

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO. 83-23 OF THE CITY OF ROCKWALL BY DELETING THE "MF-20" ZONING DISTRICT CLASSIFICATION; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the guidelines established in the City of Rockwall's Comprehensive Zoning Ordinance the City Council has considered amending the Comprehensive Zoning Ordinance; 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 State law in reference to the adoption of amendments to Comprehensive Zoning Ordinances have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners interested in the zoning regulations to be amended by the City, the governing body of the City of Rockwall is of the opinion that the Comprehensive Zoning Ordinance should be amended in the exercise of its legislative discretion,

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

SECTION 1. That the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall as heretofore amended and as hereafter may be amended, be and the same is hereby amended by deleting those sections shown on Exhibit "A" as attached and made a part hereof, and by reserving Section 2.8 for future editions.

SECTION 2. 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 ONE THOUSAND DOLLARS (\$1,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 3. 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, nor shall adjudication affect any other section 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 4. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

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.

DULY PASSED AND APPROVED this _____ day of _____.

APPROVED:

Mayor

ATTEST:

City Secretary

1st reading _____

2nd reading _____

EXHIBIT "A"

[] Indicates wording to be deleted
 " " Indicates wording to be added

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ARTICLE I USE DISTRICTS, GENERAL

SECTION 1.1. SHORT TITLE.

These regulations shall be known and may be cited as the Zoning Ordinance of Rockwall, Texas.

SECTION 1.2. DIVISION OF CITY INTO USE DISTRICTS.

For the purpose of regulating and restricting the use of land and the erection, construction, reconstruction, alterations, moving or use of buildings, structures or land, all lands within the corporate limits of Rockwall are hereby divided into the following districts:

District (A)	Agricultural District
District (SF-16)	Single-Family Residential District - Minimum lot size 16,000 square feet
District (SF-10)	Single-Family Residential District - Minimum lot size 10,000 square feet
District (SF-7)	Single-Family Residential District - Minimum lot size 7,000 square feet
District (ZL-5)	Zero Lot Line Single Family Residential District
District (2F)	Duplex Residential District
District (MF-15)	Medium Density Multi-Family District
[District (MF-20)	Higher Density Multi-Family Residential District]
District (Of)	Office District
District (NS)	Neighborhood Service District
District (GR)	General Retail District
District (C)	Commercial District
District (CBD)	Central Business District
District (HC)	Heavy Commercial District
District (LI)	Light Industrial District
District (HI)	Heavy Industrial District
District (PD)	Planned Development District

SECTION 2.8 [(MF-20) HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT]
"Reserved for Future Editions"

[A. Purpose:

1. The (MF-20) High Density Multi-Family District is established to provide adequate space and site diversification for higher density apartment complexes, and complexes with a number of buildings on the same tract of land.
2. This is a zone for areas that have large unbroken tracts of land suitable for development as large complexes. It is not intended for areas already subdivided into lots, and it is anticipated that developments in this zone will have to plat the property as a whole as part of the development process.
3. Traditional area requirements are inappropriate for this district, so setbacks from lot lines are minimal and there are no restrictions as to the number of residential buildings that may be placed on a lot.
4. This zone allows higher density developments, and should be located where internal streets are wider than single family sized streets, and where there is increased water capacity, fire protection, wastewater and drainage capacity. Adequate open space should be within walking distance (approximately 1/4 mile). Areas should not be zoned to this usage unless they are located on or close to arterials or collectors capable of carrying the additional traffic they will generate. The traffic generated by such uses should not travel through lower density residential areas.
5. Higher density multi-family developments are not a buffer between single family and commercial uses, and should be properly buffered from nonresidential uses, and protected from high volumes of nonresidential traffic, or from pollution and/or environmental hazards.

B. Permitted Uses:

1. Agricultural uses on unplatted land in accordance with all adopted ordinances.
2. Duplexes meeting the requirements of the (2-F) duplex residential district.
3. Triplex or quadraplex.
4. Condominiums, providing evidence of meeting all State regime requirements.
5. Apartments.

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6. Home Occupations.
 7. Day care centers with less than 7 full time children enrolled at any one time, except in condominiums and apartments.
 8. Paved parking areas which are necessary to the uses permitted in this district.
 9. Municipally owned or controlled facilities, utilities or uses.
 10. Storage buildings used as an accessory to a residential use on the same lot.
 11. Accessory recreational uses such as swimming pools, tennis courts designed for use by a specific project's residents. Lighting for such uses shall be designed so as not to glare across property lines, nor glare into residential areas on the same property.
 12. Nurseries, greenhouses and gardens, where the products are not to be sold.
 13. An accessory use customarily related to a principal use authorized in this district.
 14. Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two year initial period and one year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times.
 15. Temporary on site construction offices limited to the period of construction, with a two year initial period and one year extension being authorized by the Planning and Zoning Commission, such offices to be maintained at all times.
 16. Temporary concrete batching plants limited to the period of construction, upon approval of location and operation by the Building Official.
- C. Conditional Uses: (Require Use Permits, See Article IV)
1. A mobile home on an unsubdivided tract of five acres or more used as a temporary construction office, meeting the conditions established in Article IV.
 2. Retail service areas designed to serve only the residents of a specific multi-family development in projects over 500 units.
 3. Paved parking facilities for non-residential uses.
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- 4. Facilities for railroads or those utilities holding a franchise under the City.
- 5. Institutional uses including day care centers with more than 6 full time children enrolled at any one time except in condominiums and apartments.
- 6. Semi-public uses.
- 7. Portable buildings on the same lot.
- 8. Associated recreation and/or community clubs. Such uses shall be included in calculating the coverage requirements of this district.

D. Prohibited Uses:

- 1. Any building erected or land used for other than one or more of the preceding specified uses.
- 2. The storage of equipment, material or vehicles, including abandoned vehicles which are not necessary to the uses permitted in this district.
- 3. A driveway or crosswalk way, as distinct from a dedicated street, to provide access to premises in a Commercial or Industrial District.
- 4. Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required.

E. Area Requirements:

- 1. Duplexes shall meet the area requirements of the 2F Duplex District, only one duplex will be allowed per lot.
- 2. Minimum site area - 1600 square feet
- 3. Minimum lot area per dwelling units per lot
 - a) 0 bedroom or efficiency dwelling units - 1,000 square feet of lot area per unit
 - b) 1 bedroom dwelling units - 1,400 square feet of lot per unit
 - c) 2 bedroom dwelling units - 1,800 square feet of lot per unit
 - d) 3 or more bedroom dwelling units - 2,000 square feet per unit

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4. Maximum density per gross acre - 20 units per acre
 5. Minimum lot frontage on a public street - 80 feet
 6. Minimum lot depth - 100 feet
 7. Minimum depth of front setback - 25 feet
 8. Minimum depth of rear setback*
 - a) Abutting single family, townhouse or duplex district
 - one story structure - 25 feet
 - two story structure - 50 feet
 - three story structure - 75 feet
 - b) Abutting any other district - 15 feet
- * Unenclosed carports may be built up to 5 feet of any property line that abuts an alley and no closer than 20 feet from any street intersection.
9. Minimum width of side setback -
 - a) Abutting a single family, townhouse or duplex district
 - one story structure - 25 feet
 - two story structure - 50 feet
 - three story structure - 75 feet
 - b) Internal lot -
 - 10 feet for one story building
 - 15 feet for all others
 - c) Abutting street - 15 feet
 - d) Abutting an arterial - 20 feet
 10. Minimum distance between buildings on the same lot or parcel of land -
 - 10 feet from main to accessory buildings
 - 20 feet for 2 main buildings with doors or windows in facing walls
 - 15 feet for 2 main buildings without doors or windows in facing walls
 11. Maximum building coverage as a percentage of lot area - 60%

Each development containing over 100 dwelling units shall provide 300 square feet of open space per 2 and 3 bedroom]

- [unit, with at least one 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.
12. Minimum amount of permanent, landscaped open space - 20% of the total lot area with 30% of the total requirement located in front and alongside buildings along street frontages. Any parking lot with more than 2 rows of spaces shall have a minimum of 2% of the interior of the parking lot in landscaping. Such landscaping shall be counted toward the 20% total landscaping requirement. All required landscaped areas shall be permanently maintained and shall have an irrigation system installed meeting all applicable City codes and approved by the Building Official.
 13. Maximum height of structures - 36 feet.
 14. Minimum requirements for construction materials
 - 2) exterior walls of a minimum of 75% of each building wall shall consist of masonry material as defined, excluding stucco.
 15. Minimum number of paved, striped off-street parking spaces required for -
 - a) 0 bedroom or efficiency dwelling unit - 1.5 spaces per unit
 - b) 1 bedroom dwelling units - 1.5 spaces per unit
 - c) 2 bedroom dwelling units - 2.0 spaces per unit
 - d) 3 or more bedroom dwelling units - 2.5 spaces per unit
 - e) The average number of parking spaces for the total development shall not be less than 2 spaces per unit.
 - f) All other uses - see Off-street Parking Ordinance, Article V
 16. Lots with more than 5 dwelling units that have a side or rear contiguous to single family, townhouse or duplex district, must be separated by a buffer as established in Article VI.
 17. See Article VIII, Sections 8.1 to 8.4, for clarifications, modifications and exceptions.
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[F. Required Conditions:

1. Any owner, builder, or developer of a multiple-family or condominium dwelling complex of eight (8) units or more on a single lot or parcel, shall submit to the Planning and Zoning Commission for a review and approval, the site and building plan for the proposed development at the time the zoning request is made. In any case, a site plan shall be submitted and approved prior to an application for a building permit.
 - a) Location of all structures proposed and existing on the subject property and within twenty (20) feet on adjoining property;
 - b) Landscaping and/or fencing of yards and setback areas and proposed changes;
 - c) Design of ingress and egress;
 - d) Location of adjacent zoning districts;
 - e) Off-street parking and loading facilities;
 - f) Height of all structures;
 - g) Proposed uses;
 - h) Location and types of all signs, including lighting and heights;
 - i) Location and type of lighting;
 - j) Fire lanes;
 - k) Solid waste facilities; and
 - l) Utility service locations.
2. The purpose of the site plan review is:
 - a) To insure compliance with the Zoning Ordinance, while allowing for design flexibility;
 - b) To assist in the orderly and harmonious development of the City;
 - c) To protect adjacent uses from obstructions to light, air, and visibility;
 - d) To provide protection from fire;
 - e) To avoid undue concentrations of population and overcrowding of land; and

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- f) To facilitate the adequate provision of transportation, water, sewage, drainage and other public requirements.
3. The Planning and Zoning Commission shall approve an application for a multiple-family dwelling complex if the proposed development meets all the minimum standards established in this ordinance and other applicable ordinances, and if the Commission finds that the proposed development will not be detrimental to the health, safety, or welfare of the surrounding neighborhood or its occupants, or be substantially or permanently injurious to neighboring property. It shall disapprove or conditionally approve any application which fails to meet the above criteria or is in conflict with the Comprehensive Plan or the adopted growth policies of the City.
 4. The site plan shall be submitted to the Zoning Administration or his duly authorized representative prior to the submission to the Planning and Zoning Commission for review as established by the Planning and Zoning Commission. The Building Official or his designee shall review these plans as quickly as possible, but in no case shall he delay submission beyond one (1) Planning and Zoning Commission Meeting.
 5. Appeals of the decision of the Planning and Zoning Commission shall be in accordance with Section 13.3, Article XIII.
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- Designated small car parking spaces shall not be less than 8' in width and 10' in length.
- d) Parallel parking. Each parking space shall not be less than eight (8) feet in width and twenty-two (22) feet in length. Maneuvering space shall not be less than twenty (20) feet. Designated small car parking spaces shall not be less than 8 feet in width and 20 feet in length.
 - e) When off-street parking facilities are located adjacent to a public alley, the width of said alley may be utilized as a portion of the maneuvering space requirement, provided the alley is paved.
 - f) 20% of the total parking requirements may be used as small car parking with 80% of that total being grouped and designated for that use.
 - g) When off-street parking facilities are provided in excess of minimum amounts herein specified, or when off-street parking facilities are provided, but not required by this chapter, said off-street parking facilities shall comply with the minimum requirements for parking and maneuvering space herein specified.
4. Pavement Standards: Unless otherwise approved by the City Council, all parking lots shall be paved according to City standards and specifications. The parking lanes must be clearly marked by approved paint, buttons or other material. All driveway approaches in the MF-15, [MF-20], Of, NS, GR, C, CBD, HC, Li, and HI shall be constructed of concrete and shall be curbed to City standards.
 5. No parking area shall be designed or constructed which ends in a dead end, if more than three (3) parking spaces in depth, unless adequate turnaround space is provided.
 6. All entrances or exits in a parking lot shall be a minimum of thirty (30) feet from the beginning point of any corner radius.
 7. All entrances or exits in a parking lot shall be a minimum of twenty-four (24) feet and a maximum of forty-five (45) feet in width, unless one-way, in which case they shall both be a minimum of twelve (12) feet, or as approved by the City Council.
 8. The driveway approach angle to any parking area shall be a maximum of sixteen (16) degrees, the departure angle a maximum of ten (10) degrees, the ramp angle a maximum of eleven (11) degrees, or otherwise shall be approved by the City Engineer.

ARTICLE VI - LANDSCAPING AND BUFFERING

SECTION 6.1 GENERAL REQUIREMENTS

- A. Any commercial or industrial use or parking lot that has a side or rear contiguous to any residential district and any multifamily use or parking lot with more than 5 dwelling units that has a side or rear contiguous to any single family, townhouse, or duplex district, shall be buffered as defined herein or as approved by the City Council. Where such contiguous use is separated by only a street, alley or easement, and such contiguous uses side-up to or face the use for which the buffer is required, a fence or landscape berm six (6) feet in height is required unless otherwise approved by the City Council. The screen shall be located no closer to the street than the property line. Any ordinances concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a street or thoroughway.
- B. Prior to construction of buffers, as defined, complete plans showing type of material, depth of beam, and structural support shall be submitted to the building permit office for analysis to determine whether or not:
1. The screen will withstand the pressures of time and nature.
 2. The screen adequately accomplishes the purpose for which it was intended.
- C. All required landscaped or buffered areas in the MF-15, [MF-20], Of, NS, GR, C, CBD, HC, LI, HI, shall be maintained at all times and shall have irrigation systems installed meeting all applicable City Codes and approved by the Building Official.

Agenda Notes
P&Z - 3/13/86

- IV. H. P&Z 86-25-Z - Hold Public Hearing and Consider Approval of Amending the Comprehensive Zoning Ordinance to Eliminate the "MF-20" Multifamily Zoning Classification
- I. P&Z 86-23-Z - Hold Public Hearing and Consider Approval of a Zone Change from "MF-20" Multifamily to "MF-15" Multifamily Classification on an .8484 Acre Tract of Land Located on SH-205 and Lake Meadows Drive (Reese Manor)

Action Needed: Approval or denial of an amendment to the Comprehensive Zoning Ordinance to eliminate the "MF-20" classification and to rezone an .8484 Acre tract of land located on SH-205 and Lake Meadows Drive (Reese Manor)

Several months ago the City Council agreed to eliminate the "MF-20" classification from the Comprehensive Zoning Ordinance. Before we could complete this change in the Zoning Ordinance we had to zone the one existing tract of land in the City that is zoned "MF-20" to another classification. The tract that is currently zoned "MF-20" is Reese Manor, the Housing Authority project located at Lake Meadows Drive and SH-205. We are proposing to rezone that tract of land from "MF-20" to "MF-15". It will not alter the status of the project in any way, as it is currently nonconforming even under the "MF-20" classification. It definitely already exceeds 20 units to the acre, so placing an "MF-15" classification with a maximum density of 14 units to the acre will not in any way alter its current status under the Zoning Ordinance. Once the Council has rezoned this tract of land, they can then consider amending the Comprehensive Zoning Ordinance to eliminate "MF-20" as a classification.