



# PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # 1 2018-018 P&Z DATE \_\_\_\_\_ CC DATE \_\_\_\_\_ APPROVED/DENIED \_\_\_\_\_  
ARCHITECTURAL REVIEW BOARD DATE \_\_\_\_\_ HPAB DATE \_\_\_\_\_ PARK BOARD DATE \_\_\_\_\_

ZONING APPLICATION
<input type="checkbox"/> SPECIFIC USE PERMIT
<input type="checkbox"/> ZONING CHANGE
<input type="checkbox"/> PD CONCEPT PLAN
<input type="checkbox"/> PD DEVELOPMENT PLAN

SITE PLAN APPLICATION
<input type="checkbox"/> SITE PLAN
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN
<input type="checkbox"/> PHOTOMETRIC PLAN
<input type="checkbox"/> BUILDING ELEVATIONS
<input type="checkbox"/> MATERIAL SAMPLES
<input type="checkbox"/> COLOR RENDERING

PLATTING APPLICATION
<input type="checkbox"/> MASTER PLAT
<input type="checkbox"/> PRELIMINARY PLAT
<input type="checkbox"/> FINAL PLAT
<input type="checkbox"/> REPLAT
<input type="checkbox"/> ADMINISTRATIVE/MINOR PLAT
<input type="checkbox"/> VACATION PLAT
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN

<input type="checkbox"/> COPY OF ORDINANCE (ORD.# _____)
<input type="checkbox"/> APPLICATIONS
<input type="checkbox"/> RECIEPT
<input type="checkbox"/> LOCATION MAP
<input type="checkbox"/> HOA MAP
<input type="checkbox"/> PON MAP
<input type="checkbox"/> FLU MAP
<input type="checkbox"/> NEWSPAPER PUBLIC NOTICE
<input type="checkbox"/> 500-FT. BUFFER PUBLIC NOTICE
<input type="checkbox"/> PROJECT REVIEW
<input type="checkbox"/> STAFF REPORT
<input type="checkbox"/> CORRESPONDENCE
<input type="checkbox"/> COPY-ALL PLANS REQUIRED
<input type="checkbox"/> COPY-MARK-UPS
<input type="checkbox"/> CITY COUNCIL MINUTES-LASERFICHE
<input type="checkbox"/> MINUTES-LASERFICHE
<input type="checkbox"/> PLAT FILED DATE _____
<input type="checkbox"/> CABINET # _____
<input type="checkbox"/> SLIDE # _____
<b>NOTES:</b> _____
_____
_____
_____
_____
<b>ZONING MAP UPDATED</b> _____



# CITY OF ROCKWALL, TEXAS

## MEMORANDUM

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**TO:** Planning and Zoning Commission

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** April 24, 2018

**SUBJECT:** *Z2018-019; Proposed Amendment to Article IV, Permissible Uses, UDC to Allow Furniture Upholstery, Refinishing or Resale by SUP in a Commercial (C) District*

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At the April 2, 2018 City Council meeting, the City Council directed staff to prepare a text amendment amending Article IV, *Permissible Uses*, of the Unified Development Code (UDC) for the purpose of allowing the *Furniture Upholstery/Refinishing and Resale* land use in the Commercial (C) District by a Specific Use Permit (SUP). This direction came as the result of an appointment with Matilyn Vivo -- *the owner of the Rustic Warehouse* --, who was requesting the text amendment to bring her business into compliance with the Unified Development Code (UDC). Currently, the *Furniture Upholstery/Refinishing and Resale* land use is only permitted *by-right* in the Heavy Commercial (HC) and Light Industrial (LI) District. The proposed amendment would extend this use to the Commercial (C) District by Specific Use Permit (SUP) with the condition that the use is ancillary to a general retail store (*i.e. a business whose primary purpose is to sell finished goods*). The purpose of this condition is to prevent a standalone *Furniture Upholstery/Refinishing and Resale* land use (*which is more of an industrial land use*) from locating within an established commercial/retail area, reducing the possibility of creating incompatible land uses.

In accordance, with Section 4.2 of Article XI, *Zoning Related Applications*, of the UDC staff is bringing the proposed amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. Attached to this case memo is a copy of the proposed amendment to the UDC and a draft ordinance. The schedule for this text amendment is as follows:

*Planning and Zoning Commission [Work Session]: April 24, 2018*  
*Planning and Zoning Commission [Public Hearing]: May 8, 2018*  
*City Council [Public Hearing/1<sup>st</sup> Reading of the Ordinance]: May 21, 2018*  
*City Council [2<sup>nd</sup> Reading of the Ordinance]: June 4, 2018*

Staff will send out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 6.1 of Article II, *Authority and Administrative Procedures*, of the UDC. Should the Planning and Zoning Commission have any questions staff will be available at the meeting on April 24, 2018.

ARTICLE IV, *PERMISSIBLE USES*, OF THE UDC

Key:

Additions

Deletions

SECTION 1. LAND USE SCHEDULE

SECTION 1.1: USE OF LAND AND BUILDINGS

	Residential				Mixed Use				Commercial				Industrial						
Commercial and Business Services	AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	DT	R-O	NS	GR	C	HC	RT	LI	HI
Furniture Upholstery/Refinishing and Resale +															S	P		P	

*P=Permitted; A=Accessory Use; S=SUP; +=Permitted with Conditions*

SECTION 2. USE STANDARDS.

SECTION 2.1.7. COMMERCIAL AND BUSINESS SERVICES.

**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. 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).

CITY OF ROCKWALL

ORDINANCE NO. 18-XX

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, BY AMENDING ARTICLE IV, *PERMISSIBLE USES*; 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**, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Article IV, *Permissible Uses*, of the 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 Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance.

**SECTION 2.** That 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 3.** 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 4.** 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 4<sup>TH</sup> DAY OF JUNE, 2018.**

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Jim Pruitt, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

*1<sup>st</sup> Reading:* May 21, 2018

*2<sup>nd</sup> Reading:* June 4, 2018

**Exhibit 'A'**  
Article IV, Permissible Uses, of the  
Unified Development Code

Section 1. Land Use Schedule.  
Section 1.1 Use of Land and Buildings.

Commercial and Business Services	Residential										Mixed Use		Commercial			Industrial			
	AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	DT	R-O	NS	GR	C	HC	RT	LI	HI
Furniture Upholstery/Refinishing and Resale +															S	P		P	

P=Permitted; A=Accessory Use; S=SUP; +=Permitted with Conditions

Section 2. Use Standards.  
Section 2.1.7. Commercial and Business Services.

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# CITY OF ROCKWALL, TEXAS

## MEMORANDUM

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**TO:** Planning and Zoning Commission

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** May 8, 2018

**SUBJECT:** *Z2018-018; Proposed Amendment to Article IV, Permissible Uses, UDC to Allow Furniture Upholstery, Refinishing or Resale by SUP in a Commercial (C) District*

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At the April 2, 2018 City Council meeting, the City Council directed staff to prepare a text amendment amending Article IV, *Permissible Uses*, of the Unified Development Code (UDC) for the purpose of allowing the *Furniture Upholstery/Refinishing and Resale* land use in the Commercial (C) District by a Specific Use Permit (SUP). This direction came as the result of an appointment with Matilyn Vivo -- *the owner of the Rustic Warehouse* --, who was requesting the text amendment to bring her business into compliance with the Unified Development Code (UDC). Currently, the *Furniture Upholstery/Refinishing and Resale* land use is only permitted *by-right* in the Heavy Commercial (HC) and Light Industrial (LI) District. The proposed amendment would extend this use to the Commercial (C) District by Specific Use Permit (SUP) with the condition that the use is ancillary to a general retail store (*i.e. a business whose primary purpose is to sell finished goods*). The purpose of this condition is to prevent a standalone *Furniture Upholstery/Refinishing and Resale* land use (*which is more of an industrial land use*) from locating within an established commercial/retail area, reducing the possibility of creating incompatible land uses.

In accordance, with Section 4.2 of Article XI, *Zoning Related Applications*, of the UDC staff is bringing the proposed amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. Attached to this case memo is a copy of the proposed amendment to the UDC and a draft ordinance. Staff should note that changes to the original draft ordinance have been drafted to address the Planning and Zoning Commission's comments from the April 24, 2018 Planning and Zoning Commission Work Session. Specifically, the Planning and Zoning Commission requested that staff clarify the amount of floor area that can be dedicated to ensure that it remains ancillary to the general retail land use. As a result of this request staff has added a provision to the draft ordinance that would allow these businesses to use up to 30% of the floor area to be dedicated to the *Furniture Upholstery/Refinishing and Resale* land use. This requirement will be assessed on a case-by-case basis by the Planning and Zoning Commission and City Council at the time of the Specific Use Permit (SUP) request.

The schedule for this text amendment is as follows:

*Planning and Zoning Commission [Public Hearing]:* May 8, 2018  
*City Council [Public Hearing/1<sup>st</sup> Reading of the Ordinance]:* May 21, 2018  
*City Council [2<sup>nd</sup> Reading of the Ordinance]:* June 4, 2018

Staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 6.1 of Article II, *Authority and Administrative Procedures*, of the UDC. Should the Planning and Zoning Commission have any questions staff will be available at the meeting on May 8, 2018 to discuss this case.

ARTICLE IV, *PERMISSIBLE USES*, OF THE UDC

Key:

Additions

Deletions

SECTION 1. LAND USE SCHEDULE

SECTION 1.1: USE OF LAND AND BUILDINGS

	Residential									Mixed Use		Commercial		Industrial					
Commercial and Business Services	AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	DT	R-O	NS	GR	C	HC	RT	LI	HI
Furniture Upholstery/Refinishing and Resale +															S	P		P	

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SECTION 2. USE STANDARDS.

SECTION 2.1.7. COMMERCIAL AND BUSINESS SERVICES.

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- 1) The square footage of the Furniture Upholstery/Refinishing and Resale land use shall not exceed 30% of the total square footage of the general retail store.



CITY OF ROCKWALL

ORDINANCE NO. 18-XX

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**WHEREAS**, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Article IV, *Permissible Uses*, of the 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 Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance.

**SECTION 2.** That 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 3.** 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 4.** 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 4<sup>TH</sup> DAY OF JUNE, 2018.**

---

Jim Pruitt, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

*1<sup>st</sup> Reading:* May 21, 2018

*2<sup>nd</sup> Reading:* June 4, 2018

**Exhibit 'A'**  
Article IV, Permissible Uses, of the  
Unified Development Code

Section 1. Land Use Schedule.  
Section 1.1 Use of Land and Buildings.

	Residential										Mixed Use		Commercial			Industrial			
	AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	DT	R-O	NS	GR	C	HC	RT	LI	HI
Commercial and Business Services																			
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# CITY OF ROCKWALL, TEXAS

## MEMORANDUM

---

**TO:** Mayor and City Council

**CC:** Rick Crowley, *City Manager*  
Brad Griggs, *Assistant City Manager*

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** May 21, 2018

**SUBJECT:** *Z2018-018; Proposed Amendment to Article IV, Permissible Uses, UDC to Allow Furniture Upholstery, Refinishing or Resale by SUP in a Commercial (C) District*

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At the April 2, 2018 City Council meeting, the City Council directed staff to prepare a text amendment amending Article IV, *Permissible Uses*, of the Unified Development Code (UDC) for the purpose of allowing the *Furniture Upholstery/Refinishing and Resale* land use in the Commercial (C) District by a Specific Use Permit (SUP). This direction came as the result of an appointment with Matilyn Vivo -- *the owner of the Rustic Warehouse* --, who was requesting the text amendment to bring her business into compliance with the Unified Development Code (UDC). Currently, the *Furniture Upholstery/Refinishing and Resale* land use is only permitted *by-right* in the Heavy Commercial (HC) and Light Industrial (LI) Districts. The proposed amendment would extend this use to the Commercial (C) District by Specific Use Permit (SUP) with the condition that the use is ancillary to a general retail store (*i.e. a business whose primary purpose is to sell finished goods*). The purpose of this condition is to prevent a standalone *Furniture Upholstery/Refinishing and Resale* land use (*which is more of an industrial land use*) from locating within an established commercial/retail area, reducing the possibility of creating incompatible land uses.

In accordance, with Section 4.2 of Article XI, *Zoning Related Applications*, of the UDC staff brought the proposed text amendment to the Planning and Zoning Commission for a recommendation to the City Council, and on May 8, 2018, the Planning and Zoning Commission voted 7-0 to recommend approval of the proposed text amendment. In addition, staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 6.1 of Article II, *Authority and Administrative Procedures*, of the UDC. Should the City Council have any questions staff will be available at the meeting on May 21, 2018 to discuss this case.

ARTICLE IV, *PERMISSIBLE USES*, OF THE UDC

Key:

Additions

Deletions

SECTION 1. LAND USE SCHEDULE

SECTION 1.1: USE OF LAND AND BUILDINGS

	Residential									Mixed Use	Commercial		Industrial						
Commercial and Business Services	AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	DT	R-O	NS	GR	C	HC	RT	LI	HI
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P=Permitted; A=Accessory Use; S=SUP; +=Permitted with Conditions

SECTION 2. USE STANDARDS.

SECTION 2.1.7. COMMERCIAL AND BUSINESS SERVICES.

**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. 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).

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**WHEREAS**, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Article IV, *Permissible Uses*, of the 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 Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance.

**SECTION 2.** That 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 3.** 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;

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Jim Pruitt, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

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Frank J. Garza, *City Attorney*

*1<sup>st</sup> Reading:* May 21, 2018

*2<sup>nd</sup> Reading:* June 4, 2018

**Exhibit 'A'**  
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	Residential										Mixed Use		Commercial			Industrial			
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CITY OF ROCKWALL

ORDINANCE NO. 18-26

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, BY AMENDING ARTICLE IV, *PERMISSIBLE USES*; 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.

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**SECTION 1.** That Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance.

**SECTION 2.** That 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 3.** 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 4.** 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;

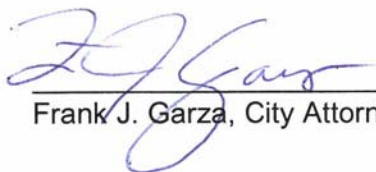
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
TEXAS, THIS THE 4<sup>TH</sup> DAY OF JUNE, 2018.

  
\_\_\_\_\_  
Kevin Fowler, Mayor Pro Tem

**ATTEST:**

  
\_\_\_\_\_  
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Frank J. Garza, City Attorney



1<sup>st</sup> Reading: 05-21-18

2<sup>nd</sup> Reading: 06-04-18

**Exhibit 'A'**  
Article IV, Permissible Uses, of the  
Unified Development Code

Section 1. Land Use Schedule.  
Section 1.1 Use of Land and Buildings.

Commercial and Business Services	Residential									Mixed Use		Commercial			Industrial				
	AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	DT	R-O	NS	GR	C	HC	RT	LI	HI
Furniture Upholstery/Refinishing and Resale +															S	P		P	

P=Permitted; A=Accessory Use; S=SUP; +=Permitted with Conditions

Section 2. Use Standards.  
Section 2.1.7. Commercial and Business Services.

*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. 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).