



CITY OF ROCKWALL, TEXAS

MEMORANDUM

TO: Planning and Zoning Commission

CC: Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: June 30, 2015

SUBJECT: Z2015-022; Amendment to Article IV and Article V of the UDC

On June 15, 2015, the City Council directed staff to initiate text amendments to Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the Unified Development Code (UDC). Specifically, the amendments address the following issues:

- 1) *Sec. 1.1 & 2.1.6, Art. IV, UDC.* In response to an appointment with Chris Johnson, the City Council has directed staff to draft an amendment to the UDC allowing the operation of a *Portable Beverage or Food Service Facility*. Mr. Johnson has indicated that he would like to operate a trailer that offers food and beverages at 803 N. Goliad Street. Currently, the UDC does not allow the sale of food in association with a *Portable Beverage Service Facility*, which is only allowed by a Specific Use Permit within the Downtown (DT), General Retail (GR), Commercial (C), Heavy Commercial (HC) and Light Industrial (LI) Districts. In addition, the use is permitted *by-right* in the Heavy Industrial (HI) District. The proposed amendment would expand the current use to allow the sale of food and allow the use in a Residential Office (RO) District by Specific Use Permit (*see Exhibit 'A'*).
- 2) *Sec. 6, Art. V, UDC.* At the direction of the City Council, the Planning and Zoning Commission reviewed the City's current stone requirements as stipulated by the *Architectural Standards* section of the overlay district requirements, and forwarded on a recommendation to the City Council. The City Council reviewed the amendment and directed staff to prepare the ordinance in conformance to the Planning and Zoning Commission's recommendation. The proposed amendment would allow the Planning and Zoning Commission to approve the use of cultured stone within the City's overlay districts (*see Exhibit 'B'*).

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

Planning and Zoning Commission:

Work Session: June 30, 2015

Public Hearing: July 14, 2015

City Council:

Public Hearing: July 20, 2015

2nd Reading: August 3, 2015

Staff will send out a 15-day notice to the Rockwall County News in accordance with all applicable state laws and Section 6.1 of Article II, *Authority and Administrative Procedures*, of the UDC.

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

Article IV, Permissible Uses, of the Unified Development Code
Section 1. Land Use Schedule
Section 1.1. Use of Land and Buildings

Residential										Permitted Uses	Mixed Use			Commercial			Industrial			
AG	SF- E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14		DT	R-O	N-S	GR	C	HC	RT	LI	HI	
										Antique/collectible store	S		S	P	P	P				
										Astrologer, hypnotist, or psychic art and science	S	P	P	P	P	P				
										Banquet facility	S			P	P	P				
										Beverage and Food Service Facility, Portable +	S	S		S	S	S		S	P	
										Business school	P			P	P	P	P	P	P	
										Catering service	A		S	P	P	P	S	P		
										Christmas tree sales lot and similar uses, temporary +	S		S	P	P	P	S	P	P	
										Copy center	P		P	P	P	P	P	P	P	
										Display, incidental +	P		P	P	P	P		P		
										Garden supply/plant nursery			S	P	P	P		P		
										General personal service	P		P	P	P	P		S		
										General retail store	P	S	P	P	P	P		S	S	
										Hair salon, manicurist	P	S	P	P	P	P		S		
										Laundry, dropoff/pickup	P		P	P	P	P		P	P	
										Laundry, self-service	P		P	P	P	P		P	P	
										Massage therapist	P	P	P	P	P	P				
										Museum or art gallery (private)	P	P	S	P	P		P	P		
										Night club, discoteque, or dance hall	S			S	P	P		S	S	
										Pawn shop					S	S		P	P	
										Pet shop			P	P	P	P				

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

Article IV, Permissible Uses, of the Unified Development Code
Section 2. Use Standards
Section 1.6. Retail and Personal Service Use Conditions

Beverage **or food** service facility, portable. A portable beverage **or food** service facility is an establishment that sells beverages **or food** from a structure **or trailer** that can be moved from place to place but that stays at one location during a normal business day; ~~food sales are prohibited in these facilities~~. A portable beverage **or food** facility shall meet the following minimum conditions:

1. The service shall be limited to snow cone stands and beverage **or food** stands serving nonalcoholic beverages such as coffee, juices or sodas **and prepared food products**.
2. The maximum time limit of such temporary use shall not exceed 150 days annually **or a time limit otherwise approved by the City Council**. At the end of the 150-day period, the structure shall be removed from the property.
3. Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.
4. No additional freestanding signage shall be permitted.
5. The temporary portable structure or trailer shall meet all health and electrical codes of the city.
6. Any such temporary facility shall not reduce the number of required parking spaces of any nearby building or use.
7. Any such temporary facility shall have permanent restrooms for employees available within 300 feet of the door of the portable beverage facility. Written permission from the permanent building owner for restroom use must be submitted to the building official; no portable restroom facility is allowed.
8. Any such temporary facility shall be located on an all-weather (asphalt or concrete) parking surface with adequate space for parking and circulation, unless variance has been approved.

Exhibit 'B'

*Article V, District Development Standards,
of the Unified Development Code*

Article V, District Development Standards, of the Unified Development Code

Section 6. Overlay Districts

Section 6.6. IH-30 Overlay (IH-30 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.
 - a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. **Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;**
 - That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;**
 - That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;**
 - That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;**
 - That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and**
 - That the manufactured stone product shall have a minimum warranty of 75 years.**
 - b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Exhibit 'B'

*Article V, District Development Standards,
of the Unified Development Code*

Article V, District Development Standards, of the Unified Development Code

Section 6. Overlay Districts

Section 6.7. SH-205 Overlay (SH-205 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.
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 - That the manufactured stone product shall have a minimum warranty of 75 years.**
 - b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

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Section 6. Overlay Districts

Section 6.8. Scenic Overlay (SOV) District

D. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.
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 - b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Exhibit 'B'

Article V, District Development Standards,
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Article V, District Development Standards, of the Unified Development Code

Section 6. Overlay Districts

Section 6.9. SH-66 Overlay (SH-66 OV) District

D. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.
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 - That the manufactured stone product shall have a minimum warranty of 75 years.**
 - b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Exhibit 'B'

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Article V, District Development Standards, of the Unified Development Code

Section 6. Overlay Districts

Section 6.10. 205 By-Pass Corridor Overlay (205 BY-OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.
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Article V, District Development Standards, of the Unified Development Code

Section 6. Overlay Districts

Section 6.11. North SH-205 Corridor Overlay (N-SH 205 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.
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Section 6. Overlay Districts

Section 6.12. East SH-66 Corridor Overlay (E-SH 66 OV) District

C. Architectural standards.

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Exhibit 'B'

Article V, District Development Standards,
of the Unified Development Code

Article V, District Development Standards, of the Unified Development Code

Section 6. Overlay Districts

Section 6.13. FM-549 Corridor Overlay (FM-549 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.
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Article V, District Development Standards, of the Unified Development Code

Section 6. Overlay Districts

Section 6.14. SH-276 Corridor Overlay (SH-276 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.
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