- (1) Name and address of landowner and date of preparation of the PD Development Plan;
 - (2) Name and address of architect, landscape architect, planner, engineer, surveyor, or other persons involved in the preparation of the PD Development Plan;
 - (3) A table listing the specific permitted uses proposed for the property, and, if appropriate, the boundaries of the different land uses and the boundary dimensions;
 - (4) Development standards for each proposed land use, as follows:
 - (a) Minimum lot area;
 - (b) Minimum lot width and depth;
 - (c) Minimum front, side, and rear yard areas;
 - (d) Maximum height of building; and
 - (e) Maximum building coverage;
 - (5) A list of the development standards, if any (whether in the PD Ordinance or in the then-existing ordinances, rules, or regulations of the city that apply to development within the PD District), for which the applicant is seeking amendment by the City Council as part of the PD Development Plan approval process;
 - (6) If the City Council approval of any height increase is being requested, a view analysis of the impact of such requested variance on adjacent residential areas of the city;
 - (7) Preliminary and approximate building locations and building footprints;
 - (8) Preliminary elevations and perspectives to show the relationship of building heights to surrounding topography;
 - (9) Location of parking areas and structures for multi-family and nonresidential uses, including areas for off-street parking;
 - (10) A detailed description of how open space serving the development will be satisfied for the phase of development represented by the PD Development Plan, including any proposed dedications of open space to the public or to a private maintenance organization;
 - (11) If the PD Development Plan is a phase of the project (as described in the applicant's original informational statement submitted with the PD Concept Plan), depiction of the area subject to the development in relation to the then-current phasing plan, together with any updates of the then-current phasing plan that was submitted as part of the applicant's original informational statement; and
 - (12) A list identifying each proposed addition or amendment to the PD Ordinance.
- (D) Preliminary Drainage Study. Each PD Development Plan shall be accompanied by a preliminary drainage study for the area covered by the study. The study shall be prepared by a professional engineer

licensed in the State of Texas and experienced in the study of drainage issues.

- (1) Purpose. The purposes of the drainage design policies are to prevent flooding of adjacent properties, owned by third parties and to regulate water surface elevations and peak discharges. Development within the PD District shall not produce any increase in the water surface elevation (*either upstream or downstream*) due to a five (5) year, ten (10) year, 50-year, or 100-year storm. If the discharge from the area proposed for development would increase the water surface elevation above predevelopment conditions on any property owned by third parties due to any of such storms, then such peak discharge must be regulated to the extent necessary to eliminate the increased water surface elevation. The regulation of discharges to eliminate such increases may be achieved using either on-site or off-site stormwater management facilities (*such as detention areas, retention areas, and infiltration and sedimentation ponds*).
- (2) Content. The preliminary drainage study shall:
 - (a) Contain a topographical map of the area proposed for development to a scale not smaller than one (1) inch equals 200 feet;
 - (b) Generally, describe how the proposed development will comply with the drainage design policies set forth below;
 - (c) Include all information deemed necessary by the preparing engineer to support his determination that the proposed development will comply with the drainage design policies; and
 - (d) Include all information reasonably requested by the City Engineer to support his review of the preliminary drainage study.
- (E) Updated Traffic Impact Analysis. If deemed necessary by the City Engineer or if required by the PD Ordinance, the applicant for a proposed PD Development Plan shall submit an updated traffic impact analysis prior to action by the commission. The purpose of the updated analysis is to determine whether the traffic estimated to be generated by the development shown on the proposed PD Development Plan will necessitate specific on-site or adjacent traffic improvements (*e.g., turn lanes, stacking lanes, signalization, etc.*) and to determine whether conditions attached to the concept plan based on the original traffic impact analysis have been met.
- (F) Commission Recommendation. The commission, after notice and public hearing in accordance with this Unified Development Code (UDC) procedures, shall recommend to the City Council whether to approve, approve with conditions, or disapprove each PD Development Plan, together with each proposed amendment to the PD Ordinance.
- (G) Council Decision. Upon receipt of the commission's recommendation, the City Council, after notice and public hearing in accordance with this Unified Development Code (UDC) procedures, shall approve, approve with conditions, or disapprove each PD Development Plan and each proposed addition or amendment to the PD Ordinance.

- (H) Approval Criteria. The commission, in making its recommendation to the City Council, and the City Council, in acting upon each PD Development Plan and proposed addition or amendment to the PD Ordinance, shall determine whether the proposed PD Development Plan and ordinance addition or amendment meets the following criteria:
 - (1) The plan generally is consistent with the approved PD Concept Plan (*including open space, trails, and thoroughfares*);
 - (2) The plan generally is consistent with the development standards set forth in the PD Ordinance;
 - (3) The plan satisfies any conditions established by the City Council in the PD Ordinance relating to development plan approval;
 - (4) The plan is generally consistent with the standards and conditions of this Unified Development Code (UDC) and of other ordinances, rules and regulations of the City (*to the extent that such standards and conditions are applicable to development within the PD District*);
 - (5) The traffic estimated to be generated by the plan is generally consistent with the original, City Council approved traffic impact analysis and any conditions to be satisfied at the time of the development plan approval have been met;
 - (6) The plan includes the necessary on-site or adjacent traffic improvements to accommodate traffic generated by the plan (*e.g., turn lanes, stacking lanes, signalization, etc.*); and
 - (7) The preliminary drainage study for the plan indicates that the proposed development can be achieved without increasing the upstream or downstream water surface elevation on property owned by third parties and that detention and drainage areas can be improved in a natural manner.
- (I) Conditions. The commission may recommend, and the City Council may require, such conditions to the approval of a PD Development Plan as are reasonably necessary to ensure that the approval criteria are met.
- (J) Approving Ordinance. The development plan shall be incorporated within an ordinance amending the PD Ordinance and the concept plan. The amending ordinance shall set forth all standards necessary for development of the land subject to the development plan that were not included in the PD Ordinance. The amending ordinance also shall repeal or amend any conditions that were attached to the PD Ordinance that have been satisfied as a result of approving the development plan and associated amendments.

SUBSECTION 03.03: PD SITE PLANS

- (A) Delegation to Commission. The commission hereby is delegated the authority to approve, conditionally approve, or deny PD Site Plans and all amendments thereto, subject to appeal to the City Council. Any site plan subject to a request for variances or other modifications that are reserved for the City Council by these PD regulations shall be decided by the City Council upon recommendation of the commission.
- (B) Submittal Requirements. The following requirements apply to each application for PD Site Plan approval:

- (1) Size. PD Site Plans shall be prepared on one or more standard sheets of sizes of 30-inches by 42-inches or 24-inches by 36-inches and at an engineering scale of one (1) inch equals 100-feet or larger. If multiple sheets are required, an overall plan shall be submitted as well (*which may be to any scale*). PD Site Plans shall be prepared by a registered engineer, architect, or landscape architect.
- (2) General Information.
 - (a) North arrow;
 - (b) Total site acreage;
 - (c) Submission date;
 - (d) Scale (written and graphic);
 - (e) Vicinity map;
 - (f) Names, addresses, and telephone numbers of designer, engineer, developer, and owner;
 - (g) A boundary survey of the site with the location of proposed land uses;
 - (h) Adjacent subdivision names and property lines; and
 - (i) Adjacent land uses and structures.
- (3) Structures.
 - (a) Location, dimensions, and use of all existing facilities and proposed building sites;
 - (b) Setback and separation distances between building sites;
 - (c) Proposed construction type and facade materials for all multi-family and nonresidential buildings (*the commission may require elevations and perspective drawings*);
 - (d) Proposed density of each use;
 - (e) Proposed location of screening along public roadways shown on the PD Concept Plan;
 - (f) Location and types of signs, including lighting and heights;
 - (g) Elevation drawings citing proposed exterior finish materials; and
 - (h) Location of solid waste collection facilities.
- (4) Streets and Sidewalks.
 - (a) Location and width of all rights-of-way and easements;
 - (b) Location and dimensions of all pavement and curbing;
 - (c) Location and width of all sidewalks;
 - (d) Location and width of all ingress/egress points;
 - (e) Location and width of all medians and median breaks;
 - (f) Location of any special traffic regulation facilities;
 - (g) Location of fire lanes; and
 - (h) Street names on proposed streets.
- (5) Off-street parking and loading areas.
 - (a) Number, location, and dimension of spaces;
 - (b) Type of surface material of parking facility;
 - (c) Dimension of aisles, driveways, maneuvering areas, and curb return radii;
 - (d) Distance between spaces and adjacent rights-of-way;
 - (e) Location of all existing and proposed fire lanes and hydrants; and
 - (f) Proposed lighting diagram.
- (6) Landscaping.
 - (a) Location and size of major tree groupings and existing hardwood trees of four (4) inches caliper or greater, and other protected trees as specified in [Article 09, Tree Preservation](#), noting whether they are to be removed or retained;
 - (b) Location and size of proposed plant materials, including paving, together with type and species of plants;
 - (c) Number and type of each landscape element;
 - (d) Height and type of all fencing or buffering;
 - (e) Height of all planters, sculptures, and decorative screens;
 - (f) Location and type of trash receptacle screening;
 - (g) Location and type of lighting for streets, signage, and parking areas; and
 - (h) Location of visibility triangles, where required.
- (7) Drainage.
 - (a) Direction of water flow;
 - (b) Quantity of on-site and off-site water generation;
 - (c) Topographic contours at a minimum of five (5) foot intervals;
 - (d) Points of concentrated water discharge;
 - (e) Areas where special design and construction may be necessary due to slope or soil conditions;
 - (f) Location and design of all water detention and drainage areas; and
 - (g) Drainage ways, creeks, and limits of the 100-year floodplain and floodway as shown on current FEMA mapping or the city's master drainage plan, including location and acreage, together with a general plan for accommodating flood waters and drainage.
- (8) Preliminary Service Plan.
 - (a) A preliminary drainage plan of the area showing the size and location of each existing and proposed drainage way and retention or detention area. If no development plan has been required and approved by the City Council, the drainage plan shall incorporate the requirements of the preliminary drainage study;
 - (b) The proposed method of providing water and sewer service; and

- (c) If no development plan has been required and approved by the City Council, an updated traffic impact analysis.
- (9) Special Exceptions. A list of the development standards, if any (whether in the PD Ordinance or in the then-existing ordinances, rules, or regulations of the city that apply to development within the PD District), for which the applicant is seeking a special exception by the City Council as part of the PD Site Plan approval process.
- (C) Commission Decision. The commission shall approve, approve subject to conditions, or deny each PD Site Plan.
- (D) Approval Criteria. The commission, in approving, conditionally approving, or denying a PD Site Plan, shall consider the following criteria:
- (1) The plan complies with the applicable PD Concept Plan or development plan, if any, and with the PD Ordinance, expressly including conditions attached to the concept plan, development plan or PD Ordinance;
 - (2) The plan complies with the standards and conditions of this Unified Development Code (UDC) and other ordinances, as well as other rules and regulations of the City (to the extent that such standards and conditions are applicable to development within the PD District);
 - (3) If no development plan was required and approved by the City Council, the traffic estimated to be generated by the plan is generally consistent with the original City Council-approved traffic impact analysis;
 - (4) If no development plan was required and approved by the City Council, the plan includes the necessary on-site or adjacent traffic improvements to accommodate traffic generated by the plan (e.g., turn lanes, stacking lanes, signalization, etc.);
 - (5) If no development plan was required and approved by the City Council, the preliminary drainage study for the plan indicates that the proposed development can be achieved without increasing the upstream or downstream water surface elevation on property owned by third parties and that detention and drainage areas can be improved in a manner approved by the City Council; and
 - (6) Landscaping promotes continuity and unity consistent with the landscape plan for the development and encourages views to public open space and public landmarks.
- (E) Conditions. The commission, or the City Council on appeal, may establish such conditions to the approval of a PD Site Plan as are reasonably necessary to ensure that the approval criteria are met.
- (F) Appeal from Commission Action. If the commission approves a PD Site Plan with conditions or if it disapproves a PD Site Plan, the applicant may appeal the decision to the City Council by filing a written request with the city secretary within ten (10) days after the commission's decision.
- (G) Variances. The granting of variance for Planned Development District regulations shall be the purview of City Council, not the board of adjustment. If the applicant requests a variance from PD Ordinance standards or other ordinance requirements, the variance

request will be forwarded to the City Council with the commission's recommendation for decision. Procedures and criteria for approval shall be those applicable to special exceptions under [Section 09.01, Exceptions to the General Standards, Article 11, Development Applications and Review Procedures](#).

SUBSECTION 03.04: AMENDMENT OF PD PLANS

- (A) PD Concept Plans. PD Concept Plans (excluding informational statements) are considered part of the PD Ordinance. Any amendment to a PD Concept Plan shall be considered a zoning change, and the provisions of [Chapter 211, Municipal Zoning Authority, of the Local Government Code](#) relating to notices, public hearings, and written protests for changes in zoning districts or regulations shall apply. If a PD District is established subject to approval of PD Development Plans, the provisions of this subsection shall apply to such PD Development Plan.
- (B) PD Site Plans. PD Site Plans are not considered part of a PD Ordinance. Except as otherwise provided, any amendment to an approved PD Site Plan must be approved by the Planning and Zoning Commission. However, *minor modifications* to any PD Site Plan may be approved by the Director of Planning and Zoning. If the Director of Planning and Zoning believes that a request for *minor modification* entails a significant change in the site plan, he may refer the request to the commission for determination. A *minor modification* to a PD Site Plan is defined as any modification that does not:
- (1) Alter the basic relationship of proposed development to adjacent property;
 - (2) Change the uses permitted;
 - (3) Increase the maximum density, floor area, or height;
 - (4) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to this Articles' requirements; or
 - (5) Reduce the minimum yards or setbacks.

SUBSECTION 03.05: PERIODIC REVIEW

- (A) Applicability. Each tract of land not yet fully developed, for which (PD) Planned Development District zoning has been granted, shall be reviewed by the Planning and Zoning Commission in order to make inquiry and ascertain the following:
- (1) Whether a preliminary plan and/or development plan can reasonably be expected to be filed;
 - (2) If a preliminary plan and/or development plan can be reasonably expected to be filed at any time within the two (2) year interval as set out herein;
 - (3) Whether the granted uses for the tract of land under consideration continues to have a desired relationship with the surrounding area; and
 - (4) If such density and other design standards originally granted are in accordance with the current community growth patterns and values.

- (B) *Determination*. If, upon inquiry and review, the Planning and Zoning Commission finds that a particular tract of land zoned Planned Development (PD) District is not reflective of current community growth patterns or community design policies, or is not in accordance with the Comprehensive Plan, it may request the City Council to initiate hearings on the particular tract of land to consider:
 - (1) Reform or modification of the PD District on the particular tract; or
 - (2) Change the zoning to a more suitable land use classification.
- (C) *Frequency*. The Planning and Zoning Commission shall review each tract of land for which Planned Development zoning has been granted beginning in January of each year, at least on two (2) year intervals. The Planning and Zoning Commission may review certain tracts (for which Planned Development zoning has been granted) more frequently if it determines such review is necessary.

- (6) Detrimentially change or alter the characteristics of the elevation drawings or site plan as approved, but rather allow for some flexibility in minor modification to same.

SECTION 04 | EFFECT ON EXISTING PD'S

SUBSECTION 04.01: DISTRICT AMENDMENTS

If an amendment is proposed -- *after the effective date of the Unified Development Code (UDC) from which this Article is derived* -- to any Concept Plan, Development Plan, Site Plan or Planned Development Ordinance approved prior to the effective date of the ordinance from which this Article is derived under prior development regulations, the provisions of this Article shall apply to those amendments.

SUBSECTION 04.02: SITE PLANS

For any PD District established under prior planned development regulations for which at least one (1) site plan has been approved pursuant to such prior regulations, the provisions of this Article shall not apply, except that procedures related to approval of PD Site Plans pursuant to this Article shall apply to any application for PD Site Plan approval submitted more than 30-days after the effective date of this Article.

SECTION 05 | AMENDMENTS TO APPROVED PD APPLICATIONS

SUBSECTION 05.01: PROCESSING AMENDMENTS

- (A) Amendments to all applications and approvals shall be processed in the same manner as the original application. However, the applicant shall submit a summary of all elements that are proposed to be changed along with the revised plans and application.
- (B) Notwithstanding the above, the Director of Planning and Zoning may approve minor modifications in an approved site plan or PD Site Plan administratively, provided that they do not:
 - (1) Alter the basic relationship of proposed development to adjacent property;
 - (2) Change the uses permitted;
 - (3) Increase the maximum density, floor area, or height;
 - (4) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to this Articles' requirements;
 - (5) Reduce the minimum yards or setbacks; or

ARTICLE 11 | DEVELOPMENT APPLICATIONS AND REVIEW PROCEDURES

SECTION 01 | GENERAL

SECTION 02 | ZONING

SECTION 03 | SITE PLANS

SECTION 04 | PLATS

SECTION 05 | MISCELLANEOUS CASES

SECTION 06 | CERTIFICATE OF APPROPRIATENESS (COA)

SECTION 07 | BUILDING PERMIT FEE WAIVER

SECTION 08 | SMALL MATCHING GRANTS

SECTION 09 | EXCEPTIONS AND VARIANCES

SECTION 10 | FEE SCHEDULE



SECTION 01 | GENERAL

SUBSECTION 01.01: PRE-APPLICATION MEETING

An applicant proposing to [1] establish a land use requiring a Specific Use Permit (SUP) on a property or properties, [2] the subdivision or assembly of property or properties, [3] the change in zoning classification of a property or properties, or [4] any other development related activity in the City of Rockwall is encouraged to request a Pre-Application Meeting with the Development Review Committee (DRC). Prior to a Pre-Application Meeting, the applicant should submit a Pre-Application Meeting Request form and provide a concept plan showing the proposed development activities in as much detail as possible. Based on the information provided by the applicant, the DRC will provide initial comments concerning the merits of the proposed development and inform the applicant of any additional requirements that will need to be addressed in the preparation of a development application.

SUBSECTION 01.02: SUBMISSION OF AN APPLICATION

- (A) Authority to Submit an Application. Unless otherwise stated in this Article, the following shall apply when submitting an application for a request:
- (1) Development Application. All zoning, site plan, platting, and miscellaneous cases shall be initiated by the owner of the affected property or his/her authorized representative who files a Development Application and pays the appropriate fee.
 - (2) Historic Preservation Advisory Board Application. All Certificate of Appropriateness (COA), small matching grant, and building permit fee waiver requests shall be initiated by the owner of the affected property or his/her authorized representative who files a Historic Preservation Advisory Board Application.
 - (3) Board of Adjustments Application. All variance and special exceptions to be considered by the Board of Adjustments (BOA) shall be initiated by the owner of the affected property or his authorized representative or any aggrieved party who files the required application and pays the appropriate fee, or by any person aggrieved by the decision of an administrative officer with authority over any matter that can be appealed to the Board of Adjustments (BOA) per [Subsection 04.03, Jurisdiction, of Article 02, Development Review Authority](#), by an officer of the City, or appropriate board/commission of the City.
- (B) Ownership. In the event that the ownership stated on an application is different than the ownership shown on the City's Certified Tax Roll, the Director of Planning and Zoning may require additional written proof of ownership be provided with an application.
- (C) Submission Development Application. All application requests to be considered by the Historic Preservation Advisory Board (HPAB), Board of Adjustments (BOA), Planning and Zoning Commission and/or the City Council, shall be initiated by filing an application with the Director of Planning and Zoning or his/her designee. All applications shall be required to be submitted on the official submittal date. Applications received on a date other than an official submittal date shall not be accepted and shall be returned to the applicant.

- (D) Completed Application. To ensure the submission of adequate information, the Director of Planning and Zoning is hereby empowered to maintain and distribute a list of specific submittal requirements that constitutes a completed application. Any application that does not provide all items required by the Director of Planning and Zoning shall be considered to be incomplete, and shall not be accepted by the City. These requirements may be modified by the Director of Planning and Zoning as deemed necessary.
- (E) Plans and Exhibits. All plans, surveys, plats, and/or other exhibits submitted as part of any application shall be prepared by a registered architect, engineer, landscape architect, surveyor, planner, or other design professional.

SUBSECTION 01.03: APPLICATION WITHDRAWAL

Any request for the withdrawal of an application must be submitted in writing to the Director of Planning and Zoning or his/her designee. If an application requires notice to be published in the newspaper and/or notifications of a public hearing sent to affected property owners, such request for withdrawal of an application must be placed on the public hearing agenda and acted upon by the applicable body. In all requests for withdraw, application fees will not be refunded except in cases where the Director of Planning and Zoning determines that an application was [1] submitted in error, or [2] the fee paid exceeds the amount due under the provisions of [Section 10, Fee Schedule](#). In cases where the fee paid exceeds the amount due, only the amount of the overpayment may be refunded.

SUBSECTION 01.04: DENIAL OF AN APPLICATION

Unless otherwise stated in this Article, if an application for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver is denied with prejudice by the Historic Preservation Advisory Board (HPAB), Planning and Zoning Commission, or City Council, a new application for the same request may not be submitted for the same lot or tract of land -- or any portion thereof -- for a period of one (1) year unless the request is deemed to be more restrictive or less intense than the previously denied request. A failure to indicate that a denial is with or without prejudice, in making a motion to deny, shall be consider a denial with prejudice.

SUBSECTION 01.05: REAPPLICATION

A request for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver which has been previously denied with prejudice by the Historic Preservation Advisory Board (HPAB), Planning and Zoning Commission, or City Council may be resubmitted within one (1) year if there is: [1] An actual change in condition relating to the lot or tract of land -- or any portion thereof -- or any surrounding properties, or [2] the new request is more restrictive or less intense than the previous request. In this event, the applicant must submit a written request to the Director of Planning and Zoning detailing the change in condition or the more restrictive/less intense request. The Director of Planning and Zoning or his/her designee will review the claim and report to the Planning and Zoning Commission whether or not such request meets the aforementioned criteria. Upon hearing this report, the Planning and Zoning Commission shall either grant or deny the request to refile an application for site plan, plat,

miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver.

SECTION 02 | ZONING

SUBSECTION 02.01: AUTHORITY

- (A) Authority to Amend the Zoning Map and Unified Development Code (UDC). The City Council may from time-to-time -- *on its own motion or at the request of the Planning and Zoning Commission or Director of Planning and Zoning* -- direct the Director of Planning and Zoning to prepare amendments, changes, and/or supplements to the regulations contained in the Unified Development Code (UDC), and/or the boundaries or designations specified on the City's Zoning Map.
- (B) Authority to Request Changes to the Zoning Map. A request that proposes a change to the City's Zoning Map (*i.e. zoning changes and Specific Use Permits*) may be requested by the:
- (1) City Council;
 - (2) Planning and Zoning Commission;
 - (3) Director of Planning and Zoning;
 - (4) Owner of real property located within the corporate boundaries of the City of Rockwall; or
 - (5) Authorized representative of an owner of real property located within the corporate boundaries of the City of Rockwall.
- (C) Authority to Order Changes to the Unified Development Code (UDC). Changes to the Unified Development Code (UDC) may be ordered by the:
- (1) City Council;
 - (2) Planning and Zoning Commission; or
 - (3) Director of Planning and Zoning.

SUBSECTION 02.02: SPECIFIC USE PERMITS (SUP)

- (A) Purpose. The purpose of a Specific Use Permit (SUP) is to allow discretionary consideration of certain uses that would typically be considered incompatible within certain locations of a zoning district, but may become compatible with the addition of special provisions, conditions or restrictions. A SUP does not change the base zoning; it allows a particular use that would not normally be permitted in that zoning district. The SUP requirement for any land use is identified in the Permitted Land Use table contained in [Article 04, Permissible Uses, of this Unified Development Code \(UDC\)](#). The discretionary SUP procedure is designed to enable the Planning and Zoning Commission and the City Council to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a SUP when it is apparent that a proposed use or structure will or may occasionally harm the community or cause injury to the value, lawful use, and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.
- (B) Operational Conditions. In considering a SUP, staff and/or the Planning and Zoning Commission may recommend and the City

Council may adopt additional conditions and operational constraints to ensure compatibility with adjacent land uses. These additional conditions and operational constraints will be incorporated into the SUP ordinance, and may relate to: [1] a property's specific site conditions, [2] increased performance standards, [3] compatibility with adjacent properties, [4] mitigation of potentially negative or adverse effects of a request, and [5] anything that could have a negative impact on the public's health, safety and general welfare.

- (C) Compliance.
- (1) In considering a Special Use Permit (SUP) application, the Planning and Zoning Commission may recommend, and the City Council may impose such conditions, safeguards and restrictions upon the premises benefited by the special use as may be necessary to avoid, minimize, or mitigate any potentially injurious effect of such special uses upon other property in the neighborhood, and to carry out the general purpose and intent of this ordinance. Such conditions shall be set out in the ordinance approving the SUP.
 - (2) Prior to a SUP being issued, the property owner of the affected property shall agree, comply and be bound to the conditions and operational constraints approved by the City Council and contained in the SUP ordinance.
 - (3) A SUP is considered to be transferable from property owner to property owner for a specific property; however, the conditions and operational constraints of the SUP shall remain in effect and be applicable to the new property owner(s) and/or occupant(s). SUPs cannot be transferred from property to property.
- (D) Abandonment, Expiration and Revocation of a Specific Use Permit (SUP).
- (1) Abandonment. A SUP approved by the City Council that remains vacant or inactive for a period of one (1) year shall be deemed to be abandoned and shall automatically expire. Vacancy or inactivity can be determined by the following:
 - (a) The water and/or electrical services have been disconnected or discontinued on the property; and/or
 - (b) The subject property (*e.g. lease space, parcel or parcels of land, lot, tract etc.*) is unoccupied; and/or
 - (c) The use is abandoned due to the issuance of a Certificate of Occupancy (CO) for a use other than (*and exclusive from*) the use approved with the SUP.
- (E) Expiration. A Specific Use Permit (SUP) shall automatically expire due to inactivity if:
- (1) A building permit has not been issued within one (1) year of the approval date of the SUP ordinance, and/or a Certificate of Occupancy (CO) has not been issued within one (1) year of a building permit due to inactivity on the site (inactivity in this case is defined as no progress towards construction for six [6] months), or one (1) year of the approval date of this ordinance if no building permit is necessary; or

(2) A building permit or Certificate of Occupancy (CO) expires, is terminated or revoked under the requirements of the Codes of the City of Rockwall.

(F) Revocation. The City Council reserves the right to revoke or rescind any SUP in which the business, property or property owner operating under the guidelines of the SUP ordinance fails to meet the minimum operation requirements set forth in the Specific Use Permit (SUP) ordinance and/or outlined in the Unified Development Code or the Rockwall Municipal Code of Ordinances. The procedure for revocation or rescinding a Specific Use Permit (SUP) shall be the same procedure for requesting a new Specific Use Permit (SUP).

(G) Extension of a Specific Use Permit (SUP). Upon recommendation from the Planning and Zoning Commission, the City Council may grant a one (1) time extension to the expiration requirements stated above for a period not to exceed one (1) year. To apply for an extension a property owner shall file a written request with the Director of Planning and Zoning or his designee at least ninety (90) days prior to the expiration date. Extension requests shall not require a public hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a SUP.

(H) Existing Specific Use Permits (SUP) and Conditional Use Permits (CUP). Specific Use Permits (SUP) and Conditional Use Permits (CUP) in existence at the time this section was adopted by the City Council shall automatically terminate one (1) year from the adoption date of this section if a building permit -- or a Certificate of Occupancy (CO) if no building permit is necessary -- has not been issued or an extension is not requested under Subsection 02.02(E).

SUBSECTION 02.03: PROCEDURES FOR ZONING APPLICATIONS

All zoning applications (i.e. zoning changes, Specific Use Permits, and text amendments) shall be subject to the following procedures:

(A) Notice of Public Hearing.

(1) Notice of Public Hearing for Zoning Changes and Specific Use Permits (SUP's). Written notice of all public hearings for zoning changes and Specific Use Permits (SUP's) shall be sent to all property owners listed on the certified tax roll, and to the actual property address if the property owner does not reside at the physical address, for properties within a distance of at least 500-feet from the boundaries of the subject property at least ten (10) days prior to the public hearing date. Such notice shall be sent via first class mail and display a stamp on the outside of the envelope with the wording Zoning Change Requested. In cases that require notices to be sent to a multi-family property, written notice shall be sent to the property owner and the leasing office of the housing complex or apartment building (i.e. individual notices to each unit are not required). In addition, written notice shall be sent to all known Homeowners Association (HOA) representative(s) within 1,500-feet of the subject property at least ten (10) days prior to the public hearing date.

(2) Newspaper Notice for Zoning Changes and Specific Use Permits (SUP's). Notice of all public hearing for zoning changes and Specific Use Permits (SUP's) shall be published

in a newspaper of general circulation in the City announcing the time and date of the public hearing a minimum of ten (10) days prior to the date of the public hearing.

(3) Newspaper Notice for Text Amendments. Notice of all public hearing for a text amendment to the Unified Development Code (UDC) shall be published in a newspaper of general circulation in the City announcing the time and date of the public hearing a minimum of 15-days prior to the date of the public hearing.

(B) Conduct of a Public Hearing. Subject to the presiding officer's inherent authority to conduct a meeting, a public hearing shall generally be conducted in the following manner:

(1) A report outlining the details of the request shall be given from the Director of Planning and Zoning or his/her designee.

(2) The presiding officer shall open the public hearing.

(3) The applicant will be asked to provide a presentation or comment on the proposed request.

(4) The presiding officer will ask for public comment, questions, and/or testimony.

(5) The applicant will be given a rebuttal to address the public's comments, questions, and/or testimony.

(6) The presiding officer will close the public hearing.

(7) The Planning and Zoning Commission or City Council will be given a chance to discuss the request and ask questions of the Director of Planning and Zoning or his/her designee and/or the applicant.

(8) The Planning and Zoning Commission or City Council will deliberate, make a motion and vote on the request.

(C) Postponement, Recess, and Continuation of a Public Hearing.

(1) Postponement. A public hearing that was noticed in the manner prescribed by Subsection 02.03(A) may be postponed by announcing the postponement at the time and place of the noticed public hearing. The postponement of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A postponed public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a postponement at a public hearing shall be sufficient notice and no additional notice is required.

(2) Recess. A public hearing may be recessed by the Planning and Zoning Commission or City Council any time after the public hearing has commenced.

(3) Continuation. A public hearing may be continued by the Planning and Zoning Commission or City Council any time after the public hearing has commenced. The continuation of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A continued public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a continuation

at a public hearing shall be sufficient notice and no additional notice is required.

- (D) Submitting Additional Information. New matters of evidence not presented to the Planning and Zoning Commission shall not be heard or considered by the City Council with relation to public hearing for zoning changes, Specific Use Permits (SUP), or text amendments. In the event new evidence develops between the date of the public hearing by the Planning and Zoning Commission and the hearing of the City Council on any zoning change, Specific Use Permit (SUP), or text amendment, or if for any other valid reason a person wishes to present new evidence to the City Council -- which was not presented to the Planning and Zoning Commission -- the City Council shall refer the zoning change, Specific Use Permit (SUP), or text amendment back to the Planning and Zoning Commission for a further public hearing to consider the new evidence. Nothing contained herein shall be construed to prohibit anyone from speaking in a public hearing related to a zoning change, Specific Use Permit (SUP), or text amendment.
- (E) Failure to Appear at a Public Hearing. If an applicant is not present at a meeting where a public hearing is scheduled, the Planning and Zoning Commission or City Council may deny the request.
- (F) Joint Public Hearings. The City Council may hold a public hearing - - after publishing the required notice -- jointly and with any public hearing required to be held by the Planning and Zoning Commission; however, the City Council shall not act until it has received a recommendation from the Planning and Zoning Commission.
- (G) Protest of a Zoning Change. Property owners adjacent to and within a radius of 200-feet of a property for which a zoning change or Specific Use Permit (SUP) is being considered have the right to file a written protest against the request. The land area of this 200-foot radius includes public right-of-way, open space and parkland. Whenever such written protest is signed by the owners of 20% or more of the area of the lots or land included in the request, or of the lots or land immediately adjoining the same and within the above mentioned 200-foot radius, or if such change is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval. For purposes of determining representation on this written protest, the written protest of any one (1) owner of land owned by two (2) or more persons shall be presumed to be the protest of all owners.

SUBSECTION 02.04: PLANNING AND ZONING COMMISSION RECOMMENDATION

- (A) Consideration of a Zoning Change or Specific Use Permit (SUP). When considering a request for a zoning change or Specific Use Permit (SUP), the Planning and Zoning Commission shall consider the following:
 - (1) Whether the land uses proposed with the zoning change or Specific Use Permit (SUP) are consistent with the Future Land Use Plan contained in the Comprehensive Plan.
 - (2) Whether the proposed zoning change or Specific Use Permit (SUP) is in accordance with any existing or proposed plans for

providing streets, water, wastewater, and/or other utilities or public facilities.

- (3) The availability of existing infrastructure to properly serve any development proposed with the zoning change or Specific Use Permit (SUP), and the timing of the development compared to the City's Capital Improvements Plan (CIP).
 - (4) The findings of any studies (*e.g. Traffic Impact Analysis [TIA] or Infrastructure Study*) submitted with the zoning change or Specific Use Permit (SUP).
 - (5) The amount of vacant land that is currently designated for similar zoning/land uses in the vicinity of the zoning change or Specific Use Permit (SUP) or elsewhere in the City.
 - (6) The rate at which land is being developed and the rates conformance with the policies and goals of the Comprehensive Plan.
 - (7) The zoning change or Specific Use Permit's (SUP's) anticipated impact on the environment with regard to floodplains, topography, vegetation, drainage and detention.
 - (8) The requests consistency with the Unified Development Code (UDC), Comprehensive Plan, Parks and Recreation Master Plan, and the Municipal Code of Ordinances.
 - (9) Any other factors which will substantially affect the health, safety, and/or general welfare of the community.
- (B) Consideration of a Text Amendment. When considering a request for a text amendment, the Planning and Zoning Commission shall consider the following:
 - (1) Whether the proposed text amendment is in conformance with the goals and policies contained in the Comprehensive Plan.
 - (2) How the proposed text amendment will affect the City's ability to attract and retain high quality development consistent with the City's existing community character.
 - (3) The impact of the text amendment to the City's environment with regard to floodplains, topography, vegetation, drainage and detention.
 - (4) The requests consistency with the Unified Development Code (UDC), Comprehensive Plan, Parks and Recreation Master Plan, and the Municipal Code of Ordinances.
 - (C) Recommendation to the City Council. In making a recommendation to the City Council on a zoning application (*i.e. zoning change, Specific Use Permit, or text amendment*), the Planning and Zoning Commission may recommend:
 - (1) That the zoning change, Specific Use Permit (SUP) or text amendment be approved or enacted;
 - (2) That the zoning change, Specific Use Permit (SUP) or text amendment be approved or enacted as modified to a more restrictive classification or subject to appropriate conditions as permitted by law; or
 - (3) That the zoning change, Specific Use Permit (SUP) or text amendment be denied.

- (D) Justification for Denial. If the Planning and Zoning Commission approves a motion to deny a zoning change, Specific Use Permit (SUP), or text amendment, it shall offer reasons for the denial that can be provided to the City Council.
- (E) Failure to Approve a Motion. If the Planning and Zoning Commission fails to approve a motion by a majority vote for any zoning application (i.e. zoning change, Specific Use Permit, or text amendment), then a recommendation for denial shall be forwarded to the City Council.

SUBSECTION 02.05: CITY COUNCIL ACTION

- (A) Recommendation from the Planning and Zoning Commission. The City Council shall not act upon any zoning change, Specific Use Permit (SUP), or text amendment prior to a recommendation being forwarded from the Planning and Zoning Commission.
- (B) Action by the City Council. After the public hearing is closed the City Council shall take one (1) of the following actions with regard to a zoning application (i.e. zoning change, Specific Use Permit, or text amendment):
 - (1) Approval. The City Council may approve a request for a zoning change, Specific Use Permit (SUP), or text amendment either as requested or in a more restrictive form as subject to such appropriate conditions allowed by law. Such approval of any request for a text amendment to the Unified Development Code (UDC), or zoning change or Specific User Permit (SUP) as a map amendment shall be granted only if the City Council determines that the request or amendment is consistent with the Comprehensive Plan and/or the Unified Development Code (UDC). In the event of approval of any zoning change, Specific Use Permit (SUP), or text amendment, the City Council shall enact an ordinance amending the Unified Development Code (UDC) or official zoning map (whichever is applicable).
 - (2) Denial. The City Council may deny a request for a zoning change, Specific Use Permit (SUP), or text amendment with or without prejudice. If a request or amendment is denied with prejudice, a new application may not be submitted for the same lot or tract of land -- or any portion thereof -- for a period of one (1) year unless the request is for a more restrictive or less intense land use than the previously denied request and is submitted in conformance with Subsection 02.05(C). If a request or amendment is denied without prejudice, no restrictions on resubmitting an application shall apply (i.e. an application for the same request may be filed at the applicant's discretion). A failure to indicate a denial is with or without prejudice in making a motion to deny a request or amendment shall be consider a denial with prejudice.
- (C) Reapplication. A request for a zoning change, Specific Use Permit (SUP), or text amendment which has previously been denied with prejudice by the City Council may be resubmitted within one (1) year if there is:
 - (1) An actual change in conditions relating to the lot or tract of land -- or any portion thereof -- or any surrounding properties; or,
 - (2) The new request is for a more restrictive or less intense land use that the previously denied requested.

In this event, the applicant must submit a written request to the Director of Planning and Zoning detailing the change in condition or the more restrictive/less intense land use. The Director of Planning and Zoning or his/her designee will review the claim and report to the Planning and Zoning Commission whether or not such request meets the aforementioned criteria. Upon hearing this report, the Planning and Zoning Commission shall either grant or deny the request to refile an application for a zoning change, Specific Use Permit (SUP), or text amendment.

SECTION 03 | SITE PLANS

SUBSECTION 03.01: PURPOSE

The purpose of a site plan is to ensure compliance with the City's development standards, and/or other regulations enforceable by the City of Rockwall that may apply to a particular property. Site plans are also intended to be reviewed to promote the safe, efficient, and harmonious use of land through the application of the City's Unified Development Code (UDC), the Comprehensive Plan, City adopted design guidelines, and the Municipal Code of Ordinances.

SUBSECTION 03.02: APPLICABILITY

- (A) Site Plan. A Site Plan shall be required to be submitted for all new development within the City of Rockwall with the exception of single-family and/or duplex land uses, temporary land uses not requiring a Specific Use Permit (SUP), and agricultural buildings or structures for non-commercial land uses.
- (B) Amended Site Plan. An Amended Site Plan shall be required for:
 - (1) All expansions of an existing non-residential building or structure that increases the existing floor area by 30% or that adds 2,000 SF of floor area.
 - (2) All expansions of non-residential parking lots that increase the existing impervious area by 30% or that adds 2,000 SF of impervious coverage.
- (C) Waiver of a Required Site Plan or Amended Site Plan. In certain circumstances the Director of Planning and Zoning or his/her designee may waive the site plan or amended site plan requirements when it is determined that requiring a site plan [1] is not necessary for the development of a property, and/or [2] it does not serve the public's interest.

SUBSECTION 03.03: GENERAL

- (A) Notification. No public notification is required for the consideration of a site plan or an amended site plan, beyond posting an agenda for the Planning and Zoning Commission meeting.
- (B) Engineering Plans. No engineering plans shall be submitted for a project prior to the approval of a site plan except when waived by the City Engineer or his/her designee.
- (C) Building Plans. No building plans shall be submitted for a project prior to the approval of a site plan except when waived by the Director of Planning and Zoning or his/her designee.
- (D) Construction Permits. No building, fence, or sign permits shall be issued for a property without an approved site plan being approved.

SUBSECTION 03.04: SITE PLAN SUBMITTAL REQUIREMENTS

- (A) Site Plan Content. The Director of Planning and Zoning shall establish forms outlining the information, standards, content, and formatting required to constitute a complete application submittal for a site plan or amended site plan.
- (B) Additional Requirements. When deemed necessary by the Director of Planning and Zoning or the Planning and Zoning Commission, the following plans may be required prior to the approval of a site plan:
- (1) Traffic Impact Analysis
 - (2) Traffic Circulation Study
 - (3) Infrastructure Study
 - (4) Flood Study

SUBSECTION 03.04: SITE PLAN REVIEW

- (A) Procedure. All site plans and amended site plans shall be subject to the following review procedures unless otherwise indicated within this Article:
- (1) Architectural Review Board (ARB). All site plans that [1] propose alterations to the exterior of an existing building, [2] propose the construction of a new building, or [3] that request approval of a variance or exception shall be subject to review and recommendation by the Architectural Review Board (ARB). In reviewing these site plans, the Architectural Review Board (ARB) shall recommend approval, approval with conditions, or denial of the site plan based on the merits of what is being proposed and the conformance of the site plan with the City's Unified Development Code (UDC).
 - (2) Planning and Zoning Commission. The Planning and Zoning Commission may approve, approve with conditions, or deny a Site Plan -- upon recommendation from the Architectural Review Board (ARB) if necessary -- based on the approval criteria listed in Section 3.04(B). The Planning and Zoning Commission shall not approve a site plan prior to review and recommendation by the Architectural Review Board (ARB) if necessary.
- (B) Criteria for Approval of a Site Plan. In approving, approving with conditions, or denying a site plan, the following criteria shall be considered:
- (1) The extent to which the site plan fulfills the goals, objectives and standards in the City's Comprehensive Plan, Parks and Open Space Master Plan, and the Unified Development Code (UDC).
 - (2) Safety of the motoring and pedestrian public using the facility and the area surrounding the site.
 - (3) Safety from fire hazards and measures of fire control.
 - (4) Protection from flooding and water damage.
 - (5) Noise and lighting glare effects on adjacent neighbors.
 - (6) Relations of signs to traffic control and their effect on adjacent properties.

- (7) Adequacy of streets to accommodate the traffic generation of the proposed development.
- (8) Adequacy of off-street parking and loading facilities for the uses specified.
- (9) Landscaping and screening provisions appropriately placed per code requirements.
- (10) Position of structures and other improvements relative to required setbacks, height limitations, and other density and dimensional requirements.
- (11) The impact of the proposed development on slopes, protected vegetation, the open space system, and adjacent properties.
- (12) Such other measures as might secure and protect the public health, safety, morals and general welfare.

SUBSECTION 03.05: EFFECT OF SITE PLAN APPROVAL

- (A) Site Plan Expiration. If development of a lot or tract with an approved site plan has not been completed within two (2) years, or more with an extension, of its final approval, the site plan shall be deemed to have expired and a new review and approval of a site plan for development of the property shall be undertaken, and this new approval shall be required before a building permit is issued for development. This review and approval shall be evaluated according to the standards of the Unified Development Code (UDC), taking into account all changes to the Unified Development Code (UDC) which have occurred subsequent to the prior site plan approval.
- (B) Phasing Plan Expiration. If the site plan is submitted in conjunction with an approved phasing plan for the development of the lot or tract, the site plan shall be deemed to have expired if any phase is not completed within the time period approved for such phase. No site plan phase may be planned to exceed three (3) years unless specifically authorized by the Planning and Zoning Commission when demonstrated that due to the size or complexity of the site the three (3) year time period would create a hardship. If any phase is not completed within the time period approved, the entire remaining uncompleted site plan shall be deemed to have expired and the provisions of Subsection 3.05(A) above shall be followed.
- (C) Extension of Site Plan. Extension of an approved site plan may be granted by the Planning and Zoning Commission upon submission of a request for such extension by the property owner at least 90 days prior to the expiration of the plan. The Planning and Zoning Commission shall take into consideration any changes that have occurred in the Unified Development Code (UDC) subsequent to original approval of the plan and the property owner may be required to bring such plan into compliance with the current requirements. The period of time approved for any such extension shall be indicated in any approval, but in no case, shall the period for extension exceed three (3) years.

SUBSECTION 03.06: AMENDED SITE PLAN

Minor modifications to a site plan may be approved by the Director of Planning and Zoning or his/her designee after the submission of a development application, application fee, and updated plans in accordance with [Subsection 01.02, Submission of an Application](#). In the

event the Director of Planning and Zoning determines that the modifications entail a significant change in the site plan, the Director of Planning and Zoning may defer the approval of the site plan to the Planning and Zoning Commission.

SECTION 04 | PLATS

SUBSECTION 04.01: SUBDIVISION ORDINANCE

For the City of Rockwall's platting requirements within the corporate limits and the Extraterritorial Jurisdiction (ETJ) refer to [Chapter 38, Subdivisions, of the Municipal Code of Ordinances](#).

SECTION 05 | MISCELLANEOUS CASES

- (A) *Purpose*. The purpose of a Miscellaneous Case is to allow certain requests (e.g. variances, exceptions, Tree Preservation Plans, etc.) to be considered by the Planning and Zoning Commission and/or City Council independent of a site plan for the purpose of facilitating development.
- (B) *Procedures*. Unless otherwise specified in the Unified Development Code (UDC), Miscellaneous Cases shall be subject to the procedures provided for in Section 9, Exceptions and Variances.

SECTION 06 | CERTIFICATE OF APPROPRIATENESS (COA)

SUBSECTION 06.01: GENERAL

- (A) *Applicability*. Any person carrying out any work that requires a building permit for exterior alteration, restoration, reconstruction, new construction, moving or demolition of a property within a historic district that is visible must first obtain a Certificate of Appropriateness (COA) from the Historic Preservation Advisory Board (HPAB) as provided for in Subsection 06.02, Historic Overlay District, of Article 05, District Development Standards.
- (B) *Criteria for the Approval of a Certificate of Appropriateness (COA)*. The Historic Preservation Advisory Board (HPAB) shall follow the design guidelines as adopted by the City Council in its consideration of all applications for a Certificate of Appropriateness (COA). These standards shall be made available to the property owners of historic landmarks or within a historic district. The Historic Preservation Officer (HPO) shall coordinate with the appropriate City Departments on all Certificate of Appropriateness (COA) applications.
- (C) *Permits*. No building or fence permits shall be issued for site improvement or other construction until a Certificate of Appropriateness (COA) has been approved by the Historic Preservation Advisory Board (HPAB).

SUBSECTION 06.02: SUBMITTAL REQUIREMENTS

The procedures and requirements for a Certificate of Appropriateness (COA) are outlined in [Subsection 06.03, Historic Overlay District, of Article 05, District Development Standards](#).

SECTION 07 | BUILDING PERMIT FEE WAIVER

SUBSECTION 07.01: PURPOSE

The Building Permit Waiver and Reduction Program was established for eligible properties located within the City's Historic Districts for the

purpose of encourage development and redevelopment within these districts. The program will be administered by the City's Historic Preservation Advisory Board (HPAB) under the direction of the Planning and Zoning Department of the City of Rockwall.

SUBSECTION 07.02: ELEGIBILITY

The Building Permit Waiver and Reduction Program is eligible for the following properties:

- (A) *Commercial Property*.
 - (1) Commercial properties located within the Old Town Rockwall (OTR) Historic District, Planned Development District 50 (PD-50), the Southside Residential Neighborhood Overlay (SRO) District, and the Downtown (DT) District are eligible for a 50% reduction in building permit fees for projects that include a substantial rehabilitation involving a minimum investment of \$50,000.00 that involves work that 1) changes the use of the property (i.e. residential to commercial) or 2) includes an addition, alteration or change that necessitates accessibility requirements to be met. New development projects shall not be eligible for fee reductions or waivers.
 - (2) Landmarked Properties shall be eligible for a full waiver of building permit fees for projects that include a substantial rehabilitation involving a minimum investment of \$25,000.00 that involves work that 1) changes the use of the property (i.e. residential to commercial) or 2) includes an addition, alteration or change that necessitates accessibility requirements to be met.
 - (3) To be eligible for the program, a project must include exterior improvements. Interior work may be included in the overall permitting cost; however, exterior improvements of a substantial nature are required.
- (B) *Residential Property*.
 - (1) Residential properties located within the Old Town Rockwall (OTR) Historic District or the Southside Residential Neighborhood Overlay (SRO) District are eligible for a 50% reduction or a full waiver of building permit fees for projects involving a minimum investment of \$5,000.00 that are associated with the rehabilitation or restoration of a property. New development projects shall not be eligible for fee reductions or waivers.
 - (2) Properties classified as Non-Contributing shall be eligible for a 50% reduction of the require building permit fees.
 - (3) Properties classified as Contributing (i.e. High, Medium or Low Contributing) shall be eligible for a full waiver of building permit fees.
 - (4) To be eligible for the program, a project must include exterior improvements. Interior work may be included in the overall permitting cost; however, exterior improvements of a substantial nature are required.

SUBSECTION 07.03: APPLICATION

All applications shall be submitted to City staff in accordance with the Historic Preservation Advisory Board's (HPAB's) submittal deadlines prior to or concurrently with the submittal of a building permit. Once a

building permit has been issued for a project, that project is no longer eligible for the program. The HPAB may review the application concurrently with a building permit submittal; however, no building permit can be issued while a program application is in process. The HPAB has the ability to approve, deny or modify a request at their discretion. A complete application for the program will consist of [1] the application form, [2] a list of all improvements associated with the project, and [3] any additional information deemed necessary for the HPAB to make a determination. It shall be the Planning and Zoning Department's policy not to accept incomplete applications.

SECTION 08 | SMALL MATCHING GRANTS

SUBSECTION 08.01: PURPOSE

The Small Matching Grants Program was established for eligible properties located within the City's Historic Districts for the purpose of encouraging small improvement and beautification projects. The program will be administered by the City's Historic Preservation Advisory Board (HPAB) under the direction of the Planning and Zoning Department of the City of Rockwall.

SUBSECTION 08.02: ELIGIBILITY

The Small Neighborhood Matching Grants Program is eligible for the following properties:

(A) *Residential Property.*

- (1) Residential properties located within the Old Town Rockwall (OTR) Historic District or the Southside Residential Neighborhood Overlay (SRO) District are eligible for the program. The programs shall provide matching funds up to 50% of the total project cost.
- (2) Properties classified as Non-Contributing shall be eligible for a total grant amount up to \$500.00.
- (3) Properties classified as Contributing (i.e. High, Medium or Low Contributing) or as a Landmarked Property shall be eligible for a grant amount up to \$1,000.00.
- (4) Regardless of a properties status no matching grant shall be approved for an amount of less than \$100.00 (i.e. a project minimum of \$200.00).
- (5) Only projects proposing improvements to the exterior of a property that will be visible from the street shall be eligible for the program. Examples of these projects include but are not limited to landscaping, painting, replacement of windows, replacement of sidewalks and/or driveways, and etcetera.

SUBSECTION 08.03: APPLICATION

All applications shall be submitted to City staff in accordance with the Historic Preservation Advisory Board's (HPAB's) submittal deadlines prior to the commencement of the proposed project. Once a project has commenced, that project or the portion of project that has commenced shall no longer be eligible for grant monies. The HPAB has the ability to approve, deny or modify a request at their discretion. A complete application for the program will consist of [1] the application form, [2] a list of all improvements associated with the project, and [3] any additional information deemed necessary for the HPAB to make a determination. It

shall be the Planning and Zoning Department's policy not to accept incomplete applications.

SUBSECTION 08.04: CERTIFICATION AND VERIFICATION PROCESS

Applications for the Small Neighborhood Matching Grants pursuant to [Subsection 08.03](#) of this resolution shall be filed with the Planning and Zoning Department. Upon receipt of a completed application, City staff shall process the request, verify that the improvements have not commenced, and prepare a memorandum to the Historic Preservation Advisory Board (HPAB) outlining the request. Within 60-days of the receipt of an application, the HPAB shall act to approve, deny or modify a request based on the requirements of this resolution. Upon action by the HPAB work may commence on the proposed project.

Once a proposed project has been completed, the applicant shall be required to submit a sworn statement of completion acknowledging that the project has been completed in accordance with the application submitted and approved by the HPAB. In addition, the applicant will be required to submit all receipts for the cost of the project. Within 15-days of the receipt of the sworn statement of completion, City staff shall verify that the improvements have been completed as required by the HPAB and document the improvements for the City's records. If the improvements have been completed as approved, staff will issue a check request in the applicant's name to the Finance Department for half the amount depicted on the receipts up to the full amount approved by the HPAB.

SECTION 09 | EXCEPTIONS AND VARIANCES

SUBSECTION 09.01: EXCEPTIONS TO THE GENERAL STANDARDS

Unless otherwise specified by the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant an exception to the provisions contained in the Unified Development Code (UDC), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of the Unified Development Code (UDC) would create an undue hardship. In cases where an exception or exceptions is/are being requested, the applicant shall provide compensatory measures that directly offset the requested exception. These may include -- but are not limited to -- any two (2) of the following options:

- (A) Increased landscape buffer.
- (B) Increased landscaping (i.e. additional canopy trees, accent trees, landscaping percentage, etc.).
- (C) Increased open space.
- (D) The provision of trails above and beyond the requirements of the City's Master Trail Plan.
- (E) Increased building articulation.
- (F) The provision of four (4) sided architecture (where not already required).
- (G) Masonry building materials in percentages equal to or greater than surrounding properties. Where there are no properties adjacent to the subject property the percentage shall be 90% masonry (i.e. brick, stone, or cultured stone).

- (H) The inclusion of 20% natural or cultured stone.
- (I) Increased architectural elements (*i.e. canopies, awnings, porticos, arcades, peaked roof forms, arches, outdoor patio/plaza space, display windows, articulated cornice lines, varied roof heights, etc.*).
- (J) Undergrounding existing overhead utility lines.
- (K) Compliance with the General Overlay District Standards detailed in [Section 06, Overlay Districts, of Article 05, District Development Standards](#).
- (L) Other additional standards that are above and beyond the general standards that appropriately offset the requested exception or exceptions.

In requesting an exception or exceptions, the applicant shall provide a written appeal to the Director of Planning and Zoning or his/her designee outlining [1] the reason or reasons for the exception or exceptions being requested, [2] the unique or extraordinary condition that exist and/or the undue hardship created by strict adherence to the technical requirements, and [3] the proposed compensatory measures as detailed above.

If the Planning and Zoning Commission denies a request for an exception, the applicant may appeal the decision to the City Council by filing a written appeal to the Director of Planning and Zoning or his/her designee. Approval of any exception to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

SUBSECTION 09.02: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

Unless otherwise specified by the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in [Section 06.02, General Overlay Districts Standards, of Article 05, District Development Standards](#), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship. In cases where a variance or variances is/are being requested, the applicant shall provide compensatory measures that directly offset the requested exception. These may include -- but are not limited to -- any two (2) of the following options:

- (A) Increased landscape buffer.
- (B) Increased landscaping (*i.e. additional canopy trees, accent trees, landscaping percentage, etc.*).
- (C) Increased open space.
- (D) The provision of trails above and beyond the requirements of the City's Master Trail Plan.
- (E) Increased building articulation.
- (F) Masonry building materials in percentages equal to or greater than surrounding properties. Where there are no properties adjacent to the subject property the percentage shall be 90% masonry (*i.e. brick, stone, or cultured stone*).
- (G) The inclusion of 20% natural or cultured stone.

- (H) Increased architectural elements (*i.e. canopies, awnings, porticos, arcades, peaked roof forms, arches, outdoor patio/plaza space, display windows, articulated cornice lines, varied roof heights, etc.*).
- (I) Undergrounding existing overhead utility lines.
- (J) Other additional standards that are above and beyond the general standards that appropriately offset the requested exception or exceptions.

In requesting a variance or variances, the applicant shall provide a written appeal to the Director of Planning and Zoning or his/her designee outlining [1] the reason or reasons for the variance or variances being requested, [2] the unique or extraordinary condition that exist and/or the undue hardship created by strict adherence to the technical requirements, and [3] the proposed compensatory measures as detailed above.

If the Planning and Zoning Commission denies a request for a variance, the applicant may appeal the decision to the City Council by filing a written appeal to the Director of Planning and Zoning or his/her designee. Approval of any variance to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

SUBSECTION 09.03: CRITERIA FOR GRANTING A VARIANCE OR EXCEPTION

In reviewing a request for a variance or an exception, the Planning and Zoning Commission should review the request to determine:

- (A) If the proposed compensatory measures sufficiently offset the requested variance or exception.
- (B) If such a request will substantially or permanently injure the appropriate use of adjacent property.
- (C) If such a request will adversely affect the health, safety, and/or general welfare of the public.
- (D) If such a request will be contrary to the public interest.
- (E) If such a request will authorize the operation of a use other than those uses specifically authorized for the district in which the subject property is located.
- (F) If such a request will be in harmony with the spirit and intent of the Unified Development Code (UDC), Comprehensive Plan, and/or other City policies.
- (G) If such a request will alter the essential character of the district in which the subject property is located.
- (H) If such a request will substantially weaken the general purpose of the zoning requirements established for the district in which the subject property is located.

SECTION 10 | FEE SCHEDULE

- (A) Establishment of Fees. Fees for all development related applications in the City of Rockwall shall be established by the City Council upon recommendation of the City Council. Such fees shall be for the sole purpose of recovering the administrative cost of processing development applications, advertising zoning requests, and holding public hearings required by this Article. Such fee shall

not be designed to generate revenue for the City other than recovery of actual administrative costs.

(B) Fees. The fees for development related applications in the City of Rockwall shall be as follows:

(1) PLATTING	
(a) Master Plat	\$100.00 + \$15.00/Acre
(b) Preliminary Plat	\$200.00 + \$15.00/Acre
(c) Final Plat	\$300.00 + \$20.00/Acre
(d) Replat	\$300.00 + \$20.00/Acre
(e) Amending or Minor Plat	\$150.00
(f) Plat Reinstatement Request	\$100.00

(2) SITE PLAN	
(a) Site Plan	\$250.00 + \$20.00/Acre
(b) Amended Site Plan	\$100.00

(3) ZONING	
(a) Zoning Change	\$200.00 + \$15.00/Acre
(b) Specific Use Permit (SUP)	\$200.00 + \$15.00/Acre
(c) Planned Development (PD)	\$200.00 + \$15.00/Acre

(4) MISCELLANEOUS	
(a) Variance/Special Exception	\$100.00
(b) Tree Removal	\$75.00
(c) Other Miscellaneous Requests	\$0.00

(5) HISTORIC PRESERVATION ADVISORY BOARD	
(a) Certificate of Appropriateness (COA)	\$0.00
(b) Small Matching Grants	\$0.00
(c) Building Permit Fee Waiver	\$0.00

(C) Calculation of Fees. Fees that have a scaled fee structure (*i.e. that are based on the acreage of the property*) are calculated by multiplying the acreage of the property by the scalable fee and adding the base fee. For example, a 5.25-acre property that is requesting a zoning change would be calculated as follows:

$$5.25\text{-acres} \times \$15.00/\text{Acres} = \$78.75 + \$200.00 \text{ [Base Fee]} = \$278.75 \text{ [Fee Due]}$$

Properties that are less than one (1) acre in total size shall be calculated as one (1) acre. No other rounding methods shall be used in the calculation of a fee.

ARTICLE 12 | ENFORCEMENT

SECTION 01 | PENALTIES

SECTION 02 | STOP WORK ORDER

SECTION 03 | OCCUPANCY, BUILDING, AND USE PERMITS

SECTION 04 | EFFECT ON EXISTING PERMITS, AGREEMENTS, RIGHTS, ETC.

SECTION 05 | PRESERVING RIGHTS IN PENDING LITIGATION AND VIOLATIONS UNDER EXISTING ORDINANCES



SECTION 01 | PENALTIES

SUBSECTION 01.01: COMPLIANCE AND FINES

Any person who violates or fails to comply with the requirements of the Unified Development Code (UDC) or who builds or alters any building in violation of any plan or statement submitted and approved hereunder, shall be guilty of a misdemeanor and shall be liable to a fine of not more than \$2,000.00. Each day such violation shall be permitted to exist shall constitute a separate offense. The owner of any building or premises or part thereof, where anything in violation of the Unified Development Code (UDC) shall be placed or shall exist shall be guilty of a separate offense and upon conviction thereof shall be fined as herein provided.

SUBSECTION 01.02: OTHER ACTIONS

Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION 02 | STOP WORK ORDER

SUBSECTION 02.01: STOP WORK ORDER

When the City determines that there has been non-compliance with any material term, condition or requirement of the Unified Development Code (UDC), the City may order any person having a proprietary interest in the property or any person engaged in the development or construction on the property to cease and desist from engaging in any further development or construction activities on the site. The *Stop Work Order* shall be in writing and shall be posted on the site. The order shall specifically state the nature of the non-compliance and the acts prohibited.

The City may bring suit in a court of competent jurisdiction to restrain and enjoin any person attempting or allowing development or construction without a permit or other authorization or who fails to cease and desist from further development or construction after notice of a stop work order has been posted in accordance with this Article.

When the City determines that there has been non-compliance with the Unified Development Code (UDC) which constitutes a health or safety hazard, a stop work order shall be issued and shall remain in effect until there has been compliance with the Unified Development Code (UDC). This Article shall not override the county health director or designee's ability to suspend, or reinstate food or child care permits in conformance with state and federal laws.

SUBSECTION 02.02: APPEAL PROCESS

Appeal of a *Stop Work Order*, suspension or revocation may be made to the City Council or the appropriate board or commission, by any person aggrieved, by giving written notice no later than three (3) days after the stop work order is posted, or notice of the suspension or revocation is received. The notice shall state:

- (A) The name and address of the person making the appeal;
- (B) The facts surrounding of particular appeal;
- (C) The nature of the *Stop Work Order*, suspension or revocation; and
- (D) The reasons why the ruling should be set aside.

The City Council or appropriate board or commission shall hear the appeal at its next regularly scheduled meeting following receipt of the

notice of appeal provided that the appeal is received at least three working days prior to that meeting. The City Council or appropriate board or commission shall either affirm or reverse the decision appealed no later than seven (7) days after the close of the hearing.

An appeal brought under this section shall not stay the *Stop Work Order*, suspension or revocation.

SECTION 03 | OCCUPANCY, BUILDING, AND USE PERMITS

SUBSECTION 03.01: BUILDING PERMITS REQUIRED

No building or other structure shall be erected, moved, added to, or structurally altered without a permit issued by the Chief Building Official, as required by [Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances](#). A building permit shall not be issued except in conformity with the provisions of the Unified Development Code (UDC), unless otherwise authorized by the Board of Adjustment (BOA) in the form of a variance as provided by the Unified Development Code (UDC).

SUBSECTION 03.02: CERTIFICATES OF OCCUPANCY FOR NEW, ALTERED, OR NON-CONFORMING USES

- (A) It shall be unlawful to use, occupy, or permit the use or occupancy of any building or premises or both, or part thereof, hereafter created, erected, changed, converted or altered or enlarged in its use or structure, nor will permanent utility connections to serve the premises be made until a Certificate of Occupancy (CO) is issued by the Director of Planning and Zoning or his/her authorized representative stating that the proposed use of the land conforms to the requirements of the Unified Development Code (UDC).
- (B) Failure to obtain a Certificate of Occupancy (CO) shall be a violation of the Unified Development Code (UDC), and punishable under the provisions of the Unified Development Code (UDC).
- (C) A Certificate of Occupancy (CO) shall be issued within ten (10) days after the erection or structural alteration of such building has been completed in conformity with the provisions of the Unified Development Code (UDC) and other applicable ordinances.
- (D) A Temporary Certificate of Occupancy (TCO) may be issued by the Director of Planning and Zoning or his/her authorized representative for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion, provided that such temporary certificate may include such conditions and safeguards as will protect the safety of the occupants and the public. Such temporary certificates shall not be construed as in any way altering the respective rights, duties, or obligations of the owners or of the City relating to the use or occupancy of the premises, or any other matter covered by the Unified Development Code (UDC).

SUBSECTION 03.03: CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATIONS, PLANS, AND PERMITS

- (A) *Revocation of Building Permit*. A building permit may be revoked by the Chief Building Official at any time prior to the completion of the building or structure for which it was issued, when it appears that there is a departure from the plans, specifications or conditions as required under terms of the permit; that it was procured by false representation; that it was issued by mistake; or that any of the

provisions of this Unified Development Code (UDC) are being violated.

- (B) Stop Work Order. Upon the failure, refusal or neglect of any owner, his agent, contractor or duly authorized representative to secure such permit and pay the prescribed fee, the building inspector may issue a *Stop Work Order*; provided, however, 24-hours written notice of such revocation or order to stop has been served upon the owner, his agent or contractor, or upon any person employed upon the building or structure for which permit was issued. After such notification, all construction must cease.

SECTION 04 | EFFECT ON EXISTING PERMITS, AGREEMENTS, RIGHTS, ETC.

The Unified Development Code (UDC) is not intended to abrogate or annul:

- (1) Any permits issued before the effective date of the ordinance from which this Unified Development Code (UDC) is derived; or
- (2) Any easement, covenant, or any other private agreement.

SECTION 05 | PRESERVING RIGHTS IN PENDING LITIGATION AND VIOLATIONS UNDER EXISTING ORDINANCES

By the passage of the Unified Development Code (UDC), no presently illegal use shall be deemed to have been legalized unless such use falls specifically within a use district where the actual use is a conforming use. Otherwise, such uses shall remain non-conforming uses where recognized, or an illegal use, as the case may be. It is further the intent and declared purpose of the Unified Development Code (UDC) that no offense committed, and no liability, penalty, or forfeiture, either civil or criminal, shall be discharged or affected by the adoption of the Unified Development Code (UDC); but prosecution and suits for such offenses, liabilities, penalties, or forfeitures may be instituted, or causes presently pending be proceeded with, in all respects as if such prior ordinance had not been repealed.

ARTICLE 13 | DEFINITIONS

SECTION 01 | GENERAL

SECTION 02 | WORDS, TERMS, AND LAND USES DEFINED



SECTION 01 | GENERAL

SUBSECTION 01.01: USAGE

For the purposes of this Unified Development Code (UDC), certain terms and/or words are used and interpreted as defined below. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular. The word *shall* wherever used in this Article will be interpreted in its mandatory sense and the word *may* shall be deemed as permissive. The word *building* includes the word structure unless otherwise indicated in the definition. The word *lot* also means *plot* or *tract*. The term *used for* includes the meaning *designed for* or *intended for*.

SECTION 02 | WORDS, TERMS, AND LAND USES DEFINED

SUBSECTION 02.01: GENERAL DEFINITIONS

- (1) *Adopted Policies*. A written administrative directive discussed at a public meeting and officially adopted by a majority vote of the City Council.
- (2) *Agriculture*. The planting, cultivating, harvesting and storage of grains, hay or plants, or vineyards, commonly grown in Rockwall County. The raising and feeding of livestock and poultry shall be considered an agricultural venture if the area in which the livestock or poultry is kept is three acres or more in area, and if such raising of livestock and poultry is incidental or supplemental to the raising of crops and is not primarily for the raising or fattening of livestock. A feed lot exclusively for the fattening of livestock is not considered an agricultural use.
- (3) *Alley*. A minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street; it is also public space or way, 20 feet or less in width, which has been dedicated or deeded for public use.
- (4) *Alteration*. Any addition, removal, extension, or change in the location of any exterior wall of a main building or accessory building, or change or modification in construction or occupancy.
- (5) *Apartment*. A room or suite of rooms within an apartment house arranged, intended or designed for a place of residence of a single-family or group of individuals living together as a single housekeeping unit and who do their cooking therein. (See Dwelling unit.)
- (6) *Apartment house or building*. A building arranged, intended or designed for more than two families. (See Dwelling unit, "multiple.")
- (7) *Associated recreation*. Recreational uses which are an integral part of a common ownership or associated with high density residential development (example: homeowners association with a private club, swimming pool, and tennis courts).
- (8) *Authorized agent*. An architect, builder, developer, or other person empowered to act on behalf of other persons.
- (9) *Bar, cocktail lounge, tavern, saloon, cantina*. An establishment where alcoholic beverages are sold for on-premises consumption, other than a restaurant as defined in this section.
- (10) *Basement or cellar*. A story having more than one-half of its height below the average level of the adjoining ground. A cellar shall not be counted as a story for the purposes of height measurement.
- (11) *Block*. A piece or parcel of land entirely surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the building official shall determine the outline of the block.
- (12) *Boardinghouse or lodginghouse*. A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five or more persons for compensation, pursuant to previous arrangements, but not for the public or transients.
- (13) *Buffer*. A visual screen constructed of wood, concrete block, masonry, or landscape material including earthen berms in such a manner that adjacent property will be screened from the use contemplated, so noise, solid waste, or other objectionable influences will be avoided. Such buffer shall be horizontal to the ground, opaque, and a minimum of six feet in height.
- (14) *Buildable area*. The "buildable area" of the lot is the maximum amount of allowable space upon which a structure or building may be erected, after meeting the coverage, yard and other requirements of this Unified Development Code (UDC).
- (15) *Building*. An enclosed structure, anchored to permanent foundation, and having exterior or party walls and a roof, designed for the shelter of persons, animals, or property. When divided by other than common or contiguous walls, each portion or section of such building shall be regarded as a separate building, except that two buildings connected by a breeze way shall be deemed as one building. Parking structures shall not be considered as buildings when calculating building coverage.
- (16) *Building area*. The building area of the lot is the gross area covered by the structures when placed on the lot.
- (17) *Building coverage*. Percentage of the lot that is occupied by the building area, including parking structures and accessory buildings.
- (18) *Building height*. The height of the building shall be measured from the average elevation of the finished grade along the front of the building to the highest point of the roof or parapet of the building if it is a flat, mansard or shed roof; or to the midpoint of the roof if it is gable, hip or gambrel roof.
- (19) *Building official*. The duly authorized employee or representative of the city charged with implementation, inspection and enforcement of the building codes.
- (20) *Building, principal*. A principal building is one in which a main use of the lot on which it is located is conducted.
- (21) *Building setback line*. A line defining an area on the building lot between the street right-of-way line and all other property lines and the building line within which no building or structure shall be constructed (also referred to as a "yard"), encroach or project except as specifically authorized in an adopted ordinance of the City of Rockwall. In the GR, C, DT, HC, RT, LI, [and] HI districts, underground parking garages shall not be required to meet side or rear setback requirements, but may be constructed from lot line to lot line.
 - (a) *Front building setback line (defining a front yard)*. A line parallel to the street right-of-way line which the building faces, and takes its primary access from. Where lots have multiple frontages on one or more streets, the required front

yard shall be provided on each street (see examples).

- (b) Side building setback line (defining a side yard). A line parallel to an adjacent lot which the building sides up to.
 - (c) Rear building setback line (defining a rear yard). A line parallel to an adjacent lot or alley, which the building backs up to and has its rear or secondary access from.
- (22) Caliper. The diameter of the trunk measured six inches above ground level up to and including four (4) inch caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the total caliper of all of its trunks at the elevation being measured.
 - (23) Canopy or shade tree. A species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.
 - (24) Carport. A structure which is open on at least two (2) sides, covered with a roof and constructed specifically for the storage of one or more automobiles; utility room may be included.
 - (25) Certificate of occupancy. A certificate issued by the zoning administrator or his authorized representative stating that the proposed use of the land and/or building conforms to the requirements of this Unified Development Code (UDC).
 - (26) City. The City of Rockwall, Texas.
 - (27) Clinic. An institution, public or private, or a station for the examination and treatment of outpatients by a group of doctors, dentists, opticians, ophthalmologists, orthopedists, or other similar professional physicians.
 - (28) Cluster development. A method of development of land that permits variation in lot sizes without an increase in overall density of population or development. The use of permanent, open space may be one method used to offset the increased density of smaller residential lots.
 - (29) Commercial Development. Any development on private land that is not classified as industrial or residential development (*i.e. that consists of development being performed within the Residential Office [RO], Neighborhood Services [NS], General Retail [GR], Heavy Commercial [HC], or Commercial [C] Districts and that is based in office, retail, personal services, or similar land uses*).
 - (30) Commission. The Planning and Zoning Commission of the City of Rockwall, Texas.
 - (31) Comprehensive plan. The comprehensive plan of the City of Rockwall and includes any unit or a part of such unit separately adopted and any amendment to such plan or parts thereof.
 - (32) Condominium. A multi-family dwelling unit, within which designated dwelling units are conveyed fee simple title, with an undivided interest in the building's common elements, to include, but not be limited to, halls, stairs, elevators, roof, parking space, and the land when the building is not constructed on leased land.
 - (33) Court. An open unoccupied space, other than a yard, on the same lot with a building and which is bounded on two or more sides by the building.
 - (34) Curb level. The level of the established curb in front of the building measured at the center of such front, or in the case of a corner lot, along the abutting street where the mean curb level is the highest. Where no curb has been established, the City Engineer shall establish such curb or its equivalent for the purpose of this Unified Development Code (UDC).
 - (35) Density. The ratio of dwelling units per gross acre of platted area being developed.
 - (36) District. A zone or geographic area within the municipality within which certain zoning or development regulations apply.
 - (37) Dwelling unit. Any building or portion thereof which is designed for or used primarily for residential occupancy, but not including hotels, boardinghouses or mobile homes, trailers, motor coaches or other recreational vehicles.
 - (a) Triplex. A building designed for and/or occupied exclusively by three families living independently of each other.
 - (b) Fourplex. A building designed for and/or occupied exclusively by four families living independently of each other.
 - (c) Multiple. A building designed for and/or occupied exclusively by five or more families living independently of each other.
 - (d) The determination of whether one family is living independently of another is based on one or more of the following criteria:
 - (1) Separate sanitary facilities.
 - (2) Separate kitchen facilities.
 - (3) Separate entrances.
 - (4) Separate utilities.
 - (38) Dwelling unit, minimum square footage. The minimum square footage required in each zoning district shall not include garages, porches, patios, eaves and/or other areas not part of the main, air-conditioned living space of the dwelling unit.
 - (39) Enhanced pavement. Any permeable or non-permeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.
 - (40) Evergreen tree or shrub. A tree or shrub of a species which normally retains its leaves throughout the year.
 - (41) Family. One or more persons who are related by blood, adoption or marriage, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than five (excluding servants) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a nonprofit, cost-sharing basis.
 - (42) Fence. Any wall or structure of any material for which the purpose is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building, or structure.
 - (43) Floor area ratio. The relationship of the gross floor area of all buildings on a lot to the total lot area. Parking structures shall be

- excluded in the calculation of the floor area ratio.
- (44) Frontage. All the property abutting on one side of a street between two intersecting streets, measured along the street line.
- (45) Garage apartment. A dwelling unit attached to a private garage.
- (46) Garage, community. A building or portion thereof, other than a public, private or storage garage as defined below, providing storage for motor vehicles with facilities for washing, but no other services, such garage to be in lieu of private garages within a block or portion of a block.
- (47) Garage, public. A building or portion thereof, designed or used for the storage, sale, hiring, care or repair of motor vehicles, which is operated for commercial purposes.
- (48) Garage, storage. A building or portion thereof, except those defined as private, a public, or a community garage providing storage for more than four motor vehicles, with facilities for washing but no other services.
- (49) Ground cover. Natural mulch or plants of species which normally reach a height of less than two feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.
- (50) Height of yard or court. The vertical distance from the lowest level of such yard or court to the highest point of any boundary wall.
- (51) Impervious cover. Roads, parking areas, buildings and other impermeable construction covering the natural land surface that prevent absorption of the water. Water quality basins, swells and other conveyances for overland drainage shall not be calculated as impervious cover.
- (52) Industrial Development. Any development on private land that is not classified as commercial or residential development (*i.e. that consists of development being performed within the Light Industrial [LI] or Heavy Industrial [HI] Districts and that is based in warehouse, research/technology, light or heavy manufacturing, or similar land uses*).
- (53) Institutional use. A nonprofit organization or building, public or private, for the benefit of the public including YMCA, YWCA, Boys Clubs, Scouts; educational facilities and schools, including day care centers and kindergartens; churches, temples, cemeteries, mausoleums or crematories for the deposit of the human dead; hospitals, civic clubs, private parks, private libraries, museums, etc.
- (54) Kindergarten. A school for more than five children of preschool age, in which constructive endeavors, object lessons or educational games are prominent features of the curriculum.
- (55) Landscape architect. A person licensed to practice or teach landscape architecture in the State of Texas pursuant to state law.
- (56) Landscape buffer. A strip of land:
- (a) Which serves a buffer function on the perimeter of a building site adjacent to another building site or to a public or private street or alley; and
 - (b) At least 80% of which is covered by natural grass, ground cover, or other natural plant materials (excluding screening).
- (57) Landscaping. Trees, shrubs, ground cover, earthen berms, vines, grass, water, decorative features such as fountains, or other material approved by the City Council.
- (58) Large shrub. A shrub which normally reaches a height of six feet or more upon maturity.
- (59) Large tree. A tree of a species which normally reaches a height of 30 feet or more upon maturity.
- (60) Legislative or governing body. The City Council of the City of Rockwall, Texas.
- (61) Loading space. A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks and having a minimum dimension of 12 [feet] by 65 feet and a vertical clearance of at least 14 feet.
- (62) Lot. An undivided tract or parcel of land having frontage on a public street, or upon an approved open space, having direct street access, and which is, or in the future may be, offered for sale, conveyance, transfer, or improvement, which is designated as a distinct and separate tract, and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed of record.
- (63) Lot area, minimum. Includes internal sidewalks, recreation areas, floor space, parking area, open space and utility easements, but does not include any public right-of-way street easements or alley easements.
- (64) Lot, corner. A lot abutting upon two or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the building official, or as specified on an approved plat.
- (65) Lot depth. The length of a line connecting the midpoints of the front and rear lot lines.
- (66) Lot, Double Frontage, or Through Lot. A lot abutting on two nonintersecting public streets as distinguished from a corner lot.
- (67) Lot, frontage. The length of street frontage between property lines.
- (68) Lot, interior. A lot whose side lot lines do not abut upon any street.
- (69) Lot, irregular. Any lot not having equal front and rear lot lines, or equal side lot lines; a lot, the opposite lot lines of which vary in dimension and the corners of which have an angle of either more or less than 90 degrees. A lot fronting on a sharp curve or cul-de-sac.
- (70) Lot lines. The lines bounding a lot as defined herein.
- (a) Front lot line. The property line between the front yard(s) and the contiguous street right-of-way boundary.
 - (b) Rear lot line. The boundary line which is opposite and most distinct from the front street line; except that in the case of uncertainty the building inspector shall determine the rear line.
 - (c) Side lot line. The property line between two adjacent lots. Where lots have multiple frontages on one or more streets, the required front yard shall be provided on each street.
- (71) Lot of record. A parcel of land which is part of a subdivision, the map or plat of which has been recorded in the office of the county clerk of Rockwall County; or a parcel of land not a part of an urban

or town lot subdivision, the deed of which has been recorded in the office of the county clerk of Rockwall County prior to the adoption date of the ordinance from which this Unified Development Code is derived which has not been divided since recording.

- (72) Lot, reverse corner. A corner lot whose front line faces at right angles to the front lot lines of the interior lots or whose rear lot line abuts the side lot lines of interior lots.
- (73) Lot width. The horizontal distance between side property lines, measured at the front setback line.
- (74) Lots in separate ownership at the time of the passage of this Unified Development Code (UDC). A lot whose boundary lines, along their entire length touched lands under other ownership as shown by plat or deed recorded in the office of the county clerk of Rockwall County on or before the date of the adoption of the ordinance from which this Unified Development Code was derived.
- (75) Maneuvering space. The space entirely on private property required for maneuvering vehicles in such a manner as to preclude the backing of any vehicle into any street right-of-way.
- (76) Manufactured home or HUD-code manufactured home. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.
- (77) Masonry. Masonry construction shall be defined as construction composed of materials in the categories listed below and shall not include hollow clay tile or exposed lightweight block such as cinder block.

Modular.

- Brick.
 - Natural or quarried stone.
 - Cast or cultured stone.
 - Glass block or glass.
 - Tile.
 - Custom concrete masonry units (normal or heavy weight blocks with an integral color that is sandblasted, burnished or has a split face).
- (78) Mobile home. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.
- (79) Modular homes. Any permanent, single-family dwelling unit which has been prefabricated or factory constructed as a single unit or in sections or modules, and assembled at the factory or construction site and moved to a permanent location as a unit or in sections or modules, as a permanent single-family dwelling unit placed on a permanent foundation at such site and connected with all required utility services.
- (80) Municipal uses. Facilities owned or controlled by the City of Rockwall, including, but not limited to, office buildings, maintenance shops, treatment plants; community centers.
- (81) Nonconforming use, building or yard. A use, building or yard, which does not, by reason of design, use or dimensions, conform to the regulations of the district in which it is situated. It is a legal

nonconforming use if established prior to the passage of this Unified Development Code (UDC).

- (82) Non-Permeable Coverage. Coverage with non-permeable pavement.
- (83) Parking area. Space used exclusively for the parking of vehicles and where no other business is conducted paved to city specifications.
- (84) Parking space. Area, not closer than six feet from the back edge of the curb, the width and length of which shall exceed by a minimum of two feet the dimensions of the type of vehicle normally to be parked in the space, and connected to a street or alley by a driveway affording satisfactory ingress and egress. The minimum dimension of a parking space shall be in accordance with the adopted ordinances of the City of Rockwall regarding off-street parking.
- (85) Patio home. A single-family, residential dwelling unit that is most often a one-story L-shaped or U-shaped home utilizing the entire lot with an enclosed garden court for open space area. Fire retardant walls are utilized and additional open space is often provided by clustering the units.
- (86) Paving. Material which provides an all-weather surface for the parking of vehicles. All required paving shall meet the standards specified by applicable city specifications.
- (87) Permitted use. A use specifically allowed in one or more of the various districts without the necessity of obtaining a use permit.
- (88) Person. Any individual, association, firm, corporation, governmental agency or political subdivision.
- (89) Place. An open, unoccupied space other than a street or alley permanently established or dedicated as the principal means of access to property abutting thereon.
- (90) Planned development (PD). Includes a combination of different dwelling types and/or a variety of land uses which creatively complement each other and harmonize with existing and proposed land uses in the vicinity, and comply with provisions of the ordinances governing planned developments.
- (91) Planned shopping center. A group of architecturally unified commercial establishments built on a site which is planned, developed, owned and managed as one operating unit related in its location, size, and type of shops to the trade area that the unit serves. The unit provides on-site parking in definite relationship to the types and total size of the stores.
- (92) Planning consultant. A private practitioner in planning, who is a member of the American Institute of Certified Planners (AICP).
- (93) Plat. A map of a subdivision or site plan that represents a tract of land, showing the boundaries and location of individual properties and streets.
- (94) Recreational vehicle or travel trailer. A vehicle which is:
- (a) Built on a single chassis;
 - (b) 400 square feet or less when measured at the largest horizontal projections;
 - (c) Designed to be self-propelled or permanently towable by a

light duty truck; and

- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- (95) Residential Development. Any development on private land that is not classified as industrial or commercial development (*i.e. that consists of development being performed within the Agricultural [AG], Single-Family Estate 1.5 [SFE-1.5], Single-Family Estate 2.0 [SFE-2.0], Single-Family Estate 4.0 [SFE-4.0], Single-Family 1 [SF-1], Single-Family 16 [SF-16], Single-Family 10 [SF-10], Single-Family 8.4 [SF-8.4], Single-Family 7 [SF-7], Zero Lot Line [ZL-5], Two-Family [2F], or Multi-Family 14 [MF-14] Districts that is based in residential land uses*).
- (96) Restaurant (limited service). A building or portion of a building, where the primary business is the on-premises sale of prepared food where patrons generally order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to customers' location. Drive-through "pickup/order" window permitted provided that there is no public address system or speakers.
- (97) Retail. The sale of goods directly to a consumer. Engaged in, pertaining to, or relating to the sale of merchandise at retail. To sell by individual items or by the piece, directly to a consumer.
- (98) Retail food store. A retail establishment selling meats, fruits, vegetables, bakery products, light hardware, and other similar items which are purchased for use and consumption off the premises (may be drive-in or supermarket type).
- (99) Right-of-way line. A dividing line between a lot, tract, or parcel of land and the public right-of-way.
- (100) Screening. Screening that complies with the construction and maintenance regulations in [Section 05.02, Landscape Screening, of Article 08, Landscape and Fence Standards, of the Unified Development Code \(UDC\)](#).
- (101) Semi-public uses. Public facilities including sanitary landfills, water treatment and supply facilities, and wastewater treatment facilities, but not including facilities owned or controlled by the city.
- (102) Setback. See Building setback line.
- (103) Sign. A name, identification, image, description, display or illustration which is affixed to, painted, or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business which is visible from any street, right-of-way, sidewalk, alley, park or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not signs.
- (104) Site. A combination of continuous lots that may or may not be owned separately, that will be developed under one unified plan, as if it were a single parcel of land.
- (105) Site plan. The development plan for one or more lots on which is shown the existing and proposed conditions of the lot including: topography, vegetation, drainage, floodplain, marshes and waterways; open spaces, walkways, means of ingress and egress, utility services, landscaping, structures and signs, lighting, and screening devices; any other information that reasonably may be required in order that an informed decision can be made by the approving authority.
- (106) Small tree. A tree of a species which normally reaches a height of less than 30 feet.
- (107) Soil. A medium that plants will grow in.
- (108) Space. A plot of ground within a mobile home or recreational vehicle park designated for the accommodation of one mobile home or one recreational vehicle, together with such open space as required by this chapter.
- (109) Storage. The accumulation, stocking, or depositing of materials or items. These may include materials for the eventual use or sale in a commercial enterprise, but does not include the storing of a personal car or truck on an individual residential lot.
- (110) Story. That part of a building included between the surface of one floor and the surface of the floor next above, or, if there be no floor above, that part of the building which is above the surface of a floor and the ceiling next above. A top story attic is a half-story, when the main line of the eaves is not above the middle of the interior height of such story. The first story is a full story when over 50% of its exterior walls are exposed to outside light and air entirely above grade and which exterior walls contain windows or doors permitting entrance of daylight and outside air.
- (111) Street. A public or approved private thoroughfare which affords the principal means of access to abutting property, excluding alleys, and as defined in the city's thoroughfare plan.
- (112) Street line. The dividing line between the street right-of-way and the abutting property.
- (113) Structural alterations. Any alteration involving a change in or addition to the supporting members of a building, such as bearing walls, columns, beams or girders.
- (114) Structure. Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, signs, and excluding utility poles, fences and retaining walls.
- (115) Subdivision. The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale, development or lease.
- (116) Urban Agriculture. An industry located within or on the fringe of a town, a city or metro-area, which grows and raises, processes and distributes a diversity of food and non-food products, using largely human and natural resources, products and services found in and around the urban area, and in turn supplying human and material resources, products and services largely to the urban area.
- (117) Variance. Relief from or variation of the provisions of these regulations, other than use regulations, as applied to a specific piece of property, as distinct from rezoning, as further set out hereinafter in powers and duties of the board of adjustment.
- (118) Visibility Triangle. The term *visibility triangle* as defined in [Section 01.08, Public Right-of-Way Visibility, of Article 05, District Development Standards, of the Unified Development Code \(UDC\)](#).

- (119) Wall, exterior. Any wall or element of a wall, or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of 60 degrees or greater with the horizontal plane.
- (120) Wholesale. The sale of commodities for the purpose of resale, as to retailers or jobbers rather than to consumers directly; opposed to retail. Of, pertaining to, or engaged in sale at wholesale.
- (121) Xeriscaping. A type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.

SUBSECTION 02.02: LAND USE DEFINITIONS

(A) Agricultural and Animal Related Land Uses.

- (1) Agricultural Uses on Unplatted Land. Any area used for growing farm products, vegetables, fruits, trees, and grain and/or for the raising of farm animals (e.g. horses, cattle, sheep, etc.) -- including the necessary accessory uses for raising, treating, and storing products raised on the premises --, but not including the commercial feeding, cultivation of offal (i.e. entrails or internal organs) to swine or other animals and not including any type of agriculture or cultivation that is specifically prohibited by this federal, state, or local law.
- (2) Animal Boarding/Kennel. Any premises in which more than three (3) dogs or three (3) cats or three (3) of any other domesticated animal over the age of three (3) months -- not including livestock or farm animals -- are housed, boarded, raised or trained as a commercial enterprise. This definition does not include pet shops.
- (3) Animal Clinic for Small Animals without Outdoor Pens. An establishment where small animals and pets are admitted for examination, medical treatment, and boarding of animals is limited to short-term care incidental and subordinate to the clinic use.
- (4) Animal Hospital or Clinic. A facility for the diagnosis, treatment, or hospitalization of animals.
- (5) Animal Production or Husbandry. An agricultural operation specifically concerned with the raising of animals for meat, milk, eggs, or other products. *Animal Production or Husbandry* includes the day-to-day care, selective breeding and the raising of livestock.
- (6) Animal Shelter or Loafing Shed. An agricultural structure that is typically built inside a pasture or paddock area that provides livestock with shade, water, and/or food.
- (7) Barn or Agricultural Accessory Building. A barn or agricultural accessory building is a building that is located on a property that is a minimum of ten acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.
- (8) Crop Production. An area for raising or harvesting agricultural crops such as wheat, field forage, and other plant crops intended to provide food or fiber.

- (9) Commercial Horse Corral or Stable. A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, hired, trained, sold, or bred as a commercial activity. The definition includes accessory uses such as riding lessons, clinics, and similar activities.
- (10) Private Horse Corral or Stable. A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, trained, or bred for the private use of the property owner.
- (11) Community Garden. A use in which an area of land is managed and maintained by a group of individuals to grow and harvest food and/or horticultural products for personal or group consumption or for sale or donation. A community garden area may be divided into separated garden plots for cultivation by one or more individuals, or may be farmed collectively by members of the group. A community garden may include common areas (e.g., hand tool storage sheds) maintained and used by the group.
- (12) Urban Farm. A use in which plants are grown for sale as products, and in which the plants or their byproducts are sold at the lot where they are grown or off-site, or both, and in which no other items are sold (e.g. flower and vegetable raising, orchards and vineyards, etc.).
- (13) Wholesale Nursery (i.e. without Retail Sales On-Site). An establishment for the cultivation and propagation, display, storage and wholesale of large plants, shrubs, trees and other materials used in the indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape materials as an accessory use.

(B) Residential and Lodging Land Uses.

- (1) Residential Accessory Building or Structure. A subordinate building having a use customarily incidental to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.
- (2) Bed and Breakfast. A single-family owner-occupied house offering rooms with breakfast on a nightly basis for a fee.
- (3) Caretakers Quarters/Domestic or Security Unit. A residence located on premises with a main residential or non-residential use and occupied only by a caretaker or guard employed on the premises.
- (4) Convent, Monastery, or Temple. A facility or building occupied by a community of monks, nuns, priests, or similar sects living under religious vows.
- (5) Duplex. A building designed and/or occupied exclusively by two (2) families living independently of each other on one (1) lot or parcel of land.
- (6) Commercial Garage. Any premises and/or structures used for housing more than three (3) motor vehicles or where any

vehicles are kept for remuneration, hire, or sale and where a retail service station may be maintained as a secondary use.

- (7) Residential Garage. A residential accessory building used for the storage motor vehicles. These structures are typically attached to the primary structure; however, they may also be a detached structure.
- (8) Guest Quarters/Secondary Living Unit. An accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as a separate domicile.
- (9) Home Occupation. A commercial use customarily carried on in the home by members of the occupant family without structural alterations in the principal building or any of its rooms, without offering any commodity or service for sale on premises, without the installations of machinery or additional equipment other than that customary to normal household operations, without the employment of additional persons, without the use of a sign to advertise the occupations, and which does not cause the generation of other than normal noise, and pedestrian and vehicular traffic.
- (10) Limited-Service Hotel. A building or group of buildings used as a temporary dwelling place for individuals in exchange of financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Hotel room units are accessed through doorways into an internal hallway, courtyard, or lobby. Financial consideration for hotel room units is generally calculated on a nightly basis.
- (11) Full-Service Hotel. A building or group of buildings designed for and occupied as a temporary dwelling place. Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security-controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops.
- (12) Residence Hotel. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Residence hotel room units are designed to be suitable for long-term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical residence hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.
- (13) Motel. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Each motel room unit has direct access to the outside. Financial consideration for motel room units is generally calculated on a nightly basis.
- (14) Multi-Family Structure or Development. A development consisting of at least three (3) single-family dwelling units grouped into a single building or multiple buildings on an individual parcel of land. Examples of a *Multi-Family*

Development include Triplexes, Quad or Fourplexes, apartments, condominiums, and etcetera.

- (15) Portable Building. A temporary building that may or may not have a foundation and is transportable.
 - (16) Residential Infill in or Adjacent to an Established Subdivision. The new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.
 - (17) Single-Family Attached Structure. A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).
 - (18) Single-Family Detached Structure. A single-family residential structure that is occupied by one (1) family, is situated on a single parcel of land, does not share a common wall or wall with any adjacent structures, and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).
 - (19) Single-Family Zero Lot Line Structure. A single-family detached structure that has a wall or walls that comes up to, or very near to, the edge of the property line on one (1) side of the property.
 - (20) Private Swimming Pool. A swimming pool constructed for the exclusive use of the property owner and/or residents of a single-family, duplex, multi-family structure or development. A private swimming pool shall not be operated as a business.
 - (21) Private Tennis Court. A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for night play in residential areas except as may be otherwise permitted.
 - (22) Townhouse. A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*). These units are typically constructed in a series or group of units.
 - (23) Urban Residential. A development situated within the City's Downtown (DT) District -- *which is also referred to as the urban core* -- that allows for multiple single-family dwelling units grouped into a single building. This type of structure typically contains a mix of office, retail, and residential land uses.
- (C) Institutional and Community Service Land Uses.
- (1) Assisted Living Facility. A facility that is licensed under Chapter 247, *Assisted Living Facilities*, of the Texas Health and Safety Code that furnishes -- *in one (1) or more buildings* -- food, shelter, and limited assistance to persons who are unrelated to the proprietor of the establishment, and also provides personal care services.
 - (2) Blood or Plasma Donation Center. A facility that allows for a person or persons to donate or sell blood or plasma for use in medical or other products.

- (3) Cemetery/Mausoleum. A land used intended to be used for the burial of the human or animal remains and dedicated for cemetery purposes, including crematories, mortuaries and funeral chapels if operated in connection with and within the boundaries of such cemetery.
- (4) Church/House of Worship. A facility or area where people gather together for public worship, religious training, or other religious activities including a church, temple, mosque, synagogue, convent, monastery, or other structure, together with its accessory structures, including a parsonage or rectory. This use does not include home meetings or other religious activities conducted in a privately occupied residence.
- (5) College, University, or Seminary. An institution established for educational purposes offering courses for study beyond the secondary education level. This land use shall exclude *Trade Schools*.
- (6) Convalescent Care Facility/Nursing Home. A facility providing primarily inpatient health care, personal care, or rehabilitative services on a 24-hour basis over a long period of time to persons chronically ill, aged, or disabled who need ongoing health supervision, but not hospitalization.
- (7) Congregate Care Facility/Elderly Housing. A facility for long-term residence -- *exclusively for persons 62 years of age or older* -- who may need limited assistance with daily living activities, and which includes at a minimum each of the following amenities and personal care services: [1] private living quarters that are designed for a maximum of double occupancy and which no full kitchen facilities are permitted (i.e. no dishwasher or oven); [2] daily prepared meals in a common dining area; [3] housekeeping, laundry service, and private bus transportation service; [4] dedicated areas for social activities; and [5] dedicated areas for indoor and outdoor recreation activities.
- (8) Crematorium. A facility licensed, or qualified to be licensed, by the State of Texas for the cremation of human remains.
- (9) Daycare with Seven (7) or More Children. A state licensed facility -- *other than a public, parochial, or private school* -- providing care for seven (7) or more children under the age of 14 years old for less than 24-hours per day (*typically daytime hours only*) at a location other than a residence.
- (10) Emergency Ground Ambulance Services. A facility that houses Emergency Medical Service (EMS) motor vehicles or ambulances that are dispatched to offer emergency paramedic services that require an urgent medical response.
- (11) Group or Community Home. A home for disabled persons whose ability to care for themselves, perform manual tasks, learn, work, walk, see, hear, speak or breath is substantially limited because the person has an orthopedic, visual, speech, or hearing impairment, Alzheimer's disease, pre-senile dementia, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, autism, or emotional illness.
- (12) Government Facility. An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to: City services/offices, employment offices, police and fire stations, and/or motor vehicle licensing and registration services.
- (13) Halfway House. A facility where persons are aided in readjusting to society following a period of imprisonment, hospitalization, homelessness, or institutionalized treatment.
- (14) Hospice. A facility designed to provide a centralized program for palliative and supportive services to dying persons and their families in the form of physical, psychological, social, and spiritual care either directly or on a consulting basis.
- (15) Hospital. An institution providing health services primarily for human inpatient medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central services facilities, and staff offices which are an integral part of the facilities.
- (16) Public Library, Art Gallery, or Museum. An institution for the collection, display and distribution of objects of art, science, or library sciences and which are sponsored by a public or quasi-public agency that is open to the general public.
- (17) Mortuary or Funeral Chapel. A place for the storage of human bodies prior to their burial or cremation, or a building used for the preparation of a deceased for burial and/or the display of the deceased through ceremonies prior to burial or cremation.
- (18) Local Post Office. A local branch of the United States Postal Services or a private commercial venture engaged in the distribution of mail, packages, and incidental services.
- (19) Regional Post Office. A branch of the United States Postal Services or a private commercial venture engage in the regional distribution of mail and packages to local post offices.
- (20) Prison/Custodial Institution. A facility responsible for the incarceration of adults that provides 24-hour supervision by professionals. These types of facilities include prisons, jails, and probation facilities.
- (21) Public or Private Primary School. A school that is either owned and operated by the independent school district or a private commercial organization for children from five (5) to 11-years of age to receive their primary or elementary education.
- (22) Public or Private Secondary School. A school that is either owned and operated by the independent school district or a private commercial organization for children from 11 to 18-years of age to receive their secondary or high school education.
- (23) Temporary Education Buildings for a Public or Private School. A temporary building for classrooms, recreation and administrative needs for the independent school district or a private commercial organization as defined by Section 1202, *Industrialized Housing and Buildings*, of the Texas Occupations Code.
- (24) Rescue Mission or Shelter for the Homeless. A non-profit housing shelter operating as an accessory use to a religious facility, providing temporary free lodging for indigent individuals or families with no regular home or residential address. A *Rescue Mission or Shelter for the Homeless* shall house a

maximum of 15 individuals for a period not to exceed a maximum of 30-days.

- (25) Social Service Provider (Except Rescue Mission or Shelter for the Homeless). Any organization operating under a non-profit charter, the activities of which are devoted exclusively to charitable, benevolent, patriotic, employment related, or educational purposes not currently listed elsewhere in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).

(D) *Office and Professional Land Uses.*

- (1) Financial Institution. A facility that is open to the public for the deposit, custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds and that is licensed by the appropriate state or federal agency as a bank, savings and loan association, or credit union. Accessory uses may include automatic teller machines, drive through service, offices, and parking. This excludes bail bonds, pawnshops, payday advance/loan businesses, and motor vehicle title loan businesses.
- (2) Office Building. A facility that provides executive, management, administrative, or professional services not specifically listed elsewhere in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#), but not involving the sale of merchandise except as incidental to a permitted use. Typical examples include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

(E) *Recreation, Entertainment and Amusement Land Uses.*

- (1) Temporary Carnival, Circus, or Amusement Ride. A temporary, traveling show or exhibition that has no permanent structure or installation, and is intended to attract people to a site where there may or may not be an admission charge. These activities include: carnivals, circuses, rides, entertainment, gaming booths, food stands, exhibitions, and animal displays. Outdoor or indoor commercial amusement provided on a temporary basis.
- (2) Indoor Commercial Amusement/Recreation. Any enterprise whose main purpose is to provide the general public with a variety of amusing or entertaining activities, including such activities as skating rinks, bowling alleys, video arcades, billiard tables and similar enterprises, but does not include theaters and auditoriums.
- (3) Outdoor Commercial Amusement/Recreation. An amusement enterprise that offers entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open.
- (4) Public or Private Community Recreation Club as an Accessory Use. (1) Public: A facility or area that is owned and/or operated by a nonprofit organization and that provides for sports, leisure, and recreation activities operated for the general public. (2) Private: A recreation facility operated for the exclusive use of private residents or neighborhood groups and their guests, and not the general public.

- (5) Private Country Club. A facility or area laid out for recreational, athletic, and social purposes, with limited membership, and the use of which is primarily restricted to members and their guests. A golf course may be included as an additional principal use. Accessory uses may include retail sales, a club house, and other recreational facilities.
- (6) Golf Driving Range. An area improved with trees, greens, fairways, hazards, and which may include a clubhouse, dining room, and accessory recreational uses.
- (7) Temporary Fundraising Events by Non-profit. An event sponsored by a recognized legal nonprofit organization, intended to attract people to a site where there may or may not be an admission charge.
- (8) Gun Club with Skeet or Target Range. A facility or area for the sport of shooting at targets to test accuracy in rifles, pistols, or archery practice, owned or operated by a corporation, association, or persons.
- (9) Health Club or Gym. A public or private facility operated to promote physical health and fitness. Activities may include exercise, physical therapy, training, and education pertaining to health and fitness. Uses or combinations of uses or facilities would typically include -- *but are not limited to* -- game courts, weight lifting and exercise equipment, aerobics, swimming pools and spas, and running or jogging tracks.
- (10) Private Club, Lodge or Fraternal Organization. (1) Private Club. Private quarters for a private organization, a principal purpose of which is the preparation and service of food and/or drink for members and their guests only and falling within the definition of and permitted by Chapter 32, *Private Club Registration Permit*, of the Texas Alcoholic Beverage Code. (2) Lodge or Fraternal Organization. A facility or area for a special purpose organization or for the sharing of sports, arts, literature, politics, or other similar interests, but not primarily for profit or to render a service that is customarily carried on as a business, excluding churches, synagogues, or other houses of worship or religious assembly.
- (11) Private Sports Arena, Stadium, and/or Track. An athletic field or stadium that is not owned or operated by a public agency such as a city or school and operated for the exclusive use of its members and their guests and not the general public
- (12) Public Park or Playground. A facility or area for recreational, cultural, or aesthetic use owned or operated by a public agency and available to the general public. This definition may include -- *but is not limited to* -- lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, pavilions, wooded areas, and water courses.
- (13) Sexually Oriented Businesses. See [Article XI, Sexually Oriented Businesses, of Chapter 12, Businesses and Sales, of the Municipal Code of Ordinances](#).
- (14) Tennis Courts (i.e. Not Accessory to a Public or Private Country Club). A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances. This would be the primary use for a property and not attached to a Public or Private Country Club.

- (15) Theater. A structure that is open to the public and is used for dramatic, operatic, musical, motion picture, or other performance or entertainment-related activities, where admission is charged per performance or event, and where there is no audience participation other than as spectators. Such establishments may include incidental services such as food and beverage sales and other concessions.

(F) *Retail and Personal Service Land Uses.*

- (1) Antique/Collectible Store. A retail establishment that engages in the selling of works of art, furniture or other artifacts of an earlier period.
- (2) Astrologer, Hypnotist, or Psychic. An establishment providing predictions or readings of the future based on intuitive or mental powers, astrology, card or tea reading, crystal gazing, palmistry, or spiritual reading.
- (3) Banquet Facility/Event Hall. An establishment that is leased on a temporary basis before the day of the event by individuals or groups who reserve the facility to accommodate private functions, including, but not limited to, banquets, weddings, anniversaries, receptions, business and organizational meetings, and other similar functions, to which the general public is not admitted and for which no admission charge is imposed. Such establishments may include kitchen facilities for the preparation of food or catering of food and areas for dancing, dining, and other entertainment activities that customarily occur in association with banquets, weddings, or receptions.
- (4) Portable Beverage Service Facility. A portable beverage service facility is an establishment that sells beverages from a structure that can be moved from place to place but that stays at one location during a normal business day; food sales are prohibited in these facilities.
- (5) Brewpub. A brewpub is a restaurant that incorporates a craft or microbrewery as an accessory use. The craft or microbrewery in conjunction with the restaurant allows for the manufacturing of beer -- *in limited quantities* -- for both on-premise and off-premise consumption.
- (6) Business School. A business organized to operate for profit that offers instruction and training in a service or art such as secretarial school, barber college, beauty school or commercial art school, but not including manual trade schools.
- (7) Catering Service. A food establishment without on-site banquet facilities that provides, prepares, and/or serves food at off-site locations for groups, where all food and service expenses are paid by the group and not for individual sale.
- (8) Temporary Christmas Tree Sales Lot and Similar Uses. A building or land area that provides seasonal uses such as the sale of Christmas trees, pumpkins, and other temporary uses which occur at certain times of the year.
- (9) Copy Center. An establishment that reproduces, in printed form, individual orders from a business, profession, service, industry, or government organization.

- (10) Craft/Micro Brewery, Distillery and/or Winery. A craft/microbrewery is a small-scale brewing facility designed for the production of malt liquors such as beer and ale, using grains such as oats, hops, rice, wheat, and barley, designed and managed to brew no more than 75,000 barrels of beer per year. A distillery and/or winery is a small-scale facility designed for the manufacture, bottling, labeling, packaging, and sale of wine containing not more than 24% alcohol by volume, distilled spirits and other liquors.
- (11) Incidental Display. An outdoor retail sale or commercial promotion, not in excess of thirty (30) days during any 12-month period, adjacent to an existing permanent business operated in the city where the products displayed or sold outdoors are the same as those sold inside the existing permanent business and where such activity is incidental to the normal conduct of business operated by the same merchant or his employer in an on-site building for which a valid Certificate of Occupancy (CO) exists and when permitted by the City.
- (12) Food Truck/Trailer. A food truck or trailer is a mobile food vendor that sells food and/or beverages that are either pre-packaged or prepared in the confines of a portable truck/trailer, which can be moved from place to place, but is typically in a fixed location for extended periods of time.
- (13) Garden Supply/Plant Nursery. An establishment for the cultivation and propagation, display, storage and sale (*i.e. retail and wholesale*) of large plants, shrubs, trees and other materials used for in indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape material as an accessory use.
- (14) General Personal Service. Establishments primarily engaged in providing services generally involving the care of the person and/or his/her apparel including but not limited to barber and beauty shops, dressmaking, shoe shining, dry-cleaning and laundry pick-up stations, tailor or seamstress, and reducing salons/health clubs.
- (15) General Retail Store. A facility or area for the retail sale of general merchandise or food to the public for direct consumption and not for wholesale. Typical general merchandise includes clothing and other apparel; equipment for hobbies or sports; gifts; flowers and household plants; dry goods; groceries, convenience, and specialty foods; toys; furniture; books and stationery; pets; drugs; hardware; and similar consumer goods. This use does not include uses that are specifically addressed in [Section 01, Land Use Schedule, of Article 04, Permissible Uses](#).
- (16) Hair Salon and/or Manicurist. A business that provides customers with beauty treatments including -- *but not limited to* -- haircuts, manicures, pedicures, and other similar treatments.
- (17) Laundromat with Dropoff/Pickup. A personal service shop that specializes in cleaning clothes that may or may not include coin-operated washing machines and dryers for public use.
- (18) Self-Service Laundromat. A facility where patrons wash, dry or dry clean clothing and other fabrics in machines operated by the patron.

- (19) Massage Therapist. Any building, room, place, or establishment other than where regularly licensed non-medical or non-surgical manipulative exercises or devices are practiced upon the human body manually or otherwise by a licensed massage therapist, physician, surgeon, dentist, occupational or physical therapist, chiropractor, or osteopath, with or without the use of therapeutic, electrical, mechanical, or bathing devices.
- (20) Private Museum or Art Gallery. An institution for the collection, display and distribution of objects of art or science, and which is sponsored by a public or quasi-public agency in a facility that is open to the general public.
- (21) Night Club, Discotheque, or Dance Hall. An establishment, facility, or room that offers or provides entertainment of any kind for remuneration, whether through fees, ticket sales, cover charges, membership, dues, or portion of funds generated in any other manner, usually collected at the time of customer entry into the establishment. Such establishments may provide accommodations for patron dancing; dispense alcoholic beverages for consumption on the premises; provide live, recorded, or televised music or comedy performances; and/or serve food as an ancillary service. *Night Club* shall not include indoor theaters, auditoriums and stadiums with fixed row seating, private clubs, bars, teen clubs, banquet halls, or establishments defined elsewhere in Section 1, Land Use Schedule.
- (22) Pawn Shop. A retail operation which provides for the lending of money with personal items held as collateral, or the purchasing, or the repurchasing of gold, silver, jewelry, watches, and gems in addition to other merchandise.
- (23) Permanent Cosmetics. A cosmetic technique which employs permanent pigmentation of the dermis as a means of producing designs that resemble makeup, such as eye-lining and other permanent enhancing colors to the skin of the face, lips, and eyelids.
- (24) Pet Shop. A *Pet Shop* is a retail business which sells different kinds of animals to the public. A variety of animal supplies and pet accessories are also sold in *Pet Shops*. The products typically sold in these establishments include -- *but are not limited to* -- food, treats, toys, collars, leashes, cat litter, cages and aquariums.
- (25) Temporary Real Estate Sales Office. ~~Temporary on-site~~ *Real Estate Sales Offices* located on property being sold, shall be limited to the period of sale of the lots with a two (2) year initial period and one (1) year extensions being authorized by the Chief Building Official.
- (26) Rental Store without Outside Storage and/or Display. A retail business that sells, rents, or leases tools, equipment, or other goods on a short-time basis to customers to the extent that the item is actually used by the customer.
- (27) Restaurant with Drive Through or Drive-In. A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premises and/or in a personal vehicle or where facilities are provided on the premises that encourages the serving and consumption of food in a personal vehicle on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.
- (28) Restaurant without Drive Through or Drive-In. A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premise and does not provide facilities that allow the serving and consumption of food in personal vehicles on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.
- (29) Retail Store with Gasoline Sales. An establishment that engages in the sale of fuel, lubricants, and/or accessories for motor vehicles, and that may have ancillary retail sales of convenience goods. A dispenser in a *Retail Store with Gasoline Sales* is assumed to serve two (2) standard motor vehicles.
- (30) Second Hand Dealer. An establishment for the sale of any goods, materials, or other articles of merchandise that are not new (e.g. *consignment stores*). This definition includes items that have been used or worn previously by another.
- (31) Art, Photography, or Music Studio. A workplace for the teaching, preparation, or practice of an art such as animation, ceramics, dance, graphic design, music, painting, photography, pottery, scrapbooking, and sculpture.
- (32) Tailor, Clothing, and/or Apparel Shop. An establishment engaged in custom making, altering, or the repair of clothing.
- (33) Tattoo and/or Body Piercing. An establishment whose principal business activity, either in terms of operation or as provided to the general public, is the practice of one (1) or more of the following: [1] placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin, by means of the use of needles or other instruments designed to contact or puncture the skin; [2] creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.
- (34) Taxidermist Shop. A facility engaged in the preserving of an animal's body via mounting or stuffing for the purpose of display or study.
- (G) Commercial and Business Services Land Uses.
- (1) Bail Bonds. An establishment that solicits, negotiates, and executes bonds or other security to guarantee the appearance in court of a person accused of a crime.
- (2) Building and Landscape Material. An establishment for the sale of materials customarily used in the construction of buildings and other structures, including sales of lumber, drywall and similar construction materials.
- (3) Building Maintenance, Service, and Sales. A facility or area for contracting services such as building repair and maintenance; the installation of plumbing, electrical, air conditioning, and heating equipment; janitorial services; and exterminating

services. The retail sale of supplies is permitted as an accessory use.

- (4) Commercial Cleaners. A facility or area for cleaning items in bulk quantities such as clothes and linens. This definition includes cleaning for hospitals, restaurants, hotels, diaper cleaning services, and other similar accounts, as well as rug and dry-cleaning plants where on-premise retail services to individual households are incidental to the operation of the plant.
- (5) Custom and Craft Work. A facility or area in which finished, personal, or household items that are either made to order or that involve considerable handwork are produced. Examples include but are not limited to textiles, pottery, furniture repair or refinishing, wood working, upholstery, sculpting, and other work or wood products on an individualized single item basis. Cabinetmaking and cabinet assembly shops are not included in this definition. The use of mechanized assembly line production is excluded from this definition.
- (6) Electrical, Watch, Clock, Jewelry, and Similar Repair. An establishment that designs, makes, sells or repairs small consumer goods.
- (7) Feed Store, Ranch Supply. An establishment for the selling of corn, grain, and other food stuffs for animals and livestock, and including other implements and goods related to agricultural processes, but not including farm machinery.
- (8) Furniture Upholstery/Refinishing and Resale. A furniture upholstery refinishing or resale business is a business that engages in the act of reupholstering, repairing, stripping, refinishing, restoring or rebuilding furniture for the purpose of retailing the finished good.
- (9) Gunsmith Repair and Sales. An establishment that specializes in the repair and/or sale of small fire arms (e.g. *handguns and shotguns*) for individuals.
- (10) Heavy Machinery and Equipment Rental, Sales, and Service. A building or open area, other than a right-of-way or a public parking area, used for the display, sale, rental, and storage of heavy machinery, either machines in general or as a functioning unit. Heavy machinery includes -- *but is not limited to* -- tractors, farm machinery, bulldozers, street graders, and paving devices.
- (11) Locksmith. A business that works with locks, keys and security systems.
- (12) Machine Shop. A shop wherein there are facilities and tools, which are utilized in the shaping and forging, welding or fabricating of metal products and/or related items.
- (13) Medical or Scientific Research Lab. A facility or area for conducting medical or scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. This definition also includes labs for the manufacture of dentures and prostheses.
- (14) Manufactured Homes Sales. The offering for sale, storage, or display of new and/or used manufactured homes on a parcel

of land but excluding the use of such facilities as dwellings either on a temporary or permanent basis.

- (15) Research and Technology/Light Assembly. An indoor facility that includes laboratories and experimental equipment for medical testing, prototype design and development, and product testing.
 - (16) Shoe and Boot Repair and Sales. A business that specializes in the sale and repair of shoes and boots.
 - (17) Trade School. Establishments, other than public or parochial schools, private primary or secondary schools, or colleges, offering training or instruction in a trade, art, or occupation.
 - (18) Temporary On-site Construction Office. A structure or shelter used in connection with a development or building project for housing on the site of temporary administrative and supervisory functions and for sheltering employees and equipment.
- (H) Auto and Marine-Related Land Uses Conditions.
- (1) Major Auto Repair Garage. Major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under Automobile repair, minor, and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90-days.
 - (2) Minor Auto Repair Garage. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under Automobile repair, major, or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.
 - (3) Automobile Rental. A business that engages in the rental of light load motor vehicles for short periods of time for a fee. This use excludes the truck and heavy equipment rental.
 - (4) Boat and Trailer Dealerships (New and Used). A business that buys and sell boats and boat trailers that are both new and used.
 - (5) Car Wash. A facility or area for the cleaning or steam cleaning, washing, polishing, or waxing of passenger vehicles by machine or hand-operated facilities. A car wash may be [1] a single unit type that has a single bay or a group of single bays with each bay to accommodate one vehicle only; or [2] a tunnel type that allows washing of multiple vehicles in a tandem arrangement while moving through the structure.

- (6) New and/or Used Indoor Motor Vehicle Dealership/Showroom. The indoor storage of operable automobiles in a fully enclosed building for the purpose of holding such vehicles for sale, lease, distribution, or storage.
- (7) Motor Vehicle Dealerships for Cars and Light Trucks. Retail sales of new automobiles or light load vehicles, including, as a minor part of the business, the sales of used automobiles or light load vehicles and the service of new or used vehicles within an area or enclosed building.
- (8) Commercial Parking Lot. An area or structure intended for parking that is operated as a business enterprise with a service charge or fee being paid to the owner or operator for the storage or parking of privately-owned vehicles, and is not reserved or required to accommodate occupants, clients, customers, or employees of a particular establishment or premises.
- (9) Non-Commercial Parking Lot. An area, structure, or shared area that is open to the general public for the temporary parking of operable personal and light commercial vehicles.
- (10) Recreational Vehicle (RV) Sales and Service. An establishment that engages in the sale and/or leasing of new and/or used recreation vehicles (including as an accessory use) and the repair and service of these vehicles.
- (11) Service Station. An establishment where gasoline and other petroleum products are sold as the principal use of the property. Light maintenance activities such as engine tuneups, lubrication, and minor repairs may also be provided if incidental to such principal use.
- (12) Towing and Impound Yard. Any lot that two (2) or more motor vehicles of any kind of for the purpose of holding such vehicles in reserve or incapable of being operated due to condition or lack of license have been placed for the purpose of obtaining parts for recycling or resale.
- (13) Towing Service without Storage. Establishment that provides for the removal of vehicles but does not include disposal, permanent disassembly, salvage or accessory storage of inoperable vehicles.
- (14) Truck Rental. The display and rental of new or used heavy commercial vehicles or trucks in operable condition.
- (15) Truck Stop with Gasoline Sales and Accessory Services. An area for parking heavy commercial vehicles and/or trucks for storage purposes including the retail dispensing and/or sales of truck and automobile fuels, lubricants and/or accessories as an accessory use and not including automotive repair services.
- (I) Industrial and Manufacturing Land Uses.
- (1) Asphalt or Concrete Batch Plant. A permanent manufacturing facility for the production of concrete or asphalt.
- (2) Temporary Asphalt or Concrete Batch Plant. A temporary manufacturing facility for the production of concrete or asphalt during construction of a project and to be removed when the project is completed.
- (3) Bottle Works, Milks, or Soft Drinks. A facility for food or beverage processing that uses mechanized assembly line production for canned or bottled goods.
- (4) Brewery or Distillery. A brewery or distillery is an industrial facility where the primary purpose of the facility is the manufacturing of malt, brewed and/or distilled beverages produced on the premises for sale or distributed for off-premise consumption.
- (5) Carpet and Rug Cleaning. A personal service business that specializes in the cleaning of carpet and rugs in both residential and non-residential structures.
- (6) Environmentally Hazardous Materials. Any solid, liquid, or gaseous matter which is present in sufficient quantities to endanger health, safety, or comfort of persons in the vicinity or which may cause injury or damage to property.
- (7) Food Processing with No Slaughtering. A facility or area in which food for human consumption in its final form, such as candy, baked goods, tortillas, and ice cream is produced, and the food is distributed to retailers or wholesalers for resale on or off the premises. Food or beverage processing using mechanized assembly line production of canned or bottled goods is excluded from this definition. Sales may either be retail or wholesale, and are generally made to businesses rather than to individual households.
- (8) Light Assembly and Fabrication. A business where parts, manufactured elsewhere, are assembled with the assistance of power-driven machines and materials-handling equipment, and manipulated primarily by hand which produces low dust and fiber, and all materials are assembled and stored within an enclosed building.
- (9) Heavy Manufacturing. A facility or area for generally mass-producing goods usually for sale to wholesalers or other industrial or manufacturing uses. A heavy manufacturing use is one which employs the following or similar types of processes: [1] the milling of grain as retail sales and service; [2] producing animal food and tanning animal hides; [3] production of large durable goods such as but not limited to motorcycles, cars, manufactured homes, or airplanes; [4] canning or bottling of food or beverages for human consumption using a mechanized assembly line; [5] manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents, and other chemical products, and use of a foundry for metals; [6] production of items made from stone, clay, metal, or concrete; and, [7] tire recapping or retreading.
- (10) Light Manufacturing. A facility or area for producing goods without the use of chemical processing of materials. Light manufacturing activities include -- but are not limited to -- the following activities: [1] assembly, finishing, and/or packaging of small items from component parts made at another location (examples include but are not limited to cabinetmaking, or the assembly of clocks, electrical appliances, or medical equipment); [2] production of items made from materials derived from plants or animals, including but not limited to leather, pre-milled wood, rubber, paper, wool, or cork, or from textiles or plastics; [3] electrical component manufacturing; [4] reproduction, cutting, printing, or binding of written materials,

drawings, or newspapers on a bulk basis using lithography, offset printing, blue printing, and other similar methods; [5] machine or welding shop where material is processed by machining, cutting, grinding, welding, or similar processes; and, [6] spray painting or motor vehicle conversion.

- (11) Metal/Electro Plating. The process that uses an electric current to reduce dissolved metal cations so that they form a thin coherent metal coating on an electrode.
- (12) Mining and Extraction (Sand, Gravel, Oil and Other). The process of extracting natural resources from the earth that includes -- *but is not limited to* -- sand, gravel, stone, and petroleum.
- (13) Printing and Publishing. An establishment whose primary service is long-run printing including -- *but not limited to* -- book, magazine, and newspaper publishing.
- (14) Indoor Salvage or Reclamation of Products. An indoor facility for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term "scrap or discarded materials" includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes indoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.
- (15) Outdoor Salvage of Products. An outdoor or partially outdoor facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term "scrap or discarded materials" includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes outdoor or partially outdoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.
- (16) Sheet Metal Shop. A company that specializes in the creation of metal structures by cutting, bending and assembling processes.
- (17) Tool, Dye, Gauge, and Machine Shop. A workshop where metal fabrication tools, including but not limited to lathes, presses, and mills, are used for making finishing, or repairing machines or machine parts.
- (18) Welding Repair. A technique in which a cracked material is removed by arc gouging and the element is welded to re-join the material on either side of the crack.
- (19) Winery. A winery is the industrial manufacturing, bottling, labeling and packaging of wine in accordance with the Texas Local Government Code (TLGC).

(J) *Wholesale, Distribution and Storage Land Uses.*

- (1) Cold Storage Plant. A commercial establishment where foods are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. There is no slaughtering of animals on the premises.
- (2) Heavy Construction/Trade Yard. A land or structure used primarily for the storage of equipment, vehicles, machinery, building materials, paint, piping, or electrical components being used by the owner or occupant of the premises in the conduct of a building trade.
- (3) Landfill. A tract of land used for the burial of farm, residential, institutional, or commercial waste that is not hazardous, medical, or radioactive.
- (4) Mini-Warehouse. A Mini-Warehouse (or self-storage facility) is an enclosed storage facility containing independent, fully enclosed bays that are generally leased to individuals for long-term storage of their household goods or personal property.
- (5) Outside Storage and/or Outside Display. The permanent or continuous keeping, displaying, or storing of unfinished goods, material, merchandise, equipment, service vehicles or heavy vehicles outside of a building on a lot or tract overnight or for more than 24-hours.
- (6) Recycling Collection Center. An enclosed trailer used for the collection and temporary storage of empty beverage containers, aluminum, glass, plastic, paper, clothing, or similar materials for recycling purposes. This definition includes automated can banks that crush cans as they are deposited. This definition does not include donation boxes for clothing, toys, household goods, and similar items.
- (7) Warehouse/Distribution Center. A building used primarily for the storage and distribution of goods, merchandise, supplies, and equipment including wholesalers which display, sell, and distribute merchandise to business representatives for resale but excluding *Truck Terminal*.
- (8) Wholesale Showroom Facility. An establishment that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50% of the total floor area.

(K) *Utilities, Communications, and Transportation Land Uses.*

- (1) Airport, Heliport, or Landing Field. An area used or intended for use for the landing and takeoff of aircraft and other aviation uses; An appurtenant area used or intended for use for an airport building or other airport facility or right-of-way, including a building or facility for the shelter, supply, repair, and maintenance of aircraft and related purposes; An airport building or facility located on an appurtenant area; Facilities for the fueling of aircraft; Buildings for office use; and Related uses and buildings and other uses and buildings incidental to any of the foregoing.
- (2) Accessory Antenna. Any structure or device used to collect, receive, transmit, or radiate electromagnetic waves. Antennae

may be mounted on towers or on buildings, and may be concealed or unconcealed.

- (3) Commercial Antenna. Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or for financial gain.
- (4) Antenna for Amateur Radio. Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business and/or for financial gain.
- (5) Antenna Dish. An antenna that is parabolic or bowl-shaped and that receives and/or transmits signals in a specific directional pattern
- (6) Commercial Freestanding Antenna. A self-supporting, tubular-shaped antenna support structure which consists of a single vertical pole fixed into the ground and/or attached to a foundation.
- (7) Mounted Commercial Antenna. Any exterior transmitting or receiving device mounted on or within a support structure, building, or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals, television signals, or other communications signals.
- (8) Bus Charter and Service Facility. A facility for the loading and discharging of train or bus passengers.
- (9) Helipad. An area of land or water or a structural surface which is used, or intended for use, for the landing and taking-off of helicopters, and any appurtenant areas which are used, or intended for use, for heliport buildings and other heliport facilities.
- (10) Non-Municipally Owned or Controlled Utilities. The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are non-municipally owned or controlled.
- (11) Municipally Owned or Controlled Facilities, Utilities, and Uses. The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are municipally owned or controlled.
- (12) Private Streets. A private vehicular access way shared by and serving two (2) or more lots, which is not dedicated to the public and is not publicly maintained. Private streets and alleys may be established only under the terms of the Subdivision Ordinance. The term "private street" shall be inclusive of alleys.
- (13) Radio Broadcasting. A land use that broadcasts amplitude modulation or frequency modulation audio signals for general public reception.
- (14) Railroad Yard or Shop. A facility used for the storage of railway cars, boxcars and engines and related equipment.
- (15) Recording Studio. A facility that provides an environment for the purposes of writing, collaborating, performing, instruction, preparing, or completing audio recordings.
- (16) Satellite Dish. An oval or round, parabolic apparatus capable of receiving television communications.
- (17) Solar Energy Collector Panels and Systems. A ground- or building-mounted solar collection system consisting of solar photovoltaic cells, panels, or arrays and related equipment that relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation, and that supplies electrical power independently of an electrical production and distribution network.
- (18) Transit Passenger Facility. Any premises for the loading and unloading of passengers by a public or private transit company including the temporary parking of transit vehicles between routes or during stop overs and excluding overnight parking, storage, and maintenance of transit vehicles. This definition shall not include bus stops along rights-of-way.
- (19) Trucking Company. An area and building where cargo is stored and where trucks, including tractors and trailer units, load and unload cargo on a regular basis. May include facilities for the temporary storage of loads prior to shipment.
- (20) TV Broadcasting and Other Communication Services. The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.
- (21) Franchise Utilities. A non-public utility requiring special facilities in residential areas or on public property such as heating, cooling, or communications not customarily provided by the municipality or public utilities.
- (22) General Utility Installation. Permanent facilities and structures operated by companies engaged in providing transportation and utility services including -- *but not limited to* -- railroad track rights-of-way, sewage pumping stations, telephone exchanges, transit station turnarounds, water reservoirs and water pumping stations.
- (23) Utility/Transmission Lines. Facilities which serve to distribute and transmit electrical power, gas and water, including but not limited to electrical transmission lines, gas transmission lines, telephone lines and metering stations, whether operated by the city or private utility company.
- (24) Wireless Communication Tower. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennae that transmit information (*audio, video, data*) in the form of electromagnetic signals to one or more receivers without the use of a physical connection between the transmitting and receiving source. The term includes but is not limited to lattice towers, guyed towers, and monopole towers. The term does not include a clock tower, bell tower, steeple, light pole, power pole, water tower, or similar structure that incidentally supports antennae. Towers may be freestanding or

building-mounted, and may be concealed or unconcealed.

APPENDIX A | PLANNED DEVELOPMENT DISTRICTS

SECTION 01 | LIST OF APPROVED PLANNED DEVELOPMENT (PD) DISTRICTS



SECTION 01 | LIST OF APPROVED PLANNED DEVELOPMENT (PD) DISTRICTS

The following is a list of approved Planned Development (PD) Districts in the City of Rockwall.

PD NO.	ALIASES	SUPERSEDED ORDINANCES	REGULATING ORDINANCES	RESOLUTIONS	ADD. INFO.
PD-001	Ridge Road Shopping Center & Rockwall Commons	72-02, 83-21, 02-49 & 12-03	16-06		
PD-002	Lakeside Village & Turtle Cove Subdivisions		72-02, 73-33, 80-19, 84-53, 85-16, 86-28 & 96-6		View
PD-003	The Shores Subdivision		72-02, 73-02, 77-19A, 80-33, 84-59, 86-23, 86-39, 86-61, 89-04, 94-35, 96-23, & 11-44		
PD-004	Ridge Road South of the Commons		72-3 & 01-26		
PD-005	Caruth Lake Subdivision	73-31, 87-23, 88-11, 96-25, & 00-28	19-38		View
PD-006					View
PD-007	Harbor Retail/Hilton Hotel	73-47, 82-36 & 87-11	17-11		
PD-008	Chandler's Landing Subdivision		73-48, 84-04, 84-16, 84-19, 85-43, 86-04, 86-64, 86-87, 87-45, 88-17, 88-51, 90-38, 91-43, 92-39, 92-41, 92-43, 02-50, 05-30 & 14-15	87-19 & 87-20	View
PD-009	Hospital/Medical District		73-49, 86-55, 87-30, 88-13, 88-20, 95-17, 01-43, 04-02, 11-31, & 13-43		
PD-010	Cambridge PD		74-32, 96-03, 00-08, 04-25, 04-40, 12-13, & 13-39	87-08, 88-01 & 03-20	View
PD-011	Hillcrest Shores Subdivision		73-52, 80-13, 93-11, 01-08 & 04-37		View
PD-012	Amachris Place		80-14 & 06-46		
PD-013	Windmill Ridge Subdivision		81-05, 84-43 & 94-41		View
PD-014			82-02, 83-60 & 09-42		View
PD-015	Signal Ridge Condominiums		82-14, 83-19 & 83-62		
PD-016			82-22		
PD-017	Lyden Park Estates Subdivision		82-26, 95-50 & 03-24		
PD-018	Lago Vista Subdivision		82-32, 85-23 & 94-18		
PD-019			82-37 & 87-37		
PD-020	Orleans on the Lake Subdivision		82-38, 84-34 & 87-38		
PD-021	St. Mary's Place Subdivision		83-11		
PD-022	Portofino Condominiums		83-18 & 84-52		
PD-023	Waggoner Gardens		85-15		
PD-024			86-17		
PD-025			86-59		
PD-026	Collateral Consultants		87-05		
PD-027	Damascus Road/Heritage Christian		87-31 & 04-43		
PD-028			87-61 & 89-01		
PD-029	Lakeview Summit Subdivision		87-66 & 96-02		
PD-030	US Housing Authority		88-55		
PD-031	Collateral Consultants		89-02		
PD-032	The Harbor District	85-25, 85-26, 89-20, 02-55, 08-11, 10-21, 11-43, 14-51, 16-13, 16-48, & 17-64	17-22 (PD Development Plans: 11-16, 16-28, 18-16, 19-21 & 19-25)	10-40	
PD-033			90-09		

PD NO.	ALIASES	SUPERSEDED ORDINANCES	REGULATING ORDINANCES	RESOLUTIONS	ADD. INFO.
PD-034				91-09	View
PD-035	Granite & Marble Consultants, Inc.			91-29	View
PD-036				92-36	
PD-037	Dirkse Residential Office			92-44 & 99-44	
PD-038	900 Sids Road			93-10	
PD-039	Canyon Ridge Apartments			93-45	
PD-040	Benton Woods Subdivision			94-07	
PD-041	The Preserve Subdivision			94-15 & 01-27	
PD-042	Goliad Art Gallery and Studio			95-14	
PD-043	S&A Systems			96-37	
PD-044	TransAM Trucking			97-28 & 09-03	
PD-045	Lofland Farms Subdivision			98-16	
PD-046	Corner of FM-549 and SH-276			99-05 & 11-46	
PD-047		99-17 & 07-04		19-24	
PD-048	Bank of America			99-21	
PD-049	Neighborhood Walmart			01-12	
PD-050	North Goliad Street Retail Corridor	01-53, 02-46, 04-24, 04-39, 05-03, 05-08, 05-18, 05-35, 07-29 & 16-15		17-19	
PD-051	The Oaks of Buffalo Way, Phase 2			01-61	
PD-052		02-14		16-45	
PD-053				02-33 & 14-23	
PD-054	Flagstone Estates Subdivision			02-52 & 04-31	
PD-055				03-40	
PD-056	American National Bank			04-30	
PD-057	Alliance Addition			04-48	
PD-058	Dalton Ranch Subdivision			04-54	
PD-059	Park Place Subdivision	04-59 & 06-51		19-08	
PD-060	Rockwall School of Music			05-05	
PD-061				05-19	
PD-062	Canup Property			05-42	
PD-063	Somerset Park Subdivision	05-51		14-49	
PD-064	Fontanna Ranch Subdivision, Phases 1 & 2			05-58	
PD-065	North Lakeshore Valley/Arkoma Development	06-02, 08-02 & 10-28		17-03	View
PD-066	Firenza			06-20	
PD-067	Fontanna Ranch Subdivision, Phase 3			06-21	
PD-068	Evergreen Senior Living/Fireside Village	06-32		17-05	
PD-069	Green Valley Residential/Office			07-09	
PD-070	Stone Creek Retail/Stone Creek Subdivision	07-13		09-01, 09-44 & 11-35 (PD Development Plans: 17-08)	
PD-071	John King Boulevard & SH-66			07-19 & 08-45	
PD-072	Watson Estates			08-34	
PD-073	REDC Technology Park			09-09	

PD NO.	ALIASES	SUPERSEDED ORDINANCES	REGULATING ORDINANCES	RESOLUTIONS	ADD. INFO.
PD-074	Breezy Hill Subdivision	09-19, 12-26, 14-26 & 16-59		17-60	
PD-075	Lake Rockwall Estates	09-37		16-01	
PD-076	Dowell Road Subdivision			14-50	
PD-077	Gideon, Phase I			15-20	
PD-078	Discovery Lakes			15-24	
PD-079	Saddle Star Estates South	16-07		16-39	
PD-080	Saddle Star Estates North			16-08	
PD-081	Ridgecrest Subdivision			16-42	
PD-082	Terracina Estates	16-43		18-08	
PD-083	SWBC Apartment Complex			17-18	
PD-084	Gideon, Phase II			17-25	
PD-085	Ladera Rockwall	17-55		18-32	
PD-086	Rockwall SIL; The Alders			17-62	
PD-087	Park Station Subdivision			18-46	
PD-088	Northgate Subdivision			19-26	

APPENDIX B | SPECIFIC USE PERMITS

SECTION 01 | LIST OF APPROVED SPECIFIC USE PERMITS (SUP'S)



SECTION 01 | LIST OF APPROVED SPECIFIC USE PERMITS (SUP'S)

The following is a list of approved Planned Development (PD) Districts in the City of Rockwall.

SUP NO.	CASE NO.	ORDINANCE NO.	PROJECT DESCRIPTION	ADDRESS
S-001			Municipal Airport	1701 Airport Road
S-002		MINUTES	Kindergarten & Day School	501 Austin Street
S-003	Z1973-001	MINUTES	Day Care Facility	915 N. Goliad Street
S-004		74-32	Recreational Areas w/in Cambridge Co. Property	810 Walnut Ridge Drive
S-005	PZ1976-001-01	76-06	Home Occupation Restaurant (Boots Burgers)	701 Austin Street
S-006	PZ1977-009-01	77-19	Auto-Laundry	705 Rusk Street
S-007	PZ1977-011-01	78-10	Mini Warehouse	N/A [Abstract]
S-008		79-16	Sewage Treatment Plant	N/A [Abstract]
S-009		80-18	Concrete Batching Plant	2010 Kristy Lane
S-010	PZ1982-003-01	82-31	Day Care Facility	302 E. Boydston Street
S-011	PZ1982-011-01	83-01	Private Club (Bejars)	400 S. Goliad Street
S-012	PZ1983-011-02	MINUTES	Car Auction (Outside Storage)	1730 E. IH-30
S-013	Z2004-022	04-45	Baley Pool Cabana	5135 Bear Claw Lane
S-014	Z2004-023	04-46	Bon Appetite	804 N. Goliad Street
S-015	Z2004-030	04-53	J. Ford Detached Garage	12 Crestview Circle
S-016	Z2004-036	04-60	Duggan Horse Barn	2716 S. FM 549
S-017	Z2004-038	04-61	Accessory Building	2548 S. FM 549
S-018	Z2005-011	05-15	Ice Train (Sno Cone Stand)	907 S. Goliad Street
S-019	Z2005-012	05-20	Horizon Lube Center	2581 Horizon Road
S-020	Z2005-015	05-23	Accessory Building	2625 Rolling Meadows Drive
S-021	Z2005-017	05-24	Roberts Oil Change Facility	2325 S. Goliad Street
S-022	Z2005-020	05-26	Antique Collectable Sales for Shirley Black	502 N. Goliad Street
S-022	Z2006-024	07-01	Antique Collectable Sales for Shirley Black	502 N. Goliad Street
S-023	Z2005-024	05-34	T-Rock Digital Path Towers	1411 S. Goliad Street
S-024	Z2005-035	05-55	Panda Express @ Horizon Ridge	2420 Horizon Road
S-025	Z2005-041	06-07	Accessory Building	241 Willow Crest
S-026	Z2006-002	06-11	Ice Train (Sno Cone Stand)	907 S. Goliad Street
S-027	Z2006-003	06-12	Deck for Michael Brown in the Takeline	1160 Crestcove Drive
S-028	Z2006-006	06-18	Enterprise @ Rockwall Towne Centre	710 E. IH-30
S-029	Z2006-011	06-28	Dallas Towboys @ 291 National Drive	291 National Drive
S-030	Z2006-010	06-30	Deck for Brian Walker in Takeline	1170 Crestcove Drive
S-031	Z2006-014	06-34	Mirror Mirror Hair Studio	802 N. Goliad Street
S-032	Z2006-018	06-41	Detached Garage	2364 Saddlebrook Lane
S-033	Z2006-019	06-48	Carport	711 Stillwater Drive
S-034	Z2011-017	11-37	Life House Hair Salon	506 N. Goliad Street
S-034	Z2006-022	06-52	Sterling Tea	506 N. Goliad Street
S-035	Z2007-005	07-11	Ice Train (Sno Cone Stand)	907 S. Goliad Street
S-036	Z2007-013	07-23	7-Eleven @ Hillcrest Center	3250 Goliad Street
S-036	Z2010-015	10-29	7-Eleven @ Hillcrest Center	3250 Goliad Street
S-037	Z2007-015	07-21	Landing/Stairs for J. Roy in Takeline	1320 Coastal Drive

SUP NO.	CASE NO.	ORDINANCE NO.	PROJECT DESCRIPTION	ADDRESS
S-038	Z2007-016	07-20	Deck/Patio for J. Roy in Takeline	1320 Coastal Drive
S-039	Z2007-017	07-22	Landing/Stairs in the Takeline	1290 Costal Drive
S-040	Z2007-020	07-25	Stairway in the Takeline	1340 Costal Drive
S-041	Z2007-021	07-26	Honda Dealership	1030 E. IH-30
S-041	Z2010-007	10-12	Honda Dealership	1030 E. IH-30
S-042	Z2007-029	07-44	Archer Car Care	306 E. Washington Street
S-042	Z2011-014	11-34	Archer Car Care	306 E. Washington Street
S-043	Z2007-030	07-45	Animal Boarding and Kennel	711 W. Rusk Street
S-044	Z2007-032	07-47	Stairway in the Takeline	1200 Crestcove Drive
S-045	Z2007-035	07-54	Rockwall Marine	2325 SH 276
S-046	Z2007-033	07-50	Firestone Complete Auto Care	740 E. IH-30
S-047	Z2007-038	08-10	Accessory Building	2040 Broken Lace Lane
S-048	Z2008-002	08-14	Jacket Grafix for Misty Phillips	909 N Goliad Street
S-049	Z2008-005	08-22	Sonic Restaurant	3260 N. Goliad Street
S-050	Z2008-006	08-25	Sonic Restaurant	2155 SH 276
S-051	Z2007-022	08-29	Deck for Michael Brown in the Takeline	1160 Crestcove Drive
S-052	Z2008-009	08-31	Concrete Patio in Takeline (Jungels)	1200 Crestcove Drive
S-053	Z2008-011	08-33	Jeffus Wind Turbine	1903 FM 549
S-054	Z2008-008	08-36	Tennis Courts @ 530 Cullins Road	530 Cullins Road
S-055	Z2008-013	08-37	Vigor Way Hotel (Height > 36 Feet)	690 Vigor Way
S-056	Z2008-014	08-38	Walkabout RV Dealership	2260 E. IH-30
S-057	Z2008-015	08-39	Daycare (Preserve)	1292 E. Fork Drive
S-058	Z2008-016	08-40	Lakewood Garden Center and Alamo Waiver	1001 N. Goliad Street
S-059	Z2008-018	08-46	Accessory Building	507 Wildwood Lane
S-060	Z2008-020	08-51	Legacy Coach Inc. (RV Park-It)	1750 E. IH-30
S-061	Z2008-021	08-55	Accessory Building	2855 Rolling Meadows Drive
S-062	Z2008-024	08-58	Grazing Animal Land Area @ 2625 Rolling Meadows Drive	2625 Rolling Meadows Drive
S-063	Z2008-027	08-59	Horizon Village (NTB)	750 W. Ralph Hall Parkway
S-064	Z2008-026	08-61	Rayburn Country Electric (Wind Turbine)	960 Sids Road
S-065	Z2009-003	09-18	Ice Train (Sno Cone Stand)	901 S. Goliad Street
S-066	Z2009-009	09-26	Detached Garage w/ Separate Living Unit	3815 Pinebluff Lane
S-067	Z2009-014	09-27	Solar Panels @ 606 Shoreview Drive	606 Shoreview Drive
S-068	Z2009-013	09-28	Renda's Place	907 N. Goliad Street
S-069	Z2009-015	09-34	Heritage Christian Academy Portable Buildings	1408 S. Goliad Street
S-070	Z2009-021	09-45	Solar Panels @ 748 Black Oak Lane	748 Black Oak Lane
S-071	Z2010-002	10-05	Accessory Building	315 Rolling Meadows Drive
S-072	Z2010-004	10-09	7-Eleven @ Horizon Road and Tubbs Road	3520 Horizon Road
S-073	Z2010-009	10-15	The Consignment Shop	201 Alamo Road
S-074	Z2010-010	10-16	Kim Hoegger's Home	106 N. Goliad Street
S-075	Z2010-011	10-22	Solar Panels @ 4 Soapberry Lane	4 Soapberry Lane
S-076	Z2010-013	10-26	Rockwall Honda	1030 E. IH-30
S-077	Z2010-019	10-34	Rest Have Crematory & Call Center	2720 E. SH 66
S-078	Z2010-022	11-01	Bail Bonds Office	811 Yellow Jacket
S-079	Z2010-023	11-02	McDonalds (Stone Creek Retail)	3066 Goliad Street
S-080	Z2010-024	11-04	Retail Flower Shop (Rock Ridge Plaza)	1014 Ridge Road
S-081	Z2010-025	11-05	Christian Brothers	129 E. Ralph Hall Parkway
S-082	Z2011-001	11-08	Accessory Building	2585 Rolling Meadows Drive
S-083	Z2011-003	11-09	Emmaus Church	316 Goliad Street
S-084	Z2011-006	11-15	J.K.W. Winery, LLC	2083 Summer Lee Drive

SUP NO.	CASE NO.	ORDINANCE NO.	PROJECT DESCRIPTION	ADDRESS
S-085	Z2011-008	11-26	Sno Cone Stand	2002 Goliad Street
S-086	Z2011-017	11-33	Buffalo Ridge Storage	5543 FM 3097
S-087	Z2011-018	11-38	Congregate Care Facility	963 Yellow Jacket Lane
S-088	Z2011-021	11-44	Blasé Family Farm	1232 East Fork Road
S-089	Z2011-022	11-45	Hair Salon	4037 Goliad Street
S-090	Z2011-023	11-46	Rockwall Marine	2319 SH 276
S-091	Z2011-026	12-04	Takeline	1210 Crest Cove Drive
S-092	Z2012-002	12-06	Bella's House	206 E. Rusk Street
S-093	Z2012-003	12-07	J.W. Winery	301 N. San Jacinto
S-094	Z2012-005	12-11	Young Hyundai	1540 E. IH-30
S-095	Z2012-008	12-15	Hair Salon	906 N. Goliad Street
S-096	Z2012-009	12-18	Accessory Building	2490 Day Break Drive
S-097	Z2012-010	12-19	Learning Academy	502 N. Goliad Street
S-098	Z2012-011	12-20	FUMC Community Garden SUP	1200 E. Yellow Jacket Lane
S-099	Z2012-015	12-29	Seattle's Best Coffee	778 E. IH-30
S-100	Z2012-017	12-30	QuikTrip Gas Station	2012 S. Goliad Street
S-101	Z2012-018	13-01	507 N. Goliad Street	507 N. Goliad Street
S-102	Z2013-001	13-02	103 S. San Jacinto Street	103 S. San Jacinto Street
S-103	Z2013-009	13-05	Tuff Shed	1780 E. IH-30
S-104	Z2013-004	13-09	RaceTrac	2205 Ridge Road
S-105	Z2013-010	13-10	606 Shoreview Drive	606 Shoreview Drive
S-106	Z2013-012	13-11	Eastridge Church of Christ	588 Stodghill Road
S-107	Z2013-013	13-13	Hyundai	1530 S. Interstate Highway 30
S-108	Z2013-014	13-14	QuikTrip Gas Station (Sign Amendment)	2012 S. Goliad Street
S-109	Z2013-015	13-15	The Vault Self-Storage Expansion	1280 Ralph Hall Parkway
S-110	Z2013-017	13-29	Dunkin Donuts Drive-Through	3035 Ridge Road
S-111	Z2013-019	13-36	Fenton Nissan	1700 E. IH-30
S-112	Z2013-021	13-38	5866 FM-549	5866 FM-549
S-113	Z2013-025	13-41	The Vault Self-Storage (Truck Rental)	1280 Ralph Hall Parkway
S-114	Z2013-027	13-44	HCA Temporary Buildings	1408 S. Goliad Street
S-115	Z2013-028	13-46	Rockwall Fast Cash	1901 S. Goliad Street
S-116	Z2013-029	13-47	Groom Senior Living Center	182 Jeff Boyd Circle
S-117	Z2013-032	14-01	904 N. Goliad Street	904 N. Goliad Street
S-118	Z2013-033	14-02	1970 Copper Ridge Circle	1970 Copper Ridge Circle
S-119	Z2014-003	14-10	109 St. Mary's Street	109 St. Mary's Street
S-120	Z2014-014	14-24	Fenton Nissan (Additional Property)	1700 E. IH-30
S-121	Z2014-012	14-25	Platinum Self-Storage	4028 N. SH-205
S-122	Z2014-015	14-27	921 Alamo Road Accessory Building	921 Alamo Road
S-123	Z2014-018	14-33	Marigold Learning Academy	401 W. Washington Street
S-124	Z2014-019	14-34	American Trooper	803 & 805 N. Goliad Street
S-125	Z2014-020	14-36	109 Weston Court Carport	109 Weston Court
S-126	Z2014-024	14-43	Cavender's Boot Warehouse	1880 E. Interstate Highway 30
S-127	Z2014-026	14-44	406 N. Goliad Street	406 N. Goliad Street
S-128	Z2014-033	14-53	Christian Brothers (Outside Storage)	129 E. Ralph Hall Parkway
S-129	Z2014-037	15-02	Indoor Automobile Sales	1200 E. Washington Street
S-130	Z2014-038	15-03	503 N. Goliad Street	503 N. Goliad Street
S-131	Z2015-006	15-05	Hyundai of Rockwall	1530 E. IH-30
S-132	Z2015-001	15-06	Jackson Automotive	608 White Hills Drive
S-133	Z2015-002	15-07	Avis Rental Car	898 Steger Towne Drive

SUP NO.	CASE NO.	ORDINANCE NO.	PROJECT DESCRIPTION	ADDRESS
S-134	Z2014-040	15-08	Spring Hill Suites by Marriott	Pending
S-135	Z2015-007	15-10	GearHeads Hot Rod Garage (U-Haul)	3920 E. IH-30
S-136	Z2015-009	15-12	Blase Detached Garage	1220 East Fork Drive
S-137	Z2015-012	15-14	907 N. Goliad Street (General Retail Store)	907 N. Goliad Street
S-138	Z2015-017	15-18	Crush It Sports	1551 Airport Road
S-139	Z2015-020	15-21	Life Spring Church	John King Blvd
S-140	Z2015-021	15-22	Children's Lighthouse	3011 N. Goliad
S-141	Z2015-031	16-02	La Jolla Pointe Addition Car Wash	La Jolla Pointe Dr.
S-142	Z2015-032	16-05	Rockwall Gold and Silver	1901 S. Goliad St.
S-143	Z2015-033	16-06	513 Windsor Way	513 Windsor Way
S-144	Z2015-028	16-12	5133 FM549	5133 FM549
S-145	Z2015-037	16-14	First United Methodist Church	1200 E. Yellow Jacket Ln.
S-146	Z2015-039	16-16	Residence Hotel	White Hills Rd.
S-147	Z2016-002	16-20	453 Cullins Road	453 Cullins Road
S-148	Z2016-003	16-21	Service King	1780 E. IH30
S-149	Z2016-004	16-22	803 N. Goliad	803 N. Goliad
S-150	Z2016-006	16-26	303 Renfro	303 Renfro
S-151	Z2016-009	16-27	2225 Ridge Road	2225 Ridge Road
S-152	Z2016-008	16-29	735 Davis Drive	735 Davis
S-153	Z2016-012	16-38	Kroger Fuel Station	2901 Ridge Road
S-154	Z2016-020	16-44	509 Sunset Hill Drive	509 Sunset Hill Drive
S-155	Z2016-022	16-46	SPR Packaging	1480 Justin Road
S-156	Z2016-023	16-53	1970 Copper Ridge Circle	1970 Copper Ridge Circle
S-157	Z2016-029	16-56	5133 S FM549	5133 S FM549
S-158	Z2016-030	16-57	1910 Copper Ridge Circle	1910 Copper Ridge Circle
S-159	Z2016-035	16-62	Rockwall CCA	John King Blvd
S-160	Z2016-038	17-02	1950 Copper Ridge	1950 Copper Ridge
S-161	Z2016-045	17-07	TownePlace Suites	IH-30
S-162	Z2016-044	17-09	Sonny's Car Wash	Ridge Road
S-163	Z2016-033	17-12	Rockwall Hotel on Vigor Way	700 E. IH-30
S-164	Z2017-008	17-20	2260 E. IH-30	2260 E. IH-30
S-165	Z2017-006	17-21	506 N. Goliad Street	506 N. Goliad Street
S-166	Z2017-009	17-27	SUP for Car Dealership	1501 W. IH-30
S-167	Z2017-013	17-29	2180 Airport Road	2180 Airport Road
S-168	Z2017-014	17-30	901 N. Goliad	901 N. Goliad
S-169	Z2017-018	17-31	Starbucks	782 IH-30
S-170	Z2017-028	17-38	Hyatt Place	East of the intersection of La Jolla Point Dr. and Laguna Dr.
S-171	Z2017-029	17-39	Freddy's Frozen Custard	3611 N. Goliad Street
S-172	Z2017-030	17-40	Mint Julep	406 N. Goliad Street
S-173	Z2017-027	17-43	Hyatt House	East of the intersection of La Jolla Point Dr. and Laguna Dr.
S-174	Z2017-033	17-45	Rockwall School of Music	1830 Mims Road
S-175	Z2017-036	17-52	1310 Summer Lee	1310 Summer Lee
S-176	Z2017-038	17-54	302 Ranch Trail	302 Ranch Trail
S-177	Z2017-044	17-57	1785 IH-30	1785 IH-30
S-178	Z2017-048	17-59	259 Ranch Trail	259 Ranch Trail
S-179	Z2017-050	17-61	Divine Peace Church	203 S. Fannin Street
S-180	Z2017-053	17-63	2705 Rolling Meadows	2705 Rolling Meadows
S-181	Z2017-061	18-06	Rockwall School of Music	1830 Mims Road

SUP NO.	CASE NO.	ORDINANCE NO.	PROJECT DESCRIPTION	ADDRESS
S-182	Z2017-062	18-07	TRU Hotel by Hilton	Summer Lee
S-183	Z2017-064	18-09	4 Soapberry Lane	4 Soapberry Lane
S-184	Z2017-066	18-11	218 W. Quail Run Road	218 W. Quail Run Road
S-185	Z2018-002	18-14	950 Sids Road	950 Sids Road
S-186	Z2018-005	18-18	1800 Dalton Road	1800 Dalton Road
S-187	Z2018-008	18-20	Avid Hotel	East of the intersection of La Jolla Point Dr. and Laguna Dr.
S-188	Z2018-011	18-21	Starbucks	1945 N. Goliad Street
S-189	Z2018-012	18-22	Extension of SUP #131 (Ordinance No. 15-05)	1530 E. IH-30
S-190	Z2018-023	18-29	306 E. Rusk Street	306 E. Rusk Street
S-191	Z2018-024	18-30	SUP for Chick-Fil-A	1979 N. Goliad Street
S-192	Z2018-026	18-31	SUP for a Restaurant with a Drive-Through	621 White Hills Drive
S-193	Z2018-028	18-33	SUP for Rustic Warehouse	1411 S. Goliad Street
S-194	Z2018-029	18-34	SUP for Brewery	Goliad
S-195	Z2018-035	18-41	SUP for an Accessory Building	2914 S. FM-549
S-196	Z2018-039	18-44	SUP for a Carwash at 7-11	3520 Horizon Road
S-197	Z2018-040	18-45	Minor Auto Repair Shop	1902 & 2000 S. Goliad Street
S-198	Z2018-045	18-49	Communication Tower	995 W. Yellow Jacket
S-199	Z2018-043	19-01	SUP for Rockwall Honda	1030 E. IH-30
S-200	Z2018-046	19-02	SUP for Heritage Christian Academy	1408 S. Goliad Street
S-201	Z2018-048	19-03	Accessory Building	205 S. Clark Street
S-202	Z2018-052	19-04	SUP for Mini-Warehouse	Ranch Trail
S-203	Z2018-054	19-05	SUP for an Office Building	Turtle Cove
S-204	Z2018-049	19-06	SUP for Animal Shelter	1700 E. SH-66
S-205	Z2018-058	19-10	SUP for Craft Winery and Commercial Amusement (Outdoor)	203 County Line Road
S-206	Z2019-003	19-16	SUP for Private Sports Arena, Stadium, or Track	Rockwall High School
S-207	Z2019-006	19-19	SUP for SPR Packaging	Aluminum Plant Road
S-209	Z2019-007	19-20	SUP for 2015 Kristy Lane	2015 Kristy Lane
S-209	Z2019-009	19-22	SUP for Bonafied Bettie's Pies	505 N. Goliad
S-210	Z2019-010	19-23	SUP for Guest Quarters	Cain Addition
S-211	Z2019-015	19-31	SUP for Kwik Kar	2581 Horizon Road

APPENDIX C | LANDSCAPING GUIDELINES AND REQUIREMENTS

SECTION 01 | INTRODUCTION

SECTION 02 | PURPOSE

SECTION 03 | DISTRICT LANDSCAPING REQUIREMENTS

SECTION 04 | TREE PLANTING GUIDELINES AND REQUIREMENTS

SECTION 05 | EFFECTIVE DATE AND APPLICABILITY

SECTION 06 | RECOMMENDED SHRUB VARIETIES

SECTION 07 | RECOMMENDED GRASSES

SECTION 08 | ALTERNATIVE PLANTING LIST



SECTION 01 | INTRODUCTION

These guidelines were drafted by the citizens and local experts for the purpose of outlining the requirements of [Article 08, Landscape and Fence Standards, of the Unified Development Code \(UDC\)](#), and to provide guidelines for plantings that are appropriate within the City of Rockwall.

SECTION 02 | PURPOSE

The purpose of the following appendix is to provide a general reference guide for meeting the requirements of [Article 08, Landscape and Fence Standards, of the Unified Development Code \(UDC\)](#). This appendix is not intended to be a comprehensive list of all plant materials that can be utilized for development within the City of Rockwall. The Director of Planning and Zoning or his/her designee can approve a landscape plan that includes tree, shrub, and grass varieties not indicated in this appendix upon a finding that the proposed planting is appropriate for the development.

SECTION 03 | TREE PLANTING GUIDELINES AND REQUIREMENTS

The following table and guidelines are a summary of the required tree planting requirements stipulated by [Article 08, Landscape and Fence Standards, of the Unified Development Code \(UDC\)](#).

TABLE 1: REQUIRED TREES BY DISTRICT

		OVERLAY DISTRICTS												
		IH-30	SH-205	SOV	SH-66	205-BY	N-205	E-66	FM-549	SH-276	DT	NON	XERI	REC
CANOPY TREES	AFGHAN PINE	X	X	X	X	X	X	X	X	X		X	X	X
	BALD CYPRESS	X				X			X	X	X	X		X
	BURR OAK	X	X	X	X	X	X	X	X	X	X	X	X	X
	CADDO MAPLE		X	X			X	X	X			X		X
	CEDAR ELM	X	X	X	X	X	X	X	X	X	X	X		X
	CHINQUAPIN OAK										X	X	X	X
	EASTERN RED CEDAR	X				X				X	X	X		X
	HOMESTEAD ELM	X				X				X	X	X		X
	LACEBARK ELM	X	X	X	X	X	X	X	X	X	X	X		X
	LEYLAND CYPRESS		X	X			X	X	X			X		X
	LITTLE GEM MAGNOLIA	X	X	X	X	X	X	X	X	X	X	X		X
	LIVE OAK	X	X	X	X	X	X	X	X	X	X	X		X
	OCTOBER GLORY MAPLE	X	X	X	X	X	X	X	X	X	X	X		X
	PECAN										X	X		X
	TEXAS ASH	X			X	X			X	X		X		X
TEXAS RED OAK	X			X	X			X	X	X	X		X	
ACCENT TREES	DESERT WILLOW	X	X	X	X	X	X	X	X	X	X	X	X	X
	DOWNY HAWTHORN										X	X		X
	EASTERN REDBUD	X	X	X	X	X	X	X	X	X	X	X		X
	EVES NECKLACE	X	X	X	X	X	X	X	X	X	X	X	X	X
	MEXICAN BUCKEYE	X	X	X	X	X	X	X	X	X	X	X		X
	POSSUMHAW HOLLY	X	X	X	X	X	X	X	X	X	X	X	X	X
	SHANTUNG MAPLE	X	X	X	X	X	X	X	X	X	X	X		X
	FLAME LEAF SUMAC	X	X	X	X	X	X	X	X	X	X	X		X
YAUPON HOLLY	X	X	X	X	X	X	X	X	X	X	X		X	

NOTES: NON: NON-OVERLAY DISTRICTS; XERI: XERISCAPE; REC: RECLAMATION/TREE PRESERVATION

PROHIBITED TREE LIST:

[1] CATALPA (CATALPA SP.); [2] HACKBERRY; [3] SUGARBERRY (CELTIS SP.); [4] HONEYLOCUST (GLEDITSIA TRIACANTHOS) ; [5] TULIP TREE (LIRIODENDRON TULIPIFERA); [6] CHINABERRY (MELIA AZEDARACH); [7] SYCAMORE (PLATANUS OCCIDENTALIS); [8] COTTONWOOD, POPLAR (POPULUS SP.); [9] WILLOWS (SALIX SP.); [10] AMERICAN ELM (ULMUS AMERICANA); [11] SIBERIAN ELM (ULMUS PUMILIA); [12] JERUSALEM THORN/PETUMA (PARKINSONIA ACULEATA); [13] BOIS D'ARC (MACLURA POMIFERA); [14] FLOWERING CRABAPPLE VARIETIES (MALUS SP.); [15] GINKO TREE (GINKO BILOBA); [16] PEACH/PLUM VARIETIES; [17] MULBERRY VARIETIES (MORUS SP.); [18] TEXAS MOUNTAIN LAUREL (SOPHORA SECUNDFLORA) ; [19] LILAC CHASTE TREE (VITEX AGNUSCASTUS) ; [20] PINE TREE VARIETIES (PINUS SO.) ; [21] SILVER MAPLE (ACER SACCHARINUM) ; [22] BOX ELDER (ACER NEGUNDO) ; [23] MIMOSA (ALBIZIA JULIBRISSIN) ; [24] CATALPA (CATALPA SP.).

SECTION 04 | RECOMMENDED TREE VARIETIES (CANOPY AND ACCENT TREES)

The following information concerning the City's recommended trees was obtained from the Texas A&M Forest Service, *Texas Tree Planting Guide* and all illustrations were provided courtesy of Texas A&M Forest Service *Copyright by Robert O'Brien*.



AFGHAN PINE

LATIN NAME: PINUS ELДАРICA

SECONDARY NAMES: ELДАРICA PINE, MONDEL PINE

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 35' TO 50'
- LEAF TYPE: EVERGREEN
- GROWTH RATE: RAPID
- NATIVE: AFGHANISTAN AND CENTRAL ASIA
- SOIL NEEDS: REQUIRES WELL DRAINED, DRY SOILS
- TOLERANCES: SALTY SOIL, DROUGHT, ALKALINE SOILS [PH > 7.5]
- FEATURES: SOFT, GREEN NEEDLES FORM A DENSE CANOPY
- USES: SCREENING AND WINDBREAKS
- FIREWISE: NO
- ISSUES: THE PINE TIP MOTH CAN KILL NEW SHOOTS AND RUIN THE SHAPE OF THE TREE. THE TREE IS NOT TOLERANT OF WET SITES.
- SIMILAR SPECIES: ALEPPO PINE (*PINUS HALAPENSIS*)



BALD CYPRESS

LATIN NAME: TAXODIUM DISTICHUM

SECONDARY NAMES: BALDCYPRESS

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 50' TO 70'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: MODERATE
- NATIVE: TEXAS
- SOIL NEEDS: WILL GROW IN A VARIETY OF SOILS
- TOLERANCES: DROUGHT AND POORLY DRAINED SITES
- FEATURES: DECIDUOUS CONIFER WITH FEATHER-LIKE LEAVES, ROUND SEED BALLS, AND FIBROUS BARK
- USES: DETENTION AREAS AND POORLY DRAINED AREAS
- FIREWISE: YES
- ISSUES: WOODY 'KNEES' AND BAGWORMS
- SIMILAR SPECIES: MONTEZUMA BALDCYPRESS (*TAXODIUM MUCRONATUM*)



BUR OAK

LATIN NAME: QUERCUS MACROCARPA

SECONDARY NAMES: MOSSY CUP OAK

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 40' TO 60'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: MODERATE TO RAPID
- NATIVE: TEXAS
- SOIL NEEDS: ADAPTABLE, PREFERS DEEPER SOIL
- TOLERANCES: SALTY SOIL, DROUGHT, ALKALINE SOILS [PH > 7.5]
- FEATURES: UNIQUE LEAF SHAPE, LARGEST ACORN OF ANY OAK
- USES: DROUGHT TOLERANT TREE
- FIREWISE: YES
- ISSUES: ACORNS AND LEAVES CAN CREATE SIGNIFICANT CLEAN-UP.
- SIMILAR SPECIES: WHITE OAK (*QUERCUS ALBA*)



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CADDO MAPLE

LATIN NAME: ACER SACCHARUM 'CADDO'

SECONDARY NAMES: ELДАРICA PINE, MONDEL PINE

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 50' TO 60'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: SLOW TO MEDIUM
- NATIVE: TEXAS
- SOIL NEEDS: ADAPTABLE
- TOLERANCES: ROCKY & ALKALINE SOILS AND DROUGHT TOLERANT
- FEATURES: MEDIUM TREE WITH A ROUNDED APPEARANCE, DARK GREEN FOLIAGE THAT CHANGES TO A GOLDEN COLOR IN THE FALL.
- FIREWISE: YES
- ISSUES: AVAILABILITY
- SIMILAR SPECIES: SUGAR MAPLE (A. SACCHARUM)



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CEDAR ELM

LATIN NAME: ULMUS CRASSIFOLIA

SECONDARY NAMES: TEXAS ELM

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 70' TO 90'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: MODERATE
- NATIVE: TEXAS
- SOIL NEEDS: ALKALINE ADAPTABLE
- TOLERANCES: DROUGHT AND VERY HIGH HEAT
- FEATURES: LUSTROUS DARK GREEN LEAVES THAT ARE STIFF AND ROUGH TO THE TOUCH
- USES: LANDSCAPE TREE, PARKING LOT/STREET TREE
- FIREWISE: YES
- ISSUES: APHIDS, MINOR LEAF BEETLE & DUTCH ELM DISEASE
- SIMILAR SPECIES: WINGED ELM (ULMUS ALATA)



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CHINQUAPIN OAK

LATIN NAME: QUERCUS MUEHLENBERGII

SECONDARY NAMES: CHINKAPIN OAK

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 40' TO 50'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: SLOW TO MODERATE
- NATIVE: TEXAS
- SOIL NEEDS: ADAPTABLE, ALKALINE SOILS
- TOLERANCES: DROUGHT AND VERY HIGH HEAT
- FEATURES: YELLOW-GREEN LEAVES W/ SMALL ACORNS (~3/4" LONG)
- USES: SHADE TREE
- FIREWISE: YES
- ISSUES: SENSITIVE ROOT SYSTEM; AS LITTLE AS ONE (1) INCH OF FILL DIRT CAN HURT THE TREE.
- SIMILAR SPECIES: SWAMP CHESTNUT OAK (QUERCUS MICHAUXII)



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EASTERN RED CEDAR

LATIN NAME: JUNIPERUS VIRGINIANA VAR. VIRGINIANA

SECONDARY NAMES: PENCIL CEDAR

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 30' TO 50'
- LEAF TYPE: EVERGREEN
- GROWTH RATE: MEDIUM
- NATIVE: EASTERN NORTH AMERICA
- SOIL NEEDS: ACIDIC, ALKALINE, LOAMY, WELL-DRAINED AND CLAY
- TOLERANCES: DROUGHT, EROSION, DRY SOIL, SHALLOW ROCKY AREAS
- FEATURES: SCALE-LIKE EVERGREEN LEAVES COMPACTED TO FORM ROUNDED FOUR (4) SIDED BRANCLETS.
- USES: WINDBREAKS AND FENCE ROWS, SCREENING TREE
- FIREWISE: NO
- ISSUES: CEDAR APPLE RUST AND BAGWORMS.
- SIMILAR SPECIES: SOUTHERN REDCEDAR (JUNIPERUS VIRGINIANA VAR. SILICICOLA) AND ROCKY MOUNTAIN JUNIPER (J. SCOPULORUM)



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HOMESTEAD ELM

LATIN NAME: ULMUS 'HOMESTEAD'

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 50' TO 60'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: RAPID
- NATIVE: TEXAS
- SOIL NEEDS: ADAPTABLE
- TOLERANCES: DROUGHT AND VERY HIGH HEAT
- FEATURES: DARK GREEN LEAVES THAT TURN BLEACH YELLOW IN THE FALL AND GREENISH TINY MULTI FLOWERED PENDULOUS RACEMES IN SPRING.
- USES: SHADE TREE
- FIREWISE: YES
- ISSUES: RESISTANT TO DUTCH ELM DISEASE BUT SUSCEPTIBLE TO ELM LEAF BEATLE.
- SIMILAR SPECIES: N/A. THE HOMESTEAD ELM IS A HYBRID.



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LACEBARK ELM

LATIN NAME: ULMUS PARVIFOLIA

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 35' TO 50'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: RAPID
- NATIVE: CHINA, JAPAN AND KOREA
- SOIL NEEDS: ADAPTABLE, PREFERS WELL DRAINED SOILS
- TOLERANCES: DROUGHT, ALKALINE SOILS [PH > 7.5]
- FEATURES: VARIABLE FALL COLOR; INTERESTING BARK TEXTURE.
- FIREWISE: YES
- ISSUES: REQUIRES PRUNING TO DEVELOP A STRONG BRANCH STRUCTURE.
- SIMILAR SPECIES: SIBERIAN ELM (ULMUS PUMILA) AND JAPANESE ZELKOVA (ZELKOVA SERRATA)



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LEYLAND CYPRESS

LATIN NAME: X CUPRESSOCYPARIS LEYLANDII

SECONDARY NAMES: CYPRESS

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 60' TO 70'
- LEAF TYPE: EVERGREEN
- GROWTH RATE: RAPID
- NATIVE: ENGLAND AND EUROPE
- SOIL NEEDS: ADAPTABLE
- TOLERANCES: DROUGHT AND POOR SOIL
- FEATURES: DECIDUOUS CONIFER WITH FEATHER-LIKE LEAVES, ROUND SEED BALLS, AND FIBROUS BARK
- USES: SCREENING, WINDBREAKS, AND NON-RESIDENTIAL LANDSCAPING
- FIREWISE: NO
- ISSUES: BAGWORMS AND SPIDER MITES
- SIMILAR SPECIES: MONTEZUMA BALDCYPRESS (TAXODIUM MUCRONATUM)



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LITTLE GEM MAGNOLIA

LATIN NAME: MAGNOLIA GRANDIFLORA 'LITTLE GEM'

SECONDARY NAMES: LARGE-FLOWERED MAGNOLIA

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 15' TO 20'
- LEAF TYPE: EVERGREEN
- GROWTH RATE: MODERATE
- NATIVE: SOUTHEAST UNITED STATES
- SOIL NEEDS: WELL DRAINED SOIL
- TOLERANCES: MODERATE DROUGHT, SALT AND SOIL VARIATION
- FEATURES: LARGE LEATHERY, DARK GREEN AND GLOSSY LEAVES WITH CUP SHAPED, WHITE FLOWERS AND OVAL AGGREGATION OF SEED PODS 3"-4" LONG.
- USES: SHADE AND LANDSCAPE TREE
- FIREWISE: YES
- ISSUES: NO MAJOR PROBLEMS
- SIMILAR SPECIES: SWEETBAY MAGNOLIA (MAGNOLIA VIRGINIANA)



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LIVE OAK

LATIN NAME: QUERCUS VIRGINIANA

SECONDARY NAMES: COAST LIVE OAK, SOUTHERN LIVE OAK

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 40' TO 50'
- LEAF TYPE: EVERGREEN/SEMI EVERGREEN
- GROWTH RATE: MODERATELY FAST
- NATIVE: TEXAS
- SOIL NEEDS: ADAPTABLE, ACIDIC, ALKALINE, CLAY, LOAMY AND WELL DRAINED
- TOLERANCES: DROUGHT AND VERY HIGH HEAT
- FEATURES: GREEN TO DARK GREEN LEAVES WITH SMALL ACORNS ABOUT ¼- INCH LONG AND BORNE SINGLY OR IN CLUSTERS UP TO FIVE.
- FIREWISE: YES
- ISSUES: LEAF BLISTER AND FUNGAL GALL
- SIMILAR SPECIES: TEXAS LIVE OAK (QUERCUS FUSIFORMIS)



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OCTOBER GLORY MAPLE

LATIN NAME: ACER RUBRUM 'OCTOBER GLORY'

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 40' TO 50'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: MODERATE TO RAPID
- NATIVE: NORTH AMERICA
- SOIL NEEDS: ADAPTABLE; PREFERS SLIGHTLY ACIDIC SOIL
- TOLERANCES: MODERATE DROUGHT TOLERANCE
- FEATURES: SOFT, GREEN NEEDLES FORM A DENSE CANOPY
- USES: SHADE TREE
- FIREWISE: YES
- ISSUES: APHIDS AND LEAF SCORCH
- SIMILAR SPECIES: CHALK MAPLE (ACER LEUCODERME)



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PECAN

LATIN NAME: CARYA ILLINOINENSIS

SECONDARY NAMES: PECAN HICKORY

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 50' TO 70'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: MODERATE
- NATIVE: TEXAS
- SOIL NEEDS: ADAPTABLE, PREFERS DEEP MOIST SOIL
- TOLERANCES: DROUGHT, SALTY SOIL, POORLY DRAINED SOIL, ALKALINE SOILS [PH>7.5]
- FEATURES: NUTS ARE IN IMPORTANT WILDLIFE FOOD; MATURE CROWN IS OPEN AND AIRY.
- USES: LANDSCAPE TREE
- FIREWISE: YES
- ISSUES: APHIDS, BRITTLE WOOD; SUSCEPTIBLE TO INSECTS
- SIMILAR SPECIES: WATER HICKORY (CARYA AQUATICA) & BLACK WALNUT (JUGLANS NIGRA)



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RED OAK

LATIN NAME: QUERCUS FALCATA

SECONDARY NAMES: SOUTHERN RED OAK

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 30' TO 55'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: RAPID
- NATIVE: TEXAS
- SOIL NEEDS: AVOID PH>7.5; ANY TEXTURE; PREFERS GOOD DRAINAGE
- TOLERANCES: DROUGHT AND VERY HIGH HEAT
- FEATURES: YOUNG TREES HAVE 'CANDLEABRA' SHAPE; FALL COLOR IS ORGANGE TO DEEP RED
- FIREWISE: YES
- ISSUES: OAK WILT
- SIMILAR SPECIES: BLACK OAK (QUERCUS VELUTINA)

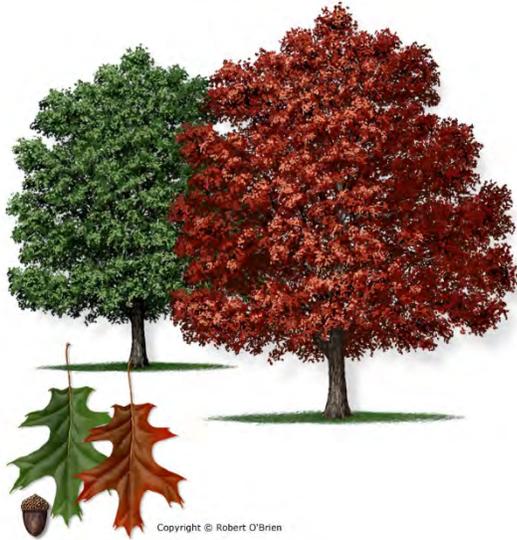


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TEXAS ASH

LATIN NAME: FRAXINUS TEXENSIS
SECONDARY NAMES: MOUNTAIN ASH

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 35' TO 50'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: RAPID (BUT VARIABLE)
- NATIVE: EAST AND CENTRAL TEXAS
- SOIL NEEDS: ADAPTABLE
- TOLERANCES: DROUGHT AND VERY HIGH HEAT
- FEATURES: MEDIUM SIZED TREE WITH GREEN OR PURPLE FLOWERS AND SMALL WOODY WINGED SAMARA IN LONG PANICLES.
- FIREWISE: YES
- ISSUES: POOR DRAINAGE LEADS TO ROOT DISEASES
- SIMILAR SPECIES: CAROLINA ASH (FRAXINUS CAROLINIANA) AND GREGG ASH (F. GREGGII)



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TEXAS RED OAK

LATIN NAME: QUERCUS BUCKLEYI
SECONDARY NAMES: BUCKLEY OAK, TEXAS RED OAK, SPANISH OAK

- CITY TREE CLASSIFICATION: CANOPY TREE
- MATURE HEIGHT: 30' TO 55'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: RAPID
- NATIVE: CENTRAL TEXAS
- SOIL NEEDS: ALKALINE ADAPTABLE
- TOLERANCES: DROUGHT AND VERY HIGH HEAT
- FEATURES: MEDIUM TREE WITH REDDISH-BROWN CATKINS/ACORNS AND SLENDER, DARK GREEN LEAVES THAT TURN RED IN THE FALL.
- FIREWISE: YES
- ISSUES: OAK WILT
- SIMILAR SPECIES: SHUMARD OAK (QUERCUS SHUMARDII)



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DESERT WILLIOW

LATIN NAME: CHILOPSIS LINEARIS
SECONDARY NAMES: DESERT-WILLOW

- CITY TREE CLASSIFICATION: ACCENT TREE
- MATURE HEIGHT: 15' TO 20'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: MEDIUM
- NATIVE: WEST TEXAS
- SOIL NEEDS: ADAPTABLE, ACIDIC, LOAMY AND WELL DRAINED SOIL
- TOLERANCES: DROUGHT AND VERY HIGH HEAT
- FEATURES: MULTI-TRUNKED, WELL BRANCHED AND THICK GROWTH
- USES: PRIMARILY A LANDSCAPE TREE; XERISCAPING
- FIREWISE: YES
- ISSUES: SUSCEPTIBLE TO ALTERNERIA LEAF SPOT
- SIMILAR SPECIES: FLOWERING WILLOW, WILLOWLEAF CATALPA, DESERT CATALPA, FLOR DE MIMBRE, MIMBRE, BOW WILLOW



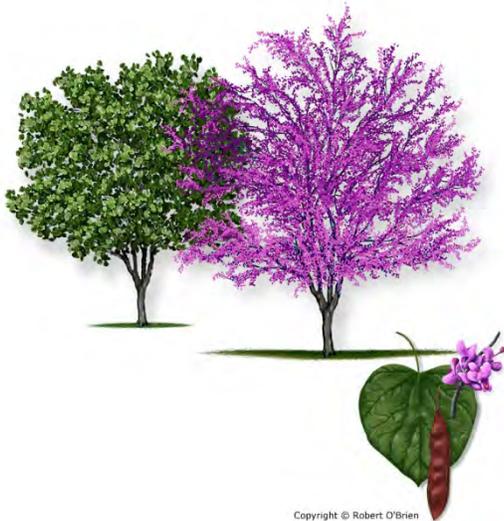
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DOWNY HAWTHORN

LATIN NAME: CRATAEGUS MOLLIS

SECONDARY NAMES: A VARIETY OF COMMON NAMES OFTEN ENDING IN "HAW" – ARE USED FOR THE INDIVIDUAL HAWTHORN SPECIES

- CITY TREE CLASSIFICATION: ACCENT TREE
- MATURE HEIGHT: 20' TO 30'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: SLOW
- NATIVE: EASTERN AND CENTRAL UNITED STATES AND CANADA
- SOIL NEEDS: REQUIRES WELL DRAINED, DRY SOILS
- TOLERANCES: DRY SOIL AND DROUGHT
- FEATURES: SMALL TREE WITH CLUSTERS OF WHITE FLOWERS AND BRIGHT RED BERRY FRUIT.
- USES: LANDSCAPING
- FIREWISE: YES
- ISSUES: SUSCEPTIBLE TO SEVERAL LEAF DISEASES
- SIMILAR SPECIES: RIVER BIRCH (BETULA NIGRA) & GUM BULLY (SIDEROXYLON LANUGINOSUM)



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EASTERN REDBUD

LATIN NAME: CERCIS CANADENSIS VAR. CANADENSIS

SECONDARY NAMES: JUDAS-TREE

- CITY TREE CLASSIFICATION: ACCENT TREE
- MATURE HEIGHT: 20' TO 30'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: MEDIUM
- NATIVE: EAST TEXAS
- SOIL NEEDS: ALKALINE, ACIDIC, LOAMY, SANDY AND WELL DRAINED
- TOLERANCES: CLAY SOILS AND VERY HIGH HEAT
- FEATURES: SMALL TREE WITH PINK AND PURPLE, ROSE-PURPLE OR WHITE BLOOMS AND SMALL FLATTENED PODS WITH BROWN SEEDS.
- USES: WILDLIFE AND LANDSCAPING
- FIREWISE: YES
- ISSUES: LEAF SPOTS, DIEBACK/CANKER, AND VERTICILLIUM WILT
- SIMILAR SPECIES: REDBUD



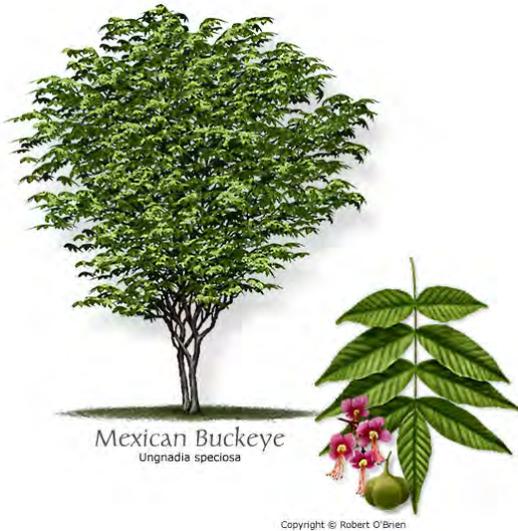
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EVE'S NECKLACE

LATIN NAME: SOPHORA AFFINIS

SECONDARY NAMES: TEXAS SOPHORA, EVE'S-NECKLACEPOD

- CITY TREE CLASSIFICATION: ACCENT TREE
- MATURE HEIGHT: 15' TO 35'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: FAST (GENERALLY SLOWS AT 15')
- NATIVE: CENTRAL TEXAS
- SOIL NEEDS: ALKALINE ADAPTABLE
- TOLERANCES: VERY HIGH HEAT
- FEATURES: SMALL TREE WITH PALE TO ROSY PINK FLOWERS THAT BLOOM IN THE SPRING AND LONG BLACK SEGMENTED SEEDPODS.
- USES: LANDSCAPE TREE
- FIREWISE: YES
- ISSUES: NO PROBLEMS REPORTED
- SIMILAR SPECIES: BLACK LOCUST (ROBINIA PSEUDOACACIA)



MEXICAN BUCKEYE

LATIN NAME: UNGNADIA SPECIOSA

- CITY TREE CLASSIFICATION: ACCENT TREE
- MATURE HEIGHT: 15' TO 30'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: MODERATE
- NATIVE: TEXAS
- SOIL NEEDS: NEUTRAL ALKALINE
- TOLERANCES: DROUGHT, ALKALINE SOILS [PH > 7.5]
- FEATURES: PINK FLOWERS APPEAR WITH NEW LEAVES; BROWN FRUIT HUSKS REMAIN THROUGH WINTER.
- USES: LANDSCAPE OR SPECIMEN TREE
- FIREWISE: YES
- ISSUES: REQUIRES PRUNING TO DEVELOP ONE OR MORE TRUNKS.
- SIMILAR SPECIES: MONILLO, MONA, TEXAS BUCKEYE, SPANISH BUCKEYE, FALSE BUCKEYE, CANYON BUCKEYE



POSSUMHAW HOLLY

LATIN NAME: ILEX DECIDUA

SECONDARY NAMES: POSSUMHAW (DECIDUOUS HOLLY)

- CITY TREE CLASSIFICATION: ACCENT TREE
- MATURE HEIGHT: 8' TO 10' (OCCASIONALLY 20')
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: SLOW
- NATIVE: TEXAS
- SOIL NEEDS: ADAPTABLE
- TOLERANCES: DROUGHT, POORLY DRAINED SITES, ALKALINE SOILS [PH>7.5]
- FEATURES: ORANGE OR RED BERRIES ON GRAY BRANCHES.
- USES: LANDSCAPE TREE AND DETENTION TREE
- FIREWISE: YES
- ISSUES: THIN BARK SUSCEPTIBLE TO INJURY
- SIMILAR SPECIES: BEARBERRY, MEADOW HOLLY, PRAIRIE HOLLY, SWAMP HOLLY, WELK HOLLY, WINTERBERRY

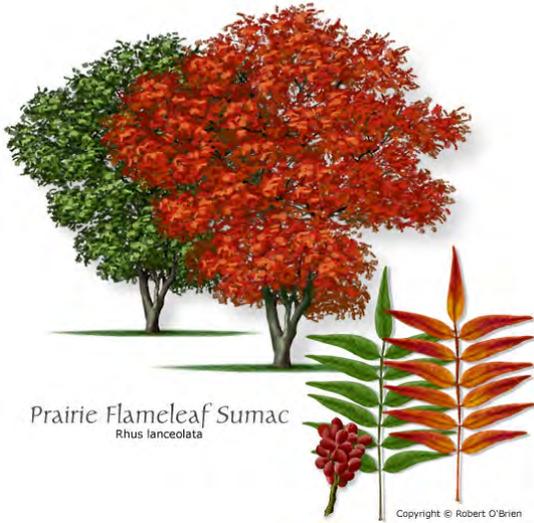


SHANTUNG MAPLE

LATIN NAME: ACER TRUNCATUM

SECONDARY NAMES: SHANDONG MAPLE, PURPLEBLOW MAPLE

- CITY TREE CLASSIFICATION: ACCENT TREE
- MATURE HEIGHT: 25' TO 35'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: RAPID
- NATIVE: NORTHERN CHINA
- SOIL NEEDS: LOAM, SANDY AND CLAY (ADAPTABLE)
- TOLERANCES: MODERATE DROUGHT
- FEATURES: MEDIUM SIZED TREE WITH DARK GREEN, GLOSSY LEAVES THAT CHANGE TO YELLOW ORANGE/BRIGHT RED IN THE FALL.
- FIREWISE: NO
- ISSUES: LEAF SPOT AND LEAF SCORCH
- SIMILAR SPECIES: JAPANESE MAPLES

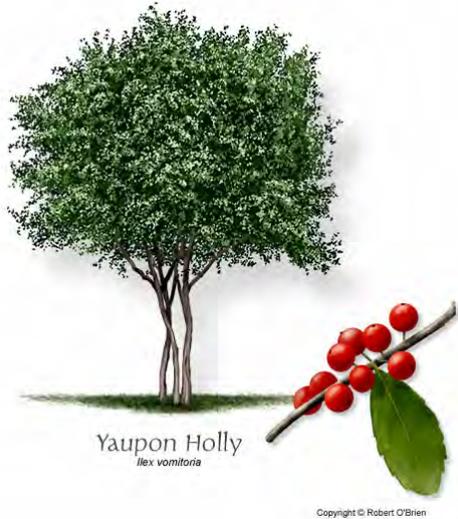


FLAMELEAF SUMAC

LATIN NAME: RHUS LANCEOLATA

SECONDARY NAMES: PRAIRIE SUMAC, PRAIRIE FLAMELEAF SUMAC

- CITY TREE CLASSIFICATION: ACCENT TREE
- MATURE HEIGHT: 40' TO 50'
- LEAF TYPE: DECIDUOUS
- GROWTH RATE: MODERATE
- NATIVE: TEXAS
- SOIL NEEDS: NEUTRAL ALKALINE
- TOLERANCES: DROUGHT, ALKALINE SOILS [PH > 7.5]
- FEATURES: COMPOUND LEAVES TURN BRIGHT RED IN FALL; WHITE FLOWER SPIKES BEAR RED CLUSTERS OF BERRIES.
- USES: LANDSCAPE TREE
- FIREWISE: YES
- ISSUES: REQUIRES PRUNING TO DEVELOP ONE OR MORE TRUNKS.
- SIMILAR SPECIES: TEXAS SUMAC, LANCE-LEAVED SUMAC, LIMESTONE SUMAC AND PRAIRIE SHINING SUMAC



YAPON HOLLY

LATIN NAME: ILEX VOMITORIA

SECONDARY NAMES: YAUPON, CASSINA

- CITY TREE CLASSIFICATION: ACCENT TREE
- MATURE HEIGHT: 10' TO 20'
- LEAF TYPE: EVERGREEN
- GROWTH RATE: SLOW
- NATIVE: SOUTHEAST UNITED STATES (TEXAS)
- SOIL NEEDS: WELL DRAINED, SANDY, LOAMY, CLAY AND LIMESTONE
- TOLERANCES: DROUGHT AND VERY HIGH HEAT
- FEATURES: SMALL TREE WITH INCONSPICUOUS LIGHT GREEN BLOOMS AND RED BERRY LIKE DRUPE.
- USES: LANDSCAPE TREE
- FIREWISE: YES
- ISSUES: APHIDS, MINOR LEAF BEETLE & DUTCH ELM DISEASE
- SIMILAR SPECIES: EVERGREEN CASSINA, EMETIC HOLLY, INDIAN BLACK DRINK

SECTION 05 | RECOMMENDED SHRUB VARIETIES

The following are the City of Rockwall's recommended shrub varieties.

	SHRUB	SCIENTIFIC NAME	SCR	XERI	
3	BARBERRY	BERBERIS THUMBERGII 'CRIMSON PYGMY'			SMALL SHRUBS
8	DWARF YAUPON HOLLY	ILEX VOMITORIA 'NANA'			
10	YUCCA	YUCCA SP.		X	
16	JUNIPER	JUNIPERUS SP.			
17	JAPANESE BOXWOOD	BUXUS JAPONICA			
20	MEXICAN OREGANO	POLIOMENTHA LONGIFLORA			
24	RED YUCCA	HESPERALOE PARVIFOLIA		X	
25	ROCK ROSE	PAVONIA LASIOPETALA		X	
1	AGARITA	MAHONIA TRIFOLIOLATA		X	
2	BARBERRY	BERBERIS ATROPURPUREA 'ROSE GLOW'			
5	CENIZO (TEXAS SAGE)	LEUCOPHYLLUM SP.	X	X	
7	DWARF BURFORD HOLLY	ILEX CORNUTA 'BURFORDII NANA'	X		
14	HOGPLUM	COLUBRINA TEXENSIS			
15	INDIAN HAWTHORN	RAPHIOLEPIS INDICA			
19	JAPANESE QUINCE	CHAENOMELES JAPONICA			
23	PEARL BUSH	EXOCHORDA GIRALDII WILSONII			
27	ROSEMARY	ROSMARINUS OFFICINALIS		X	
28	VIRGINIA SWEETSPIRE	ITEA VIRGINICA			
4	BRIDAL WREATH SPIREA	SPIRAEA CANTONIENSIS	X	X	LARGE SHRUBS
6	CHINESE FRINGE	LOROPETALUM CHINENSE	X		
9	ELAEGNUS	ELAEAGNUS X EBBINGEI	X		
11	EVERGREEN SUMAC	RHUS VIRENS			
12	FORSYTHIA	FORSYTHIA INTERMEDIA 'SPECTABILIS'			
13	GLOSSY ABELIA	ABELIA X GRADIFLORA			
18	JAPANESE CLEYERA	CLEYERA TERNSTROEMIA GYMNANTHERA			
21	NELLIE STEVENS HOLLY	ILEX 'NELLIE R. STEVENS'	X		
22	OLEANDER	NERIUM OLEANDER	X		
26	ROSE OF SHARON	HIBISCUS SYRIACUS	X		

NOTES: XERI: XERISCAPE; SCR: SCREENING



APPENDIX D | HISTORIC PRESERVATION GUIDELINES

SECTION 01 | INTRODUCTION

SECTION 02 | HISTORIC PRESERVATION ADVISORY BOARD

SECTION 03 | PURPOSE

SECTION 04 | DEFINITIONS SPECIFIC TO HISTORIC PRESERVATION

SECTION 05 | IMPLEMENTATION

SECTION 06 | DEVELOPMENT STANDARDS

SECTION 07 | BUILDING STANDARDS

SECTION 08 | MAINTENANCE AND REPAIRS

SECTION 09 | RELOCATION CRITERIA

SECTION 10 | DEMOLITION CRITERIA

SECTION 11 | DEMOLITION BY NEGLECT



SECTION 01 | INTRODUCTION

These guidelines have been compiled for the residents and property owners of City of Rockwall designated historic properties located within the Old Town Rockwall (OTR) Historic District, Planned Development District 50 (PD-50), and -- *where appropriate* -- the Downtown (DT) District. The preservation, rehabilitation and adaptive reuse of old buildings contribute to the community aesthetically and economically. Rehabilitation is often less expensive than demolition or new construction. This guide was created to aid property owners in rehabilitating and maintaining their property in order to assist the City of Rockwall and residents in the City's historic districts in their effort of *preserving the past for the future*.

SECTION 02 | HISTORIC PRESERVATION ADVISORY BOARD

The City of Rockwall Historic Preservation Advisory Board (HPAB) was created June 17, 1991 (*Section 2.20.C.2 of Ordinance No. 91-25 and Ordinance No. 92-25*), to serve as an advisory body to the City Council. The seven (7) members of the board are appointed for a term of two (2) years by the City Council. Functions of the advisory board include maintaining the Historic District register and reviewing applications for construction, alteration, removal, or demolition affecting proposed or designated Historic District properties, and approving or denying Certificates of Appropriateness (COA).

See [Section 05, Historic Preservation Advisory Board, of Article 02, Development Review Authority](#).

SECTION 03 | PURPOSE

The City Council of the City of Rockwall, Texas, declared that as a matter of public policy the protection, enhancement and perpetuation of districts of historical and cultural importance and significance is necessary to promote the economic, cultural, educational and general welfare of the public. It is recognized that numerous areas, sites and structures within the City of Rockwall represent the distinguishing characteristics of a period style or method of construction that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural and cultural resources that constitute their heritage. Therefore, this policy is intended to:

- (A) Protect, identify and enhance distinctive historical and architectural characteristics and landmarks, which represent distinctive cultural, social, economic, political, and architectural history of Rockwall;
- (B) Foster civic pride in the accomplishments of the past;
- (C) Protect and enhance Rockwall's attractiveness to visitors and the support and stimulus to the economy thereby provided;
- (D) Ensure the harmonious, orderly and efficient growth and development of the city;
- (E) Promote economic prosperity and welfare of the community by encouraging the most appropriate use of such property within the city;
- (F) Stabilize and improve values of such properties;
- (G) Promote education of significance and importance of historical preservation including the exploration of tax incentives (*federal, state or local*) that may apply to individual property owners or properties within a Historic District as a whole; and

- (H) Provide guidance to property owners restoring and/or rehabilitating historic significant properties with discretion and flexibility in an effort to maintain the historical integrity of the area with a corresponding understanding of the economic realities of these types of restorative efforts.

SECTION 04 | DEFINITIONS SPECIFIC TO HISTORIC PRESERVATION

- (1) *Alteration*. Any act or process that changes one (1) or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, exterior remodeling, painting, or removal of any structure.
- (2) *Applicable Property/Applicable Structure*. The terms used for properties that meet the following criteria, and are subject to the provisions of the Historic District ordinance and these guidelines:
 - (a) Either be a designated historical landmark or be wholly or partially located within a designated Historic District; and
 - (b) Either be a contributing property as defined in [Section 06.03, Historic Overlay \(HO\) District, of Article 05, District Development Standards, of this Unified Development Code \(UDC\)](#) or be located within 200-feet of a contributing property.
- (3) *Board or Historic Preservation Advisory Board (HPAB)*. The Historic Preservation Advisory Board (HPAB) of the City of Rockwall, Texas, established in accordance with the Unified Development Code (UDC) of the City of Rockwall.
- (4) *Buffer Yard*. The landscape buffer that is generally required along the street frontage adjacent to a commercially developed property per the requirements of [Article 08, Landscape and Fence Standards, of the Unified Development Code \(UDC\)](#).
- (5) *Certificate of Appropriateness (COA)*. A signed and dated document evidencing the approval for work proposed by an owner or applicant.
- (6) *Contributing Structure*. A building, site, structure or object which adds to the historical architectural qualities, historical associations or archaeological value for which a property or district is significant because it was present during the period of significance. It also possesses historical integrity reflecting its character at that time or is capable of yielding important information about the period, or it independently meets the National Register criteria. The level by which a property is *Contributing* (*i.e. High-, Medium- and Low-Contributing Property*) was originally determined by a historic survey of the properties within the Historic (HO) Overlay District implemented by the City of Rockwall community development department through the spring and summer of 2000.
- (7) *Demolition*. An act or process (*notwithstanding acts of God, criminal activity, etc.*) which destroys a site or structure in its entirety, or which destroys a part of a site or structure and permanently impairs its structural, historic or architectural integrity.
- (8) *Design Guidelines*. The guidelines in this document are adopted by the Historic Preservation Advisory Board (HPAB) and City Council for property designated as a heritage resource or heritage resource district to protect, perpetuate and enhance the historical, cultural, architectural or archeological character of an object, site or structure.

- (9) District. A designated area within the preservation district or elsewhere in the city subject to the requirements and standards of the Historic District contained in the Unified Development Code (UDC). An identifying name will precede the word *district*.
- (10) Fenestration. The arrangement, proportioning, and design of windows and doors in a structure.
- (11) Hearing. See *Public Hearing*.
- (12) Historic Preservation. The identification, evaluation, recordation, documentation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance and reconstruction of historic structures or property, or any combination of the foregoing activities.
- (13) Historic Preservation Officer (HPO). A staff person for the City of Rockwall whose duties encompass all historic preservation activities for the city as established in accordance with [Section 08, Historic Preservation Officer, of Article 02, Development Review Authority, of the Unified Development Code \(UDC\)](#) of the City of Rockwall.
- (14) Historic Property. The full range of properties identified in historic surveys and/or special studies which are significant in history, pre-history, architecture, engineering, archeology and culture, including properties significant to the whole nation or those significant at the state, regional or local level.
- (15) Landmark. A structure or property which is of value in preserving the historical, cultural, architectural or archeological heritage, or an outstanding example of design or a site closely related to an important personage, act or event in history.
- (16) Minor In-Kind Repairs. Small-scale repairs to correct minor problems or damage to the exterior. Minor in-kind repairs do not include a change in design, material or outward appearance, only in-kind replacement or repair. Examples of minor in-kind repair include, but are not limited to: touch up painting, replacement of a windowpane, caulking, securing loose boards, etc.
- (17) Non-Contributing Structure. A building, site, structure, or object which does not add to the historical architectural qualities, historical associations, or archaeological value for which a property or district is significant because it was not present during the period of significance. Due to alterations, disturbances, additions, or other changes it no longer possesses historic integrity reflecting its character at that time, is incapable of yielding important information about the period, or it does not independently meet the National Register criteria.
- (18) Porte-Cochere. A roofed extension of a building over a driveway that shelters passengers getting into and out of vehicles.
- (19) Preservation District. The area designated as having structures which may be suitable for inclusion in a Historic District or districts.
- (20) Public Hearing. An opportunity for public comment in accordance with the City of Rockwall's Unified Development Code (UDC) if to be held by the Historic Preservation Advisory Board (HPAB) or Planning and Zoning Commission, or applicable laws and procedures if to be held by the City Council.
- (21) Reasonable Rate of Return. A reasonable profit or capital appreciation which may accrue from the use or ownership of a structure or property as the result of an investment or labor.
- (22) Rehabilitation. The act or process of returning a structure or property to a state of utility through repair, remodeling or alteration that makes possible an efficient contemporary use while preserving those portions or features of the structure or property which are significant to its historical, cultural, architectural or archeological values.
- (23) Resource. A source or collection of objects, sites, structures, or property, which exemplifies the cultural, social, economic, political, archeological or architectural history of the nation, state or city.
- (24) Restoration. The act or process of accurately recovering the form and details of a structure or property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.
- (25) Routine Maintenance. Any work to correct deterioration or decay of or damage to a structure or property, or any part thereof, and to restore it as nearly as practicable, to its condition, using the same materials or those materials available which are as close as possible to the original. The materials and manner the work is performed must comply with applicable codes and ordinances. Routine maintenance does not include a change in design, material or outward appearance, but does include in-kind replacement or repair. Examples of routine maintenance include, but are not limited to: repainting, replacement of roofing materials or other minor architectural features, etc.
- (26) Secretary of the Interior's Standards for Rehabilitation. [The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings](#) (*i.e. codified in 36 CFR 67, or as re-codified in the future*).
- (27) Stabilization. The act or process of applying measures designed to re-establish a weather resistant enclosure and the structural stability of an unsafe or deteriorated structure or property while maintaining the essential form as it presently exists.
- (28) Structure. Anything constructed or erected, the use of which requires permanent or temporary location in the ground, including, but without limiting the generality of the foregoing; buildings, fences, gazebos, advertising signs, billboards, backstops for sports courts or fields, radio or television antenna, including supporting towers, and swimming pools.

SECTION 05 | IMPLEMENTATION

These guidelines provide the general standards for acceptable physical characteristics of each building or structure and site, and any modifications thereto within the Old Town Rockwall (OTR) Historic District). The goal is to achieve maximum adherence to the guidelines with a minimum of delay or confusion to designated Historic District property owners.

The guidelines are designed to provide as much flexibility as possible while continuing to promote the objectives set forth in the Unified Development Code (UDC).

- (A) A committee of the Old Town Rockwall (OTR) Historic District residents is available to serve in an advisory role for individual projects in the district. The Old Town Rockwall (OTR) Historic District committee is established as a standing committee of the Rockwall Historic Preservation Advisory Board (HPAB). The Old

Town Rockwall (OTR) Historic District committee will also be available to assist the board at their request.

- (B) The *Contributing* historic structures and *Non-Contributing* properties within the designated Historic District are listed in [Appendix A, Planned Development Districts](#).
- (C) Historic properties 50-years of age or older are deemed to have acquired historical significance in their own right and are eligible to be included in the Old Town Rockwall (OTR) Historic District registry. Nomination applications may be obtained from the department of community development. Completed forms should be submitted to the Historic Preservation Advisory Board (HPAB) for Historic District designation approval. Forms delivered to the Historic Preservation Officer (HPO) will be forwarded to the board chairman.

SECTION 06 | DEVELOPMENT STANDARDS

- (A) The development standards in the City of Rockwall building codes shall apply to all *applicable properties* within the district as shown on the map in [Appendix B, Specific Use Permits](#).
- (B) All City ordinances, building codes must be followed, including the landscape ordinance, the lighting and landscape ordinances for commercial development. In addition, these guidelines will serve as reference material to ensure the approval of a Certificate of Appropriateness (COA). In the event of a conflict or absent a specific directive in these guidelines, the provisions determined by the Historic Preservation Advisory Board (HPAB) to be historically beneficial shall control.

SECTION 07 | BUILDING STANDARDS

New additions to existing buildings or structures, including the construction of an additional freestanding building or structure on a lot, or new construction which utilizes existing party walls, should be accomplished as outlined in these guidelines if the definition of an *applicable property* is met.

For new construction on any vacant lot, the scale, mass, volume, period and style shall be compatible with other historic buildings or structures in the Historic District.

- (A) *Height*. All new buildings and additions shall be constructed to a height and number of stories which are consistent and compatible with existing neighboring historic buildings or structures on the same block face.
- (B) *Building Setback and Orientation*.
 - (1) All new additions, alterations, infill and new infill construction should recognize and maintain the established historic home site orientation, and side and front side setbacks within the block face, thereby being visually compatible and maintaining the established rhythm and setback spacing.
 - (2) Consideration will be given to the historic precedence for previous site configuration. Out buildings such as garages and storage buildings are historically set upon the lot line in this district, therefore this configuration is proper.
 - (3) New structures should be built to maintain an elevation with a "pier-and-beam" appearance.

- (4) A new commercial structure should not be oriented toward a residential block face. Residential block for new construction is defined as a block face having at least 50% residential use at the time the new structure is proposed.
- (C) *Building Facades and Materials*. In cases where the original exterior facade materials are unavailable, complementary exterior materials may be used.
 - (1) All exterior wood and masonry materials and their use should be compatible to the style and period of the building or structure.
 - (2) The existing building facade materials on a building should be respected and not be changed or concealed by the introduction of a different material.
 - (3) When the existing facade materials are not the original type, then materials may be replaced with, or returned to the original type.
 - (4) Exterior building columns should be of a style and materials typical of the period and style of the building.
 - (5) All new chimneys should be of a style, proportion and materials compatible with the period and style of the building. Any new construction or additions should not conceal or destroy existing chimneys.
 - (6) Materials, structural and decorative elements and the manner in which they are used, applied or joined together should be typical of the style and period of the existing structure. New additions, alterations and new construction should be visually compatible with neighboring historic buildings or structures.
 - (7) The overall relationship of the size, width, height and number of doors and windows on the exterior building facades should be typical of the style and period of the structure. These elements should be proportionally balanced, sized and located in a manner typical of the style and period of the structure and compatible with neighboring historic buildings or structures.
 - (8) Storm doors and storm windows are permitted so long as they do not damage or conceal significant features and are visually compatible in size, style and color with the structure. Finishes or should be consistent with the historical materials of the property.
 - (9) Metal and corrugated or slatted plastic awnings are not permitted except where these awnings are a historical feature of the property. The shape, size and color of awnings shall be compatible with the structure and not conceal or damage any significant architectural details.
- (D) *Roofs*.
 - (1) Roof shape, form and design should be typical of or consistent with the style and period of the architecture of buildings within the Historic District.
 - (2) The accepted roof overhang for a new structure should be typical of a structure of similar style and period. Replacement, addition or alteration to an existing roof should have the same overhang as the existing roof.

- (3) The eaves or soffit heights of a structure should be consistent with the heights of neighboring contributing structures or with those in the closest block face with buildings of a similar period and style and the same number of stories.
- (4) Roof materials/colors should be visually compatible and compliment the style and period of the structure. Where historically typical materials are no longer available, compatible alternatives will be allowed.
- (5) The degree and direction of roof slope and pitch should be consistent with the style and period of the historic structure.
- (6) Mechanical equipment placed on the roof should not be visible from the street.

(E) Front Yards.

- (1) The front yard is defined as a yard across the full width of a lot extending from the front line of the main building to the front street line of the lot.
- (2) Generally, the use of the front yard will be reserved for landscaping with the purpose of enhancing the structures on the lot with plant material.
- (3) Any paving in the front yard should be consistent with the historic character of the property or nearby contributing properties. As a general rule, the following standards will be followed:
 - a. A paved walkway from the front lot line to the front or, on a corner lot, from the side lot line to a side entry of the structure. In all cases, the walkway should not be wider than the entry steps and in no instance should the walkway be wider than ten (10) feet.
 - b. A paved walkway is allowed from the driveway to the front and/or side entry walkway, with a maximum width of three (3) feet.
 - c. In no instance will the front yard of any lot be paved or graveled except for an appropriate driveway or walkways.
 - d. No residential front yard area will be designated as a vehicle parking area unless previously paved as such.

(F) Side Yards.

- (1) The side yard is defined as a yard between the building and the side line of the lot, extending from the front yard to the rear yard.
- (2) Unless previously used for a driveway, the side yard shall be used for landscaping with the purpose of enhancing the structures with plant material.
- (3) Parking of vehicles on the side yard will not be allowed, except on paved driveways as outlined in *Section (I)*.

(G) Rear Yards.

- (1) The rear yard is the area extending across the full width of the lot and measured between the rear lot line and rear line of the main building.

- (2) Garages, storage buildings and out buildings are allowed in the rear yard to the extent permitted by City of Rockwall Unified Development Code (UDC). These structures should reflect the character of the existing residence and be compatible in terms of scale, height, size, roof shape, materials and detailing.
- (3) Consideration should be given to the historic precedence for previous site configuration. Outbuildings such as garages and storage buildings are historically set upon the lot line in this Historic District. This configuration is proper for new additions, alterations, infill and new infill construction. The location of these buildings should be sensitive to the character, site and environment of any adjacent contributing structures, especially when the rear yard is on a corner lot visible from street public rights-of-way.

- (H) Fences. A fence in the front, side, or rear yards should meet all applicable city codes. Most fences require only a fence permit; however, a fence requiring a building permit will also be reviewed and approved by the board. Any fence that requires review must be architecturally compatible in height, materials, color, texture and design with the style and period of the main structure on the lot.

(I) Driveways.

- (1) The purpose of the driveway shall be to create a paved surface for the movement of vehicles to parking areas. The driveway is defined as the paved area within the property line extending from the back of the sidewalk or lot line to the garage, out building or porte-cochere.
- (2) The driveway should not exceed a width of ten feet.
- (3) The driveway may extend along the side of the residence or structure, through the porte-cochere (if applicable) to the rear yard.
- (4) Front or side yard circular driveways will not be allowed, unless consistent with the historic character or features of the property or nearby contributing properties.
- (5) On a corner lot, the driveway may extend from the side street to the garage if the garage is facing the side street. All other width and approach regulations will apply to driveways on corner lots.
- (6) Ribbon driveways are allowed if the paved ribbons are at least one (1) foot wide, and no greater than two (2) feet wide.
- (7) Any new driveway constructed through a front yard should be a minimum of ten (10) feet from an existing driveway on the adjacent lot, except in the instances of "shared" driveways.
- (8) Parking should be on "improved" surfaces only, thereby maintaining the integrity of the front, side and rear yards of the property.

(J) Paving Materials.

- (1) Driveway and sidewalks should be paved with concrete, brick, cut stone, pavers, natural rock or asphalt.

- (2) All new sidewalks and driveways should be constructed to be compatible in texture, color, style and size with the main structure on the lot.

(K) Parking Areas for Commercial Development.

- (1) Design Standards. Off-street parking should be provided behind the front facade of the main structure on the property. The number of spaces and design of the parking spaces shall conform to the off-street parking requirements as set forth in [Article 05, District Development Standards, of the Unified Development Code \(UDC\)](#).
- (2) Screening.
 - (a) All parking lots for more than five (5) vehicles and having frontage on a public street should be screened from the street by an evergreen hedge not lower than three (3) feet nor higher than four (4) feet tall. If a hedge is not desired, then an earthen berm, masonry wall, or combination thereof may be substituted, provided the stated heights are observed.
 - (b) A visibility triangle with a minimum base of four (4) feet shall be provided at entrances.

(L) Lighting of Yards and Parking Areas.

- (1) These guidelines regulate the spillover of light and glare on operators of motor vehicles, pedestrians, and nearby property. The nuisance and hazard aspects of glare are regulated.
- (2) No flickering or flashing lights shall be permitted.
- (3) Light sources shall not be located in the buffer yard except on pedestrian walkways. No light shall spill across the property line of an adjacent residential property.
- (4) Outdoor security lights should be placed so that no light spills across the adjacent property line.

(M) Paint and Color.

- (1) Brick, stone or other naturally or historically unpainted materials should not be painted unless the material has been painted before.
- (2) Florescent and metallic colors are not recommended on the exterior of any structure. Paint does not require a building permit and therefore is not subject to board review. Appropriate colors complimentary to the style and period of the structure and to neighboring historic structures are preferred; however, specific approval of paint colors is not required.
- (3) For new commercial construction and for additions requiring site plan approval, finishes and color may be a part of the review.

(N) Signage.

- (1) An unlighted sign with the address or name of the occupant of the residence may be attached or detached and should not measure more than one (1) square foot.
- (2) Signs should not obscure significant architectural features of a building or structure. The material, shape, color, design and

lettering style of all signs should be compatible with the style and period of the structure and the Historic District as a whole.

(O) Signage for Commercial Properties.

- (1) No signs other than those identifying the property where they are installed or identifying the business conducted therein should be permitted. All lighting elements such as wires, junction boxes, transformers, ballasts, switches and panel boxes should be concealed from view.
- (2) In a building of more than two (2) floors, no sign is permitted above the second floor.
- (3) Size should be in proportion to the architecture and scale of the building. Horizontal signs should not exceed ten (10) percent of the total front elevation of the building.
- (4) Horizontal signs should be located in the area defined by the first-floor cornice and the vertical supports. A horizontal sign should not cover tops of first floor windows. Horizontal signs should not project more than 12-inches from the surface of the building.
 - a. Attached signs should be placed below the cornice line of the first floor no higher than the bottom of the second story windows, or not less than 11 feet above grade level. An awning or canopy should be subjected to the same requirements as an attached sign. An awning or canopy and an attached sign combined should not exceed the total area permitted for a wall sign.
 - b. Projecting signs should not extend higher than the bottom of the second story windows or not less than 11 feet above grade level. Projecting signs should not extend more than two (2) feet beyond the building surface.
- (5) Lighted signs will receive approval from the City of Rockwall Historic Preservation Advisory Board (HPAB) on a case-by-case basis.
- (6) Roof top signs are not permitted. Banners signs are permitted for 30-days and "special event" banners are allowed for two (2) weeks. The City of Rockwall sign ordinance requires permits for banners.
- (7) Flashing, flickering or moving signs are not permitted.
- (8) Temporary signs may be permitted for no longer than 30 days.
- (9) Display window signs will not occupy more than 20% of the window area. This window area includes signs, which are placed within three (3) feet of the window and visible from the outside.
- (10) Signs on a residential structure converted to commercial should be a single freestanding and/or "swinging" sign with one (1) or two (2) support standards. The maximum size is 16 square feet and it should not impede pedestrian or motor vehicle traffic. Monument signs should not be permitted. Detached signs will be approved the City of Rockwall Historic Preservation Advisory Board (HPAB) on a case-by-case basis.

SECTION 08 | MAINTENANCE AND REPAIRS

- (A) Nothing in these guidelines should be construed to prevent routine maintenance or repair of any exterior architectural feature of a property. Repairs should be made in accordance with these guidelines.
- (B) The Historic Preservation Officer (HPO) will answer inquiries as to what is “routine maintenance” where no certificate of appropriateness is required. Examples of routine maintenance include, but are not limited to, touch-up painting, spot replacement of shingles, or replacement of a pane of glass. If there is doubt that an activity is “routine maintenance,” the Historic Preservation Officer (HPO) should be consulted.

SECTION 09 | RELOCATION CRITERIA

- (A) Structure relocated within the district should be rebuilt in compliance with these guidelines and retain and maintain the original architectural details, materials, design and character.
- (B) A structure may be relocated into the Historic District if it possesses architectural character similar to existing historic structures on the block face.
- (C) A structure may be moved from one site to another in the Historic District if:
 - (1) The integrity of location and setting of the building in its original location has been lost or is seriously threatened;
 - (2) The new location will be similar in setting and siting;
 - (3) The structure will be compatible with the buildings adjacent to the new location; and
 - (4) The relocation of the building will not result in a negative visual impact on the site and any surrounding historic structures in the area from which it will be removed.

SECTION 10 | DEMOLITION CRITERIA

Demolition of a structure which contributes historically or architecturally to the Historic District should be prohibited, except as provided below. Demolition of a structure would be allowed if:

- (A) The building has lost its architectural and historical integrity and importance, and its removal will not result in a negative, less appropriate visual effect on the Historic District; or
- (B) A structure does not contribute to the historical or architectural character and importance of the Historic District (*e.g. a Non-Contributing structure*), and its removal will result in a positive, appropriate visual effect on the Historic District; or
- (C) There is an imminent threat to the health, safety and welfare to the surrounding residents and/or property because of an unsafe condition that constitutes an emergency (*see Section 10, Demolition By Neglect*).

SECTION 11 | DEMOLITION BY NEGLECT

Although the property maintenance code should prevent this situation from occurring in the future, there may be some properties to which this section could apply.

- (A) Definition. Demolition-by-neglect is the absence of maintenance of any structure that results in the deterioration and threatens the preservation of the structure.
- (B) Purpose. The demolition-by-neglect procedure serves as a mechanism that allows the city staff and the Historic Preservation Advisory Board (HPAB) to work with property owners to encourage maintenance and stabilization of the structure and identify possible resources available before any enforcement is taken.
- (1) Request for Investigation. Any interested party may request that the Historic Preservation Officer (HPO) or appropriate city investigate whether a property is being *demolished by neglect*.
- (2) Certification and Notice. Following the investigation, a report will be made detailing the issues and a determination made whether to follow steps required to secure a Certificate of Appropriateness (COA) or to follow the procedure under the property maintenance code.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Assistant City Manager

DATE: January 8, 2020

SUBJECT: Census 2020 – Complete Count Committee Update

The Complete Count Committee continues its local effort for the 2020 Census. Attached is a list of community leaders that attended the kickoff meetings and expressed interest in serving on the committee. Also included is the education and promotion outline that will be used to educate the public about the census.

The committee will be using a community-based strategy that will begin with a public information campaign and likely will include community outreach meetings in neighborhoods known to have a historically lower level of response. The City's webmaster will also be creating a page on rockwall.com with information regarding the census. Rockwall County will do a similar site as well.

In the coming weeks, there will be meetings with representatives of cities, school districts, and other community groups to further educate them and provide them with promotional information. Committee members will also begin communicating with civic organizations, churches, HOAs and those with relationships in hard-to-count areas. The goal is to provide leaders of these groups the necessary resources so that they can distribute information throughout their respective organizations.

The Committee will provide regular updates. Councilmember Daniels and city staff will be available to answer any questions during the meeting.

Census Education and Promotion Outline

Goals

- **Inform residents of the importance of completing the census.**
- **Inform residents of the important dates.**
- **Inform participants that their information is safe.**
- **Inform them how they get assistance completing the census.**

Action Items

- Create a web link using the Census logo on www.rockwall.com.
- Place important content on City website and use link in public information posts along with U.S. Census link.
- PIO will subscribe to U.S. Census YouTube channel for notifications when new content is uploaded. PIO will then send out information on social media: Facebook, Twitter, Enews, Nextdoor.
- Determine cost for local newspapers to place information in the February, March, and April newspapers.
- Determine if Complete Count Committee wants to file for a grant.

February 2020

- Send out letter from elected officials: Mayor Jim Pruitt, Judge David Sweet, (ask State Representative Justin Holland, Senator Bob Hall if they will do the same). Mayors in other cities in Rockwall County can participate as well, using similar information. This will be placed in the water bill, on social media, and in the local newspaper to let people know the importance of the census.
- Need Superintendents of both RISD and RCISD to do the same.
- Any other community leader with a large social media following to do the same. Encourage all elected officials to share on their respective social media pages. See examples at:

https://2020census.gov/content/dam/2020census/psa-toolkit/materials/script/2020Census_PSA_ScriptsForElected-Officials.pdf

Public Information and Education Timeline

- Social Media Posts – Need to use English and Spanish versions.
- Using the U.S. Census Bureau materials at the link below. Long and short versions can be used on Facebook, Enews, Twitter, Nextdoor.
- City PIO and Complete Count Committee members can develop custom posts using information available in the Toolkit. (see link below)

<https://www2.census.gov/about/partners/general/social-media-content.pdf?#>

<https://2020census.gov/content/dam/2020census/materials/partners/2019-09/toolkit-state-local-officials.pdf>

Week of January 27, 2020

Send out Census 101: What you need to know

<https://2020census.gov/content/dam/2020census/materials/partners/2019-10/census101.pdf>

Send out Census 2020 FAQs. See link below:

https://2020census.gov/content/dam/2020census/materials/partners/2019-08/Handout_With_General_FAQs.pdf

Week of February 10, 2020

- Send out letters / social media posts from elected officials.
- Send out social media posts sharing U.S. Census YouTube videos: Send both English and Spanish versions: See below

<https://www.youtube.com/playlist?list=PLewV-zKXDZki3m8jrb0VJcnPatHEkkZDm>

Week of February 24, 2020

Send out sample copy of the 2020 Census Questionnaire (see attached links in English & Spanish)

<https://2020census.gov/content/dam/2020census/materials/partners/2019-08/2020-informational-questionnaire.pdf>

<https://2020census.gov/content/dam/2020census/materials/partners/2019-08/2020-informational-questionnaire-spanish.pdf>

*The Committee will need help from groups that speak Spanish and have an existing relationship established with residents of Hard-To-Count (HTC) areas.

- Hold informational meetings in HTC area identified in 2010 Census with U.S. Census partnership specialists. Have community leaders in these neighborhoods coordinate these meetings. (English and Spanish)

Week of March 2, 2020

- National and local primary elections on March 3.
- Social media posts reminding and promoting the importance of completing the census.
- Potential community outreach event in Rockwall County or another city.

Week of March 9, 2020

(Daylight Savings Time Changes and RISD Spring Break – March 9-13)

- Social media reminders from City / RISD PIOs.
- Social media reminders from community leaders.
- March 13, 2020 – First day census can be completed online.
- HTC area outreach – census education event.

March 21, 2020

- Census Day at the Rockwall County Library for those needing help to complete census. This effort will need both English and Spanish speaking volunteers.
- Ask In-N-Out Burger to provide lunch.

Week of March 23, 2020

- All Rockwall households should have received their Census notice.

Week of March 30, 2020

- Check Response Outreach Area Mapper (ROAM) for response rates.
- Social media reminders.
- Look for areas to hold additional outreach meetings.

April 1, 2020 Census Day

- Social media posts reminding and promoting the importance of completing the census.
- Check ROAM for response rates.
- Look for areas to hold additional outreach meetings.

Week of April 27, 2020

- Identify areas with low responses and target further social media campaigns and outreach opportunities.

Week of May 4, 2020

- Social media posts reminding and promoting the importance of completing the Census.
- Check ROAM for response rates.
- Social media reminders.
- Look for areas to hold additional outreach meetings where necessary.

U.S. Census Toolkit Link

<https://2020census.gov/en/partners/psa-toolkit.html>

Rockwall County Complete Count Committee

November 20th

Rockwall County Judge David Sweet

Rockwall County Commissioner Pct. 1- Cliff Sevier

Rockwall County Commissioner Pct. 2- Lee Gilbert

Rockwall County Commissioner Pct. 4- David Magness

Councilman Bennie Daniels- City of Rockwall

Joey Boyd- Assistant City Manager City of Rockwall

Mayor Kenny Phillips- City of Mobile City

Mayor Keith Short- City of McClendon Chisholm

Mayor Janet Nichol- City of Royse City

Carl Alsabrook –City Manager City of Royse City

Dr. JJ Villarreal- Superintendent of Rockwall Independent School District

Darby Burkey- President and CEO of the Rockwall Area Chamber of Commerce

Vanessa Stahl- President and CEO of the Royse City Chamber of Commerce

Jenny Krueger- CEO of the Boys and Girls Club of Northeast Texas

David Gonzales –Pastor of Fellowship Baptist Royse City

Norma Duncan- Heath City Secretary

Margie Verhagen- Meals on Wheels of Rockwall County

Robert Beaumont-

Mark McAvoy- Assistant City Manager City of Rowlett.

December 11th

Clint Elliot- Executive Director of the JER Chilton YMCA at Rockwall

Kevin Worthy- Superintendent of Royse City Independent School District

Adi Bryant- Public Information Royse City Independent School District

Judith Matherne- Rockwall County Democratic Party Chair
Erika Ledford- President of LULAC
Councilman Bennie Daniels- City of Rockwall
Lauri Dodd- Public Information City of Rockwall
Joey Boyd-Assistant City Manager City of Rockwall
Joe Burger- Mayor of the City of Fate
John Vick- State Senator Bob Hall's District Director
State Representative Justin Holland
Robert Paulsen- State Representative Justin Holland's District Director
Rockwall County Judge David Sweet

Did not attend but will assist

Jon Bailey- President and CEO of Helping Hands
Shannon Thomas-Pastor of Friendship Baptist Church

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