

ZONING CHANGE/CONDITIONAL USE PERMIT/PLANNED DEVELOPMENT/  
PRELIMINARY PLAN/DEVELOPMENT PLAN

ACTION RECORD

Case No: PZ 90-8-2

Location: Highway Commercial District

Application Reviewed.....

File Created .....

Filing Fee Paid/Receipt in File.....

Issued Receipt for Application.....

Review form prepared/<sup>initial</sup>partial review completed.....

Circulated Review through:

Staff Review:.....

Assistant City Manager.....

Scheduled for P&Z meeting.....

Notice Sent:

Newspaper..... 3/20/90

Surrounding property owners.....

Sign placed on property.....

Tallied responses to notices .....

Prepared notes and supporting  
information for P&Z.....

Notified applicant of results and of  
Council date.....

After P+Z consideration:  
~~If approved:~~

Scheduled for City Council.....

Notice sent to newspaper.....

Notice sent to property owners.....

Prepared notes and supporting information for City Council.....

If approved:

Notified applicant of results.....

Prepared ordinance.....

1st reading of ordinance.....

2nd reading of ordinance.....

Caption to newspaper.....

Update office map.....

Notified Inspection Dept. of change.....

Included map in update file.....

Included in CUP list (if applicable).....

↪ Permit activated within 6 months.....

↪ If not activated, applicant notified permit is void.....

Included in PD file (if applicable).....

## MEMORANDUM

February 2, 1990

TO: Mayor and Members of the City Council  
FROM: The Planning and Zoning Commission  
RE: Proposed Highway Commercial Zoning District

The Planning and Zoning Commission has been working on the development of a Highway Commercial District for the past year. The purpose behind the development of the district was twofold. The first reason generated from the area that was annexed by the City in 1985 and 1986, generally located east of SH-205 and south of the railroad. As the Council is aware, this area was already partially developed when it was annexed by the City. A number of the uses that existed at that time and still exist are uses that are currently allowed only in Heavy Commercial or Planned Development. As this property has been further expanded or developed since annexation we have seen a number of requests for Commercial, Heavy Commercial, Industrial or Planned Development zoning. The result has been the zoning of a few tracts with a variety of zoning classifications without any real consistency, or the denial of zoning in some cases because of the wide number of uses that are allowed in Heavy Commercial. The property that is developed within the annexed area is primarily developed for uses that would generally fit within the Heavy Commercial guidelines. The Commission felt that the creation of a district that would permit some of the existing uses in this area, with specific restrictions, would allow the zoning to accommodate some of the uses while mitigating the adverse impact generally found with those uses.

The second purpose of the proposed District is to address a perceived need to provide certain uses, now only allowed in the Heavy Commercial district, another district in which to locate. There are a number of uses allowed only in Heavy Commercial, such as boat sales, used car lots, building materials/lumberyards, and other heavy uses that generally require location on an arterial to be successful. However, there has been a reluctance to grant Heavy Commercial zoning along any arterial because of the lack of control by the City once the zoning is granted. In addition, the Land Use Plan adopted in 1984 recommends that heavy commercial uses be located on roadways other than the Interstate.

After reviewing the land uses along the Interstate and the zoning requests that we have received since the area was annexed the Commission determined that one solution to both problems would be another district that would allow some of the heavier uses currently allowed in Heavy Commercial but would generally only allow them on a conditional use basis and would establish certain conditions that would regulate the use of outside storage.

The result of their review has been the development of the proposed Highway Commercial District. Following is a general summary of the district:

- A. Included in the purpose of the district is a statement regarding where the District should be located. It is the intent of the Commission that the district generally located in the area east of 205, along I-30 and south of I-30.
- B. The uses allowed in the district are a combination of the uses that are found in the Commercial district and in the Heavy Commercial district. Most of the heavier uses would require application for a CUP.
- C. A use has been added to the Conditional Use section that would allow application for a CUP to utilize outside display for large inventory items such as boats, cars, etc. Minimum requirements have been included for such a permit that address landscaping, percentage of storage within the 100 foot setback, as outlined below, paving, and lighting. Additional restrictions could be placed on any approved CUP.
- D. In addition to having the ability to apply for a CUP under C. above, outside storage and display is generally authorized with certain restrictions. No outside storage is allowed within 100 feet of an arterial street unless it is fully behind a building and screened with a masonry wall on both sides. Outside storage is allowed beyond the 100 foot setback but it must be screened with a masonry wall along the front and an opaque screening wall along the sides.

In addition to the creation of this district, the Commission has recommended some changes to our current definition of incidental display within the non residential classifications. Under the current zoning ordinance incidental display of merchandise is permitted in any non residential district. There is no definition or set of criteria to identify what constitutes incidental display. This has been refined and guidelines added to improve the City's ability to enforce the incidental display provisions of the zoning ordinance. The recommended criteria include specific dimensions for incidental display and identify certain uses that are exempt from the location requirements. Generally, these criteria reflect the current level of administrative enforcement. By adopting these guidelines we will have a written policy to back up our enforcement procedures.

Attached is a copy of the proposed district and the proposed changes to the incidental display requirements. Attached also is a diagram showing how this ordinance would affect specific properties and how the screening would be used in several examples. We will be happy to discuss these proposals with the Council.

## SECTION 2.-- (HwyC) HIGHWAY COMMERCIAL DISTRICT

### A. Purpose:

1. The Highway Commercial District is established to facilitate certain heavier commercial uses along certain major arterials. Included in this district are commercial uses that involve substantial truck traffic, excessive noise from heavy service operations, or outside operations and storage of materials and equipment, either for sale or as part of the business.
2. This district is designed to allow uses along major arterials that would otherwise be objectionable in the Commercial district or adjacent to residential districts due to noise, outside storage of materials and equipment and other adverse influences by the use of additional requirements when such uses are permitted along major arterials.
3. This district is commercial in nature, but has some aspects that are similar to industrial uses. The noise, traffic, litter, late night hours, outside storage of materials and equipment, and other influences that could be harmful to residential areas require adequate buffering from residential areas, and the traffic from such uses should not pass through residential areas at all, if possible. These areas should not be located in close proximity to residential areas of any type.
4. It is the intent of the Commission and Council that this district shall be located only along the following major arterials: along the Interstate east of SH-205, SH-276, SH-205 south of Interstate 30 and FM-549 south of Interstate 30. Future major arterials may be added by the Commission and Council. In areas other than on major arterials, it is the intent that property should not be zoned to this usage unless located close to the designated arterials with access streets capable of carrying commercial and truck traffic. Internal streets in such developments should be sized and strengthened to accommodate truck traffic. Fire protection should be adequate for large warehouse type operations, and the water, wastewater, and drainage systems should have enough existing capacity to support such development.

### B. Permitted Uses:

1. Agricultural uses of unplatted land in accordance with all other adopted ordinances.
2. Any retail business, personal services, professional services, business services.
3. Planned shopping centers and neighborhood convenience centers.
4. Office buildings and accessory uses.

5. Restaurants.
6. Hotel, motel.
7. Paved parking lots including commercial parking lots.
8. Nursery, greenhouse or garden center.
9. Gasoline service stations without repair bays.
10. Car Wash
11. Drive-in businesses.
12. Printing, publishing, and allied products manufacturing.
13. Any wholesale trades excluding: raw cotton, grain, hides, skins and raw furs, tobacco, wool or mohair, livestock, commercial or industrial machinery or synthetics, metals and minerals, petroleum bulk stations and terminals scrap or junk waste materials and other raw material processing operations such as cotton gins.
14. Telephone, television, radio or similar media stations, centers, studios, but not including public microwave tower, radio and television towers.
15. Institutional uses.
16. Municipally owned or controlled facilities, utilities, or uses.
17. Other uses of similar character.
18. Accessory structures and uses customarily related and incident to the above principal uses authorized in this district.
19. Temporary indoor and outdoor fund raising events sponsored by nonprofit organizations with permit and approval of the Building Official.
20. Outdoor carnivals not exceeding two weeks duration which are sponsored by and on the same site as a permanent business with permit and approval of the Building Official.
21. Temporary on site construction offices limited to the period of construction and approval by the Building Official.
22. 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 or used as a temporary construction office, or a mobile home used as the residence of a watchman or caretaker employed on the premises, meeting the conditions of Article IV.
2. Commercial amusements, as defined herein, including amusement parks, circus or carnival grounds, recreation developments, or tents for other amusements in accordance with all other applicable ordinances, and more than 300 feet from residentially zoned land, unless such setback is reduced or waived by the Planning and Zoning Commission and City Council. Temporary uses not exceeding 14 days meeting all other requirements of the City may be permitted by the Building Official.
3. Facilities for railroads or those utilities holding a franchise under the City of Rockwall not allowed as permitted uses.
4. Radio, television, microwave towers.
5. Semi-public uses.
6. New buildings with over 5,000 square feet or additions of over 40% of existing floor area or over 5,000 square feet with combustible structural construction materials.
7. Any structure which exceeds 60 feet in height.
8. Any use utilizing outside display of large inventory items or merchandise such as boats, heavy equipment, or vehicles not meeting Section C. 13. herein. Such use shall meet the conditions of Article IV.
9. Automotive and other repair services, paint and body shops, excluding wrecking yards.
10. Automotive vehicle sales and service.
11. Lumberyards or contractor yards, general warehousing and storage, farm equipment or other heavy equipment sales and service, farm products, warehousing and storage, including miniwarehouses for storage purposes only.

12. Those uses of a commercial, retail or wholesale nature requiring large outdoor loading areas, generating heavy truck or rail traffic and requiring access to major transportation channels and/or creating influences not acceptable in the C District.
13. Rail and motor vehicle transportation passenger and freight terminals, and service centers.
14. Veterinary clinics for treatment of small or large animals, with or without accessory kennel facilities, and with or without outdoor pens or runs.
15. Kennels with or without outdoor pens or runs.

D. Required Conditions:

1. Any owner, builder or developer of a tract or parcel of land fronting on or adjacent to a roadway designated by the City Council as a principal roadway, including Interstate 30, Highway 205, Highway 276, and FM-549, shall submit, prior to the issuance of a building permit, to the Planning and Zoning Commission and the City Council for review and approval, a site and building plan for the proposed development. The contents of this site and building plan shall comply with the requirements as specified in Article III. Upon approval, actual development shall comply with the approved site plan.
2. Any business operation that is located within 100 feet of a major arterial as designated on the City's adopted Thoroughfare Plan shall meet the screening and outside storage requirements of this District as outlined in Section F.

E. Prohibited Uses:

1. Any building erected or land used for other than one or more of the preceding specified uses.
2. 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.

F. Area Requirements:

1. Minimum site size - 12,500 square feet  
Adjacent to I-30 - 1 acre
2. Minimum site frontage on a public street - 100 feet



Adjacent to I-30 - 200 feet

3. Minimum site depth - 125 feet  
Adjacent to I-30 - 200 feet
4. Minimum depth of front setback - 25 feet from the future right-of-way, as shown on the adopted thoroughfare plan, or as actually exists, whichever is greater.
5. Minimum width of side setback -
  - a) Without fire retardant wall - 15 feet plus 1/2 the building height over 36 feet,
  - b) With fire retardant wall - 0 feet plus 1/2 the building height over 36 feet,
  - c) Abutting residentially zoned property - 20 feet plus 1/2 the building height over 36 feet,
  - d) Abutting Interstate 30 or an arterial street - 25 feet from the future right-of-way as shown on the adopted thoroughfare plan or as actually exists, whichever is greater, plus 1/2 the building height over 36 feet,
  - e) Abutting all other streets - 15 feet from the future right-of-way as shown on the adopted thoroughfare plan, or as actually exists, whichever is greater, plus 1/2 the building height over 36 feet,
  - f) In no case shall more than a 50 foot wide setback be required.
6. Minimum depth of rear setback -
  - a) Abutting non-residentially zoned property, with fire retardant wall and alley separating - 0 feet plus 1/2 the building height over 36 feet.
  - b) Without fire retardant wall or alley - 20 feet
  - c) Abutting residentially zoned property - 20 feet plus 1/2 the building height over 36 feet.
  - d) In no case shall more than a 50 foot rear setback be required.
7. Minimum distance between detached buildings on the same lot or parcel of land -

- a) Without fire retardant wall - 15 feet plus 1/2 the building height over 36 feet,
  - b) With fire retardant wall - 0 feet plus 1/2 the building height over 36 feet,
  - c) In no case shall more than a 50 foot distance between buildings be required.
8. Minimum requirement for construction materials -
- a) Structures -
    - (1) All structural materials for new buildings greater than 5,000 square feet in floor area, or additions of more than 40% of the existing floor area or exceeding 5,000 square feet, shall consist of 100% non-combustible materials.
    - (2) All structural materials for new buildings 5,000 square feet or less in floor area, and any additions to existing buildings 40% or less than the existing floor area and 5,000 square feet or less may consist of combustible materials rated a minimum of one-hour fire resistive on all walls, floors, and ceilings.
  - b) Exterior walls - Each exterior wall shall consist of 90% masonry materials as defined herein excluding overhead metal doors on walls not having street frontage.
9. Maximum building coverage as a percentage of lot area - 60%
10. Maximum amount of impervious coverage as a percentage of lot area - 90%
11. Maximum floor area ratio - 4:1
12. Maximum height of structures - 240 feet. Any structure exceeding 60 feet in height shall require a conditional use permit.
13. Outside Storage Requirements -
- a) All property located within 100 feet of a street shall meet the following conditions:
    - (1). Any outside storage of merchandise, material, equipment,

or inventory shall be located totally behind a structure, unless otherwise approved herein, and masonry screening walls a minimum of 6' in height shall be constructed along the sides of the storage areas.

- (2). Incidental outside display of merchandise for sale shall be permitted in accordance with Section 8.5.
- b) All property located a distance greater than 100 feet from a street shall meet the following conditions:
    - (1) Any area of outside storage of merchandise, material, equipment, or inventory shall be located behind a masonry screening fence constructed along and parallel to the street, or a building, exclusive of access drives. Such fence or building shall be located no closer than 100 feet from the street. Such storage area shall also be screened from adjacent properties by an opaque screen not less than 6 feet in height.
14. Minimum number of paved off-street parking spaces required - See Off-street Parking Article V
  15. Maximum number of entrances and/or exits -
    - a) Arterial streets - 1 per each 200 feet of street frontage per site, or as approved by the City Council.
    - b) Collector streets - 1 per each 100 feet of street frontage per site, or as approved by the City Council.
    - c) Local streets - 1 per each 50 feet of street frontage per site, or as approved by the City Council.
  16. Lots with non-residential uses that have a side or rear contiguous to or are separated only by an alley, easement or street, from any residential district must be separated from such district by a buffer as defined, or as approved by the City Council.
  17. The building code may impose more restrictive area requirements, depending on the site, use and construction of the structures. See Article VIII for further clarification, exceptions and modifications.

ARTICLE IV. CONDITIONAL USE PERMITS:

G. Conditions of Conditional Use

9. Outside display of large inventory items in the HwyC Classification may be permitted in the required setback for outside storage meeting the following requirements:
  - a. The area to be used for storage shall not exceed 50% of the total lot area within 100 feet of any adjacent street.
  - b. All such storage areas must be permanently paved to City standards.
  - c. All such storage areas must be screened along all road frontages with a solid evergreen landscape screen a minimum of three feet in height.
  - d. All such storage areas may be lighted with directed exterior lighting that does not glare onto any adjacent roadways.

DRAFT REQUIREMENTS  
INCIDENTAL DISPLAY

Amend Article VIII of the Comprehensive Zoning Ordinance as follows:

SECTION 8.5 INCIDENTAL DISPLAY REQUIREMENTS

A. General:

The outside storage, display, or sale of goods, products, inventory, or equipment is not permitted in the "O", "NS", "GR", "C", "CBD", "Hwy C" and "LI" Districts except as set forth herein or as specifically authorized in each District.

1. Outside storage, display, or sale of goods, products, inventory, or equipment shall be permitted only on the sidewalk adjacent to the building, provided such goods, products, inventory, or equipment shall not extend more than five (5) feet from the building and shall not be more than five (5) feet in height, and provided further, that there shall be at least five (5) feet in width of unobstructed sidewalk remaining.
2. The restrictions in Section 1. shall not be construed to prohibit the following, providing the sidewalk clearances are met:
  - a. The above prohibition shall not apply to storage and display of Christmas trees for a period not to exceed sixty days prior to Christmas Day each year.
  - b. The above prohibition shall not be construed to apply to merchandise dispensing units placed adjacent to a building limited to not more than three (3) for any one business establishment.
  - c. The above prohibition shall not be construed to prohibit the storage and display of merchandise normally placed on gasoline pump islands, when placed on such islands.
  - d. The above prohibition shall not be construed to prohibit storage, display, and sale of newspapers in newspaper racks or the outside display of merchandise by a retail landscape nursery.
  - e. The above prohibition shall not be construed to prohibit "sidewalk sales" for periods not exceeding five (5) days in each month. All sidewalk sales require a permit from the Building Inspector.

- f. The above prohibition shall not apply to the storage of tires for establishments involved in the selling and mounting of automotive tires. Storage of tires for such facilities, if not located within a totally enclosed building, shall be located in a screened area not exceeding six (6) feet in height and not exceeding an area of one hundred (100) square feet. Such storage area shall have an allweather surface and shall not be located in any required parking space. Such screen shall be solid and shall be constructed of masonry comparable to the exterior material of the main structure. Such screen shall be constructed of brick if the main structure does not have a masonry exterior, as defined herein. The tires shall not exceed the height of the screen.
3. The accessory seasonal display of plants by a permitted retail use may be approved by the Building Inspector as long as the following conditions are met:
  - a. The plants shall be located on an all weather surface.
  - b. All of the plants shall be located behind the building line.
  - c. The storage area for display of plants shall not occupy any required parking spaces as outlined in Section \_\_\_\_\_. Excess parking spaces may be used if all other requirements in this section are met.
  - d. The storage area for display of plants shall not occupy more than 5% of the total lot area.
4. The restrictions in Section 1. 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.

## MEMORANDUM

April 10, 1990

TO: Members of the Planning and Zoning Commission

FROM: Julie Couch, Assistant City Manager

RE: Proposed Highway Commercial District

We are now scheduled to hold the public hearing on the proposed Highway Commercial District. At the worksession the City Council brought several items for discussion. Additionally, we have received some public input regarding certain provisions of the ordinance. Following is a discussion of those items and any recommendations for change:

### Uses

1. We have now adopted certain changes in all of our districts regarding vet clinics. I would recommend that No. 9 under permitted uses be moved to Conditional uses and allow vet clinics and kennels as we would under Heavy Commercial, with a CUP.

### AREA REQUIREMENTS

1. There was some discussion about increasing the size of the minimum site size. These are the same site requirements as those under Heavy Commercial. In commercial situations the site size is a function of meeting all of the setbacks, parking, and landscaping requirements more than it is meeting a specific site dimension. The requirement that an acre be provided along the Interstate is to insure that at least a site that large is platted. The actual lot developed for a specific use may in fact be quite smaller than that.
2. Although I believe this issue was resolved during the Council worksession, I will mention that there was some discussion about increasing the size of the required screening wall along the 100 foot setback. I believe that the consensus at the conclusion of the meeting was that 6 feet was sufficient.
3. The screening requirements for display within the 100 foot setback provide for screening to be provided by a building and a screening wall. However, the screening required for storage behind the 100 foot setback only references a screening wall. A question has been raised as to whether a building could also comply for screening in this situation. After reviewing that section of the ordinance I do believe we should amend it to specifically reference a building or a wall as follows (the added wording is in bold):
  13. b) (1) Any area of outside storage of merchandise, material, equipment, or inventory shall be located behind a

masonry screening fence constructed along and parallel to the street, or a **building, exclusive of access drives**. Such fence or building shall be located no closer than 100 feet from the street. Such storage area shall also be screened from adjacent properties by an opaque screen not less than 6 feet in height.

### INCIDENTAL DISPLAY

1. In the original draft of the ordinance we proposed a storage area for tires not to exceed 100 square feet. In reviewing this we feel the area should be somewhat larger if they are going to be allowed to have the storage. The current area is less area than a standard parking space. We would recommend that this be increased to 400 square feet, which is the equivalent of 2 parking spaces.
2. There was some discussion at the Council meeting regarding the ability to display other landscape materials besides just plant materials in the parking lot. The current draft would only allow those items to be displayed adjacent to the building. As the Commission is aware, Walmart currently stores all types of landscape materials in their parking lot seasonally. This is an item that we need to discuss at the meeting.
3. In the original draft we also included an item that would restrict the display of rental trucks and trailers except in districts where those uses are permitted. Since the original draft was completed we have reviewed this issue in conjunction with the True Value request. This is also an item that we need to discuss at the meeting.



## SECTION 2.-- (HwyC) HIGHWAY COMMERCIAL DISTRICT

### A. Purpose:

1. The Highway Commercial District is established to facilitate certain heavier commercial uses along certain major arterials. Included in this district are commercial uses that involve substantial truck traffic, excessive noise from heavy service operations, or outside operations and storage of materials and equipment, either for sale or as part of the business.
2. This district is designed to allow uses along major arterials that would otherwise be objectionable in the Commercial district or adjacent to residential districts due to noise, outside storage of materials and equipment and other adverse influences by the use of additional requirements when such uses are permitted along major arterials.
3. This district is commercial in nature, but has some aspects that are similar to industrial uses. The noise, traffic, litter, late night hours, outside storage of materials and equipment, and other influences that could be harmful to residential areas require adequate buffering from residential areas, and the traffic from such uses should not pass through residential areas at all, if possible. These areas should not be located in close proximity to residential areas of any type.
4. It is the intent of the Commission and Council that this district shall be located only along the following major arterials: along the Interstate east of SH-205, SH-276, SH-205 south of Interstate 30 and FM-549 south of Interstate 30. Future major arterials may be added by the Commission and Council. In areas other than on major arterials, it is the intent that property should not be zoned to this usage unless located close to the designated arterials with access streets capable of carrying commercial and truck traffic. Internal streets in such developments should be sized and strengthened to accommodate truck traffic. Fire protection should be adequate for large warehouse type operations, and the water, wastewater, and drainage systems should have enough existing capacity to support such development.

### B. Permitted Uses:

1. Agricultural uses of unplatted land in accordance with all other adopted ordinances.
2. Any retail business, personal services, professional services, business services.
3. Planned shopping centers and neighborhood convenience centers.
4. Office buildings and accessory uses.

5. Restaurants.
6. Hotel, motel.
7. Paved parking lots including commercial parking lots.
8. Nursery, greenhouse or garden center.
9. Veterinarian office and/or kennel.
10. Gasoline service stations without repair bays.
11. Car Wash
12. Drive-in businesses.
13. Printing, publishing, and allied products manufacturing.
14. Any wholesale trades excluding: raw cotton, grain, hides, skins and raw furs, tobacco, wool or mohair, livestock, commercial or industrial machinery or synthetics, metals and minerals, petroleum bulk stations and terminals scrap or junk waste materials and other raw material processing operations such as cotton gins.
15. Telephone, television, radio or similar media stations, centers, studios, but not including public microwave tower, radio and television towers.
16. Institutional uses.
17. Municipally owned or controlled facilities, utilities, or uses.
18. Other uses of similar character.
19. Accessory structures and uses customarily related and incident to the above principal uses authorized in this district.
20. Temporary indoor and outdoor fund raising events sponsored by nonprofit organizations with permit and approval of the Building Official.
21. Outdoor carnivals not exceeding two weeks duration which are sponsored by and on the same site as a permanent business with permit and approval of the Building Official.
22. Temporary on site construction offices limited to the period of construction and approval by the Building Official.

23. 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 or used as a temporary construction office, or a mobile home used as the residence of a watchman or caretaker employed on the premises, meeting the conditions of Article IV.
2. Commercial amusements, as defined herein, including amusement parks, circus or carnival grounds, recreation developments, or tents for other amusements in accordance with all other applicable ordinances, and more than 300 feet from residentially zoned land, unless such setback is reduced or waived by the Planning and Zoning Commission and City Council. Temporary uses not exceeding 14 days meeting all other requirements of the City may be permitted by the Building Official.
3. Facilities for railroads or those utilities holding a franchise under the City of Rockwall not allowed as permitted uses.
4. Radio, television, microwave towers.
5. Semi-public uses.
6. New buildings with over 5,000 square feet or additions of over 40% of existing floor area or over 5,000 square feet with combustible structural construction materials.
7. Any structure which exceeds 60 feet in height.
8. Any use utilizing outside display of large inventory items or merchandise such as boats, heavy equipment, or vehicles not meeting Section C. 13. herein. Such use shall meet the conditions of Article IV.
9. Automotive and other repair services, paint and body shops, excluding wrecking yards.
10. Automotive vehicle sales and service.
11. Lumberyards or contractor yards, general warehousing and storage, farm equipment or other heavy equipment sales and service, farm products, warehousing and storage, including miniwarehouses for

storage purposes only.

12. Those uses of a commercial, retail or wholesale nature requiring large outdoor loading areas, generating heavy truck or rail traffic and requiring access to major transportation channels and/or creating influences not acceptable in the C District.
13. Rail and motor vehicle transportation passenger and freight terminals, and service centers.

D. Required Conditions:

1. Any owner, builder or developer of a tract or parcel of land fronting on or adjacent to a roadway designated by the City Council as a principal roadway, including Interstate 30, Highway 205, Highway 276, and FM-549, shall submit, prior to the issuance of a building permit, to the Planning and Zoning Commission and the City Council for review and approval, a site and building plan for the proposed development. The contents of this site and building plan shall comply with the requirements as specified in Article III. Upon approval, actual development shall comply with the approved site plan.
2. Any business operation that is located within 100 feet of a major arterial as designated on the City's adopted Thoroughfare Plan shall meet the screening and outside storage requirements of this District as outlined in Section F.

E. Prohibited Uses:

1. Any building erected or land used for other than one or more of the preceding specified uses.
2. 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.

F. Area Requirements:

1. Minimum site size - 12,500 square feet  
Adjacent to I-30 - 1 acre
2. Minimum site frontage on a public street - 100 feet  
Adjacent to I-30 - 200 feet

3. Minimum site depth - 125 feet  
Adjacent to I-30 - 200 feet
4. Minimum depth of front setback - 25 feet from the future right-of-way, as shown on the adopted thoroughfare plan, or as actually exists, whichever is greater.
5. Minimum width of side setback -
  - a) Without fire retardant wall - 15 feet plus 1/2 the building height over 36 feet,
  - b) With fire retardant wall - 0 feet plus 1/2 the building height over 36 feet,
  - c) Abutting residentially zoned property - 20 feet plus 1/2 the building height over 36 feet,
  - d) Abutting Interstate 30 or an arterial street - 25 feet from the future right-of-way as shown on the adopted thoroughfare plan or as actually exists, whichever is greater, plus 1/2 the building height over 36 feet,
  - e) Abutting all other streets - 15 feet from the future right-of-way as shown on the adopted thoroughfare plan, or as actually exists, whichever is greater, plus 1/2 the building height over 36 feet,
  - f) In no case shall more than a 50 foot wide setback be required.
6. Minimum depth of rear setback -
  - a) Abutting non-residentially zoned property, with fire retardant wall and alley separating - 0 feet plus 1/2 the building height over 36 feet.
  - b) Without fire retardant wall or alley - 20 feet
  - c) Abutting residentially zoned property - 20 feet plus 1/2 the building height over 36 feet.
  - d) In no case shall more than a 50 foot rear setback be required.
7. Minimum distance between detached buildings on the same lot or parcel of land -
  - a) Without fire retardant wall - 15 feet plus 1/2 the building height

over 36 feet,

- b) With fire retardant wall - 0 feet plus 1/2 the building height over 36 feet,
- c) In no case shall more than a 50 foot distance between buildings be required.

8. Minimum requirement for construction materials -

a) Structures -

- (1) All structural materials for new buildings greater than 5,000 square feet in floor area, or additions of more than 40% of the existing floor area or exceeding 5,000 square feet, shall consist of 100% non-combustible materials.
- (2) All structural materials for new buildings 5,000 square feet or less in floor area, and any additions to existing buildings 40% or less than the existing floor area and 5,000 square feet or less may consist of combustible materials rated a minimum of one-hour fire resistive on all walls, floors, and ceilings.

- b) Exterior walls - Each exterior wall shall consist of 90% masonry materials as defined herein excluding overhead metal doors on walls not having street frontage.

9. Maximum building coverage as a percentage of lot area - 60%

10. Maximum amount of impervious coverage as a percentage of lot area - 90%

11. Maximum floor area ratio - 4:1

12. Maximum height of structures - 240 feet. Any structure exceeding 60 feet in height shall require a conditional use permit.

13. Outside Storage Requirements -

- a) All property located within 100 feet of a street shall meet the following conditions:
  - (1). Any outside storage of merchandise, material, equipment, or inventory shall be located totally behind a structure, unless otherwise approved herein, and masonry screening

walls a minimum of 6' in height shall be constructed along the sides of the storage areas.

- (2). Incidental outside display of merchandise for sale shall be permitted in accordance with Section 8.5.
- b) All property located a distance greater than 100 feet from a street shall meet the following conditions:
  - (1) Any area of outside storage of merchandise, material, equipment, or inventory shall be located behind a masonry screening fence constructed along and parallel to the street. Such fence shall be located no closer than 100 feet from the street. Such storage area shall also be screened from adjacent properties by an opaque screen not less than 6 feet in height.
14. Minimum number of paved off-street parking spaces required - See Off-street Parking Article V
15. Maximum number of entrances and/or exits -
  - a) Arterial streets - 1 per each 200 feet of street frontage per site, or as approved by the City Council.
  - b) Collector streets - 1 per each 100 feet of street frontage per site, or as approved by the City Council.
  - c) Local streets - 1 per each 50 feet of street frontage per site, or as approved by the City Council.
16. Lots with non-residential uses that have a side or rear contiguous to or are separated only by an alley, easement or street, from any residential district must be separated from such district by a buffer as defined, or as approved by the City Council.
17. The building code may impose more restrictive area requirements, depending on the site, use and construction of the structures. See Article VIII for further clarification, exceptions and modifications.

ARTICLE IV. CONDITIONAL USE PERMITS:

G. Conditions of Conditional Use

9. Outside display of large inventory items in the HwyC Classification may be permitted in the required setback for outside storage meeting the following requirements:
  - a. The area to be used for storage shall not exceed 50% of the total lot area within 100 feet of any adjacent street.
  - b. All such storage areas must be permanently paved to City standards.
  - c. All such storage areas must be screened along all road frontages with a solid evergreen landscape screen a minimum of three feet in height.
  - d. All such storage areas may be lighted with directed exterior lighting that does not glare onto any adjacent roadways.



DRAFT REQUIREMENTS  
INCIDENTAL DISPLAY

Amend Article VIII of the Comprehensive Zoning Ordinance as follows:

SECTION 8.5 INCIDENTAL DISPLAY REQUIREMENTS

A. General:

The outside storage, display, or sale of goods, products, inventory, or equipment is not permitted in the "O", "NS", "GR", "C", "CBD", "Hwy C" and "LI" Districts except as set forth herein or as specifically authorized in each District.

1. Outside storage, display, or sale of goods, products, inventory, or equipment shall be permitted only on the sidewalk adjacent to the building, provided such goods, products, inventory, or equipment shall not extend more than five (5) feet from the building and shall not be more than five (5) feet in height, and provided further, that there shall be at least five (5) feet in width of unobstructed sidewalk remaining.
2. The restrictions in Section 1. shall not be construed to prohibit the following, providing the sidewalk clearances are met:
  - a. The above prohibition shall not apply to storage and display of Christmas trees for a period not to exceed sixty days prior to Christmas Day each year.
  - b. The above prohibition shall not be construed to apply to merchandise dispensing units placed adjacent to a building limited to not more than three (3) for any one business establishment.
  - c. The above prohibition shall not be construed to prohibit the storage and display of merchandise normally placed on gasoline pump islands, when placed on such islands.
  - d. The above prohibition shall not be construed to prohibit storage, display, and sale of newspapers in newspaper racks or the outside display of merchandise by a retail landscape nursery.
  - e. The above prohibition shall not be construed to prohibit "sidewalk sales" for periods not exceeding five (5) days in each month. All sidewalk sales require a permit from the Building Inspector.

- f. The above prohibition shall not apply to the storage of tires for establishments involved in the selling and mounting of automotive tires. Storage of tires for such facilities, if not located within a totally enclosed building, shall be located in a screened area not exceeding six (6) feet in height and not exceeding an area of one hundred (100) square feet. Such storage area shall have an allweather surface and shall not be located in any required parking space. Such screen shall be solid and shall be constructed of masonry comparable to the exterior material of the main structure. Such screen shall be constructed of brick if the main structure does not have a masonry exterior, as defined herein. The tires shall not exceed the height of the screen.
3. The accessory seasonal display of plants by a permitted retail use may be approved by the Building Inspector as long as the following conditions are met:
  - a. The plants shall be located on an all weather surface.
  - b. All of the plants shall be located behind the building line.
  - c. The storage area for display of plants shall not occupy any required parking spaces as outlined in Section \_\_\_\_\_. Excess parking spaces may be used if all other requirements in this section are met.
  - d. The storage area for display of plants shall not occupy more than 5% of the total lot area.
4. The restrictions in Section 1. 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.

CITY OF ROCKWALL  
City Council Agenda

**Agenda Date:** March 5, 1990

**Agenda No:** VII. B

**Agenda Item:** Discuss and Consider Initiating Public Hearings Regarding Establishment of a Highway Commercial District

**Item Generated By:** Planning and Zoning Commission

**Action Needed:** Consider instructing Planning and Zoning Commission to hold hearings to consider adopting the proposed Highway Commercial District.

**Background Information:**

If the Council is ready to proceed with consideration of the district for inclusion in the Comprehensive Zoning Ordinance the next step is to instruct the Commission to hold public hearings regarding the adoption of the proposed district. During the hearing process the Commission will consider those items that were brought up at the worksession.

*Handwritten notes on a yellow sticky note:*  
need to address propane gas usage  
RV + boat storage  
need to include utility clinics as curbside  
side pens?  
landscape materials  
took out trailers + trucks as permitted

**Attachments:**

1. Additional Copy of the Proposed District

**CITY OF ROCKWALL**  
**City Council Agenda**

**Agenda Date:** May 7, 1990

**Agenda No:** VII. B.

**Agenda Item:** P&Z 90-8-Z - Hold Public Hearing and Consider Approval of an Ordinance Amending the Comprehensive Zoning Ordinance to Create a Highway Commercial District (1st Reading)

**Item Generated By:** Staff

**Action Needed:** Hold public hearing and consider approval of the ordinance.

**Background Information:**

We are now ready to hold the public hearing and consider adopting the Highway Commercial District. As a result of the worksession with the Council and public input, the Commission has developed some proposed amendments to the draft of the proposed district. They are addressed below. The Commission has recommended approval of the District with the following changes. A copy of the proposed draft is attached.

**Proposed Changes**

**Uses**

1. Now that we have adopted certain changes in all of our districts regarding vet clinics the Commission is recommending that the requirements for vet clinics and kennels under the Highway Commercial District be worded just as the Heavy Commercial requirements. The new wording is in the draft.

**AREA REQUIREMENTS**

1. At the worksession there was some discussion about increasing the size of the minimum site size. These are the same site requirements as those under Heavy Commercial. In commercial situations the site size is more a function of meeting all of the setbacks, parking, and landscaping requirements than it is meeting a specific site dimension. The requirement that an acre be provided along the Interstate is to insure that at least a site that large is platted. The actual lot developed for a specific use may in fact be quite smaller than that. The Commission has not recommended any changes to this standard.
2. Although I believe this issue was resolved during the Council worksession, I will mention that there was some discussion about increasing the size of the required screening wall along the 100 foot setback. I believe that the consensus at the conclusion of the meeting was that 6 feet was sufficient.
3. The screening requirements for display within the 100 foot setback provide for screening to be provided by a building and a screening wall. However, in the original draft the screening required for storage behind the 100 foot setback only referenced a screening wall. A question was raised as to whether a building could also comply as screening in this situation. After reviewing that section of the ordinance the Commission has recommended that it be amended to specifically reference a building or a wall as follows (the added wording is in bold):
  13. b) (1) Any area of outside storage of merchandise, material, equipment, or inventory shall be located behind a masonry screening fence constructed along and parallel to the street, **or a building, exclusive of access drives.** Such fence or building shall be located no closer than 100 feet from the street. Such storage area shall also be screened from adjacent properties by an opaque screen not less than 6 feet in height.

This wording has been added to the draft.

**Attachments:**

Draft Ordinance

**Agenda Item:** Highway Commercial District

**Item No:** VII. B.