



**CITY OF ROCKWALL**  
CITY COUNCIL MEMORANDUM

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

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**TO:** Mayor and City Council  
**CC:** Rick Crowley, *City Manager*  
Mary Smith, *Assistant City Manager*  
Joey Boyd, *Assistant City Manager*  
**FROM:** Ryan Miller, *Director of Planning and Zoning*  
**DATE:** September 8, 2020  
**SUBJECT:** *Work Session on Accessory Structure Requirements*

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At the last City Council meeting, the City Council directed staff to bring back a work session to discuss the accessory structure standards contained in the Unified Development Code (UDC). As the City Council may recall, the current accessory structure standards were adopted as part of the legislative update on September 3, 2019, and were intended to give the City Council oversight of accessory structures *not* conforming to the requirements to ensure that the proposed accessory structure would be [1] compatible with the existing and adjacent housing, and [2] that the request would not set a precedence that could change the essential character of a neighborhood. Based on the City Council's direction for a work session, staff has prepared the following information:

*History of Accessory Structure Requirements: June 21, 2004 – Present Day*

Prior to *Ordinance No. 18-47 [Case No. Z2018-042]* -- which the City Council passed on November 19, 2018 -- the accessory structure standards were in two (2) different places in the code (*i.e. in Article 04, Permissible Uses, and in Article 05, District Development Standards*). These standards were originally adopted in 2004 and amended in 2006-2007, but had not changed from 2007 until *Ordinance No. 18-47* in 2018. A summary of the standards in place prior to *Ordinance No. 18-47* is depicted in *Exhibit 'A'* of this memorandum.

*Ordinance No. 18-47 [Case No. Z2018-042]* was the result of the City Council asking staff to reduce requests relating to variances, waivers, and exceptions. For accessory structure standards, this ordinance consolidated all of the standards into a single chart, and removed the duplicated and conflicting references in the code. This ordinance also changed the approval process for non-conforming accessory structures (*i.e. accessory structures not meeting the minimum requirements*) from a Specific Use Permit (SUP) approval to a two (2) stage approval process. For structures not conforming to the material standards an exception would need to be requested from the Planning and Zoning Commission, and for those structures that exceeded the size requirements a variance would need to be requested from the Board of Adjustments (BOA). This change effectively made it so that the City Council would no longer see accessory structure cases unless there was an appeal to the Planning and Zoning Commission's decision on a material exception. The standards for accessory buildings as changed by *Ordinance No. 18-47* are depicted in *Exhibit 'B'* of this memorandum.

On September 3, 2019, the City Council adopted *Ordinance No. 19-32 [Case No. Z2019-016]*. This ordinance was the result of changes made to the Texas Local Government Code as part of the 86<sup>th</sup> Legislative Session. For accessory buildings this meant reintroducing the Specific Use Permit (SUP) process to grant oversight of the architecture of accessory structures to the City Council. This was mostly in response to HB2439 (*i.e. the building materials bill*) and the City Council's desire to protect existing subdivisions -- *not under the protection of a Homeowner's Association* -- from inconsistent development that could have a negative impact on property values. The standards for accessory buildings as changed by *Ordinance No. 19-32* are depicted in *Exhibit 'C'* of this of this memorandum.

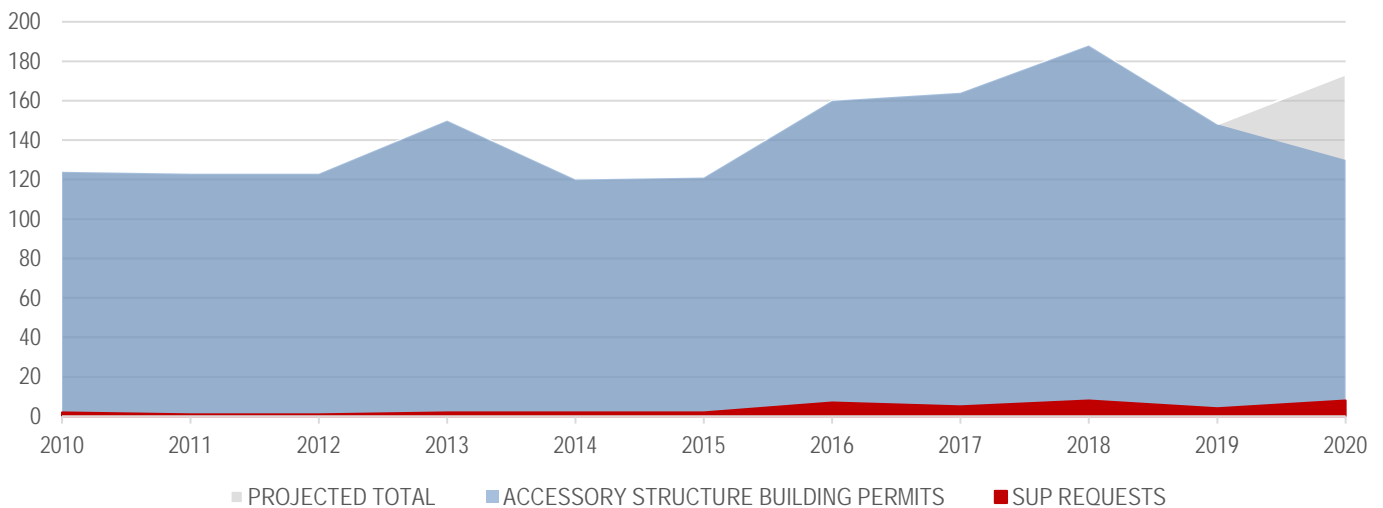
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Accessory Structure Cases by the Numbers: January 1, 2010 to August 14, 2020

In the last ten (10) years, the City Council has presided over 194 Specific Use Permit (SUP) requests, 43 of which have dealt with accessory structures. This means that approximately 22.16% of all SUP cases dealt with accessory buildings, detached garages, pergolas, covered porches, carports, and secondary living units. These 43 cases represent 2.77% of all building permits issued for *Residential Accessory Structures* (i.e. 1,551) and 0.14% of all building permits issued (i.e. 31,019) in the last ten (10) years (also see Exhibit 'E'). On average, the City issues ~141 *Residential Accessory Structure* building permits per year, with an average of ~4.3 of these permits requiring a SUP. On the right-hand side of this page is a breakdown of the total SUP cases versus the number of accessory structure cases requiring a SUP by year over the last ten (10) years (also see Exhibit 'D').

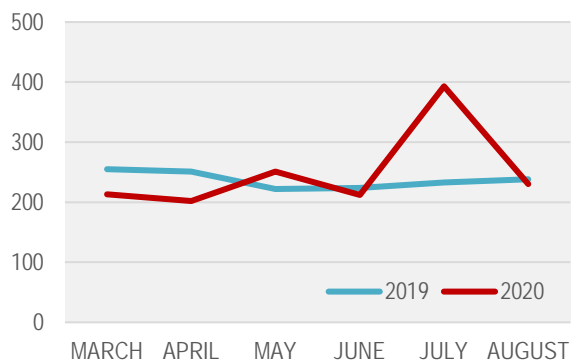
Year	Total SUP's	Total Acc. Structure SUP Cases	% of SUP Acc. Structure Cases
2010	3	2	66.67%
2011	5	1	20.00%
2012	10	1	10.00%
2013	20	2	10.00%
2014	19	2	10.53%
2015	15	2	13.33%
2016	18	8	44.44%
2017	29	5	17.24%
2018	32	8	25.00%
2019	14	4	28.57%
2020	29	8	27.59%
	194	43	22.16%

ACCESSORY BUILDING PERMITS VS. ACCESSORY BUILDING SUP REQUESTS, 2010-2020



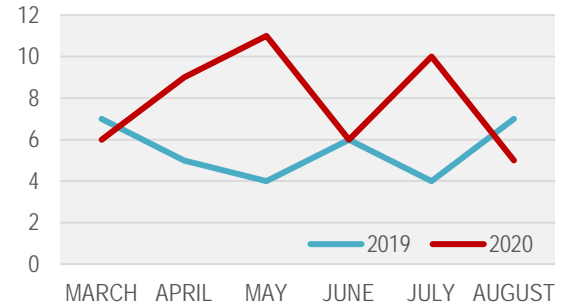
Breaking down the SUP cases, the majority of the cases deal specifically with accessory buildings -- 37 out of the 43--, with the two (2) largest issues requiring a SUP being [1] the exterior building materials (i.e. 29.73%) and [2] the square footage (i.e. 89.19%). The next biggest issue was the overall height (i.e. 21.62%) of the accessory structure. Staff should note that accessory buildings in this case include storage sheds, detached garages, and secondary living units. Of the 37 SUP cases requested for accessory buildings, four (4) cases were withdrawn before they got to City Council (i.e. 10.81%), five (5) cases (i.e. 16.22%) were denied by the City Council, and 28 cases (i.e. 72.97%) were approved by the City Council. In addition, five (5) of the 37 SUP cases dealt with violations relating to building permits (i.e. three [3] structures were built without permits, one [1] began demolition without a permit, and one [1] received a permit but did not follow the approved design). Of these cases, one (1) case was withdrawn before it got to the City Council, one (1) case was denied by the City Council, and three (3) cases were approved by the City Council. Staff should point out that four (4) of these cases were submitted in back-to-back submittal periods (i.e. in April 17, 2020 & May 14, 2020), and the City Council ultimately saw three (3) of the four (4) cases submitted. A breakdown of all 37 accessory building cases submitted in the last ten (10) years is depicted in Exhibit 'F' of this memorandum.

RESIDENTIAL BUILDING PERMITS ISSUED: MARCH - AUGUST 2019 VS. MARCH - AUGUST 2020



The chart on the right-hand side of the previous page shows issued residential building permits from March through August 2019 versus March through August 2020 (*Note: these numbers are for all residential building permits only*). The aberration seen in July of 2020 is tied to building permits that were submitted in June of 2020 and issued in July of 2020. Staff is of the opinion that the aberration seen in July's permitting numbers can be attributed to the current COVID-19 situation, which has more homeowners at home during the typical work week. Staff has noticed a trend in recent months of more projects being initiated by homeowners than contractors. The increased permitting trend is even more apparent in the chart of *Accessory Building Permits* issued between March through August 2019 versus March through August 2020, which is depicted on the right-hand side of this page.

ACCESSORY BUILDING PERMITS ISSUED: MARCH - AUGUST 2019 VS. MARCH - AUGUST 2020



This chart shows a significant increase in the number of accessory building permits being issued during this time period in 2020 compared to the same time period in 2019.

Questions Raised by the City Council at the City Council Meeting on August 17, 2020

Q: Why do we have the current size requirements for accessory buildings and detached garages?

A: Based on the information provided in the *History* section above, the size requirements adopted with the original Unified Development Code (UDC), the changes adopted with *Ordinance No. 18-47*, and the changes adopted with *Ordinance No. 19-32* are as follows:

June 21, 2004 to November 19, 2018	Accessory Buildings	Detached Garage	Portable Accessory Building
Single-Family Estate 4.0 (SFE-4.0) District	2,000 SF	900 SF	120 SF
Single-Family Estate 2.0 (SFE-2.0) District	1,500 SF	900 SF	120 SF
Single-Family Estate 1.5 (SFE-1.5) District	1,250 SF	900 SF	120 SF
All Other Single-Family Districts	225 SF	900 SF	120 SF
Two Family (2F) District	100 SF	900 SF	120 SF

November 20, 2018 – September 3, 2019	Accessory Buildings	Detached Garage	Portable Accessory Building
Single-Family Estate 4.0 (SFE-4.0) District	2,000 SF	900 SF	120 SF
Single-Family Estate 2.0 (SFE-2.0) District	1,500 SF	900 SF	120 SF
Single-Family Estate 1.5 (SFE-1.5) District	1,250 SF	900 SF	120 SF
All Other Single-Family Districts	225 SF	900 SF	120 SF
Two Family (2F) District	100 SF	900 SF	120 SF

September 4, 2019 – Present	Accessory Buildings	Detached Garage	Portable Accessory Building
Single-Family Estate 4.0 (SFE-4.0) District	1,250 SF	625 SF	120 SF
Single-Family Estate 2.0 (SFE-2.0) District	1,000 SF	625 SF	120 SF
Single-Family Estate 1.5 (SFE-1.5) District	1,000 SF	625 SF	120 SF
All Other Single-Family Districts	144 SF	625 SF	120 SF
Two Family (2F) District	100 SF	625 SF	120 SF

The size requirements prior to September 4, 2019 had remained the same since June 21, 2004 when all of the City's development ordinances were codified into the Unified Development Code (UDC). The reason the sizes were reduced in 2019 was tied to the adoption of HB2439. The following is an excerpt from the City Council memo with this amendment:

"...Based on the changes of HB2439, staff changed the zoning code back to requiring SUP's for these types of structures [*accessory structures*]. In addition, staff reduced the size requirements for all accessory buildings/structures that can be permitted without a SUP. Staff should reiterate that this strategy is not tied to building materials, but is tied to ensuring that [1] any development within an existing subdivision is aesthetically similar to existing development within the subdivision, and [2] to ensure that a public hearing process is retained in approving structures that do not conform to the permitted standards. Staff anticipates based on the previous case volumes ... that this will add an additional five (5) to ten (10) SUP cases per year." (*this page from the case memo has been included in full in Exhibit 'G' of this memorandum for the City Council's review*)

Q: How does the City's current size requirements compare to other cities?

A: At the City Council's direction staff has reviewed other cities' accessory structure requirements for accessory buildings and detached garages. The following is a summary of the findings:

City	Maximum SF for Accessory Buildings	Maximum SF for Detached Garages	Is the City Still Regulating Building Materials?
Carrlton	Differing Lot Coverage Requirements and Material Requirements for 120SF/240SF/600+ SF <sup>4 &amp; 6</sup>		Yes
Colleyville <sup>1</sup>	1,200 SF Maximum but Must be Less than 50% of Primary Structure and 4% of Lot		No
Frisco <sup>2</sup>	Lot Coverage is Used to Control Accessory Structures		Yes
Garland <sup>2</sup>	Limited to 30% of the SF or the Primary Structure		No
Grand Prairie <sup>2</sup>	450 SF <sup>7</sup>	750 SF	Yes
Mesquite <sup>2</sup>	500 SF <sup>8</sup>	500 SF <sup>8</sup>	Yes <sup>10</sup>
Richardson	Reduced Lot Coverage Capped at a % of Primary Structure SF		Yes
Rowlett <sup>1</sup>	500 SF	500 SF	Yes
South Lake <sup>3</sup>	% of Lot Area but Differs by Zoning District <sup>5</sup>		Yes
Wylie <sup>3</sup>	5% of Lot Area or 60% of Lot Coverage whichever is Less		Yes <sup>11</sup>

NOTES:

- <sup>1</sup>: Specific Use Permit (SUP) for non-conforming structures.
- <sup>2</sup>: Board of Adjustments (BOA) for non-conforming structures.
- <sup>3</sup>: City Council approval for non-conforming structures.
- <sup>4</sup>: Allows unlimited size but must meeting the same architecture and building materials as the primary structure.
- <sup>5</sup>: Allows percentage of lot area for all accessory structures (e.g. 3% of lot area for SF-2 District).
- <sup>6</sup>: Limited to one (1) accessory building and one (1) detached garage.
- <sup>7</sup>: Not to exceed 50% of the primary structure.
- <sup>8</sup>: Only allows a ten (10) percent increase in building SF by the BOA.
- <sup>9</sup>: Limited to three (3) accessory structures.
- <sup>10</sup>: In the process of changing the code.
- <sup>11</sup>: Ignoring local code and complying with State Law.

Based on staff's research there appears to be four (4) methods of regulating accessory structures: [1] by square footage, [2] by lot coverage, [3] by percentage of square footage of the primary structure, or [4] a combination of these methods; however, after review staff should point out that all four (4) methods yield very similar results. For example:

Example 1: 1,600 SF House on a 7,000 SF Lot

Lot Coverage of 5%: 350 SF  
30% of the Primary Structure: 480 SF

Example 2: 2,500 SF House on a 10,000 SF Lot

Lot Coverage of 5%: 500 SF  
30% of the Primary Structure: 750 SF

Example 3: 3,000 SF House on a 16,000 SF Lot

Lot Coverage of 5%: 800 SF  
30% of the Primary Structure: 900 SF

Most of the above ordinances from other cities would limit the sum total of all accessory structure square footages (e.g. detached garages, carports, accessory buildings, pergolas, etc.) to the lesser of the lot coverage or percentage of the primary structure's square footage, which would be 350 SF on a 7,000 SF lot, 500 SF on a 10,000 SF lot, and 800 SF on a 16,000 SF lot. In Rockwall's case, a person on any of these lot sizes would be permitted to build a detached garage of 625 SF and an accessory building at 144 SF for a total of 769 SF, or two (2) accessory buildings at 144 SF for a total of 288 SF.

Staff should also address the use of lot coverage as a means to regulate accessory structures. The reason staff has not proposed using lot coverage as a means of regulating accessory structures in the past is: [1] some of these formulas can be punitive to houses that have a larger building footprint, and [2] staff is of the opinion that a simply stated square footage requirement is easier for the general public to understand than a percentage of lot coverage. When *Ordinance No. 18-47* was drafted, one (1) of staff's objectives was to make the code easier to understand for the general public. This is why staff incorporated the chart format for accessory structure requirements as opposed to the multiple written

references that were previously in the code. This is also why charts were incorporated for not just accessory structures, but for all density and dimensional requirements for each zoning district.

Another thing to point out is that many of these cities' ordinances still contain material requirements and use material requirements as a way to control the size of accessory structures, which the City Attorney has determined are not enforceable in residential districts based on HB2439. As far as relief mechanisms for structures not meeting the requirements, the majority of these ordinances appear to use a Zoning Board of Adjustments and Appeals (ZBA) – *which is similar to the City's Board of Adjustments (BOA)* -- as a way to request something that is not permitted; however, two (2) other cities use a Specific Use Permit (SUP) process and two (2) cities use a variance process which is granted by the City Council. Staff should point out that *Ordinance No. 18-47* made use of the City's Board of Adjustments (BOA) to grant size variances; however, with the passage of HB2439 the process was changed back to a Specific Use Permit (SUP) process with *Ordinance No. 19-32*. One of the major reasons for this change is the City Attorney ruled that the City Council can regulate building materials through architecture as part of a Specific Use Permit (SUP) in the interest of protecting the essential character of a neighborhood.

Q: Can a staff member contact each applicant for a building permit and speak with them about their request?

A: Currently, the City has two (2) permit technicians that answer internal and external customer questions about permits and assist with the intake, processing, and issuance of all permits and Certificates of Occupancy (CO). As was stated in the meeting, City staff has recently implemented an online permitting system that helps streamline the permitting process; however, each permit that is submitted still needs to be reviewed by the proper departments and the plans examiner, and all comments need to be assembled and sent out to the applicant or a permit/CO needs to be prepared and issued to the applicant. As seen in *Exhibit 'E'* of this memorandum the City has done anywhere from 2,059 to 4,541 building permits in a year, with 2,907 permits being the average number of permits issued per year over the last nine (9) years (*i.e. 2020 was excluded because it does not represent a full year of permitting*). Assuming there are ~252 working days in a year, less the 11 city holidays, this means that a staff member would need to make between 9-19 phone calls per day each day; however, permitting is sporadic and does not happen on a linear basis. This means that a staff member may have a period where the City receives 200 permits in a week, and -- *according to the Texas Local Government Code and City policy* -- those permits would all need to be responded to or issued within ten (10) business days. This would leave limited time for making the required phone calls necessary to speak to each applicant about each project. This is why the City has a blank on the current building permit application that requests information about the proposed building permit; however, -- *as was also discussed in the meeting* -- this section is not always filled out. Staff should note, that many homeowners engage with staff (*both in person and by phone*) prior to submitting a permit, and only a very low percentage of permits are submitted where an applicant has not had a conversation with a city representative.

### City Council Considerations

The following recommendations are changes to either the Unified Development Code (UDC), the fee schedule for building permits or the building permit process that may help to better clarify the requirements for permitting and regulating accessory structures. The City Council, at their discretion, may direct staff to proceed with adopting any of these amendments or changes in policy, or provide any other direction necessary.

- (1) Ordinance Changes. (See *Exhibit 'H'* of this memorandum) *Exhibit 'H'* lays out an amendment to Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) that would make the following changes: [1] allow a third option of having a single accessory structure up to 256 SF (*i.e. 256 SF equals a 16-foot by 16-foot building footprint*), [2] provide a definition of standard size motor vehicle (*i.e. a vehicle that is a minimum of nine [9] feet by 18-feet*), [3] provide clarification to the requirements for detached garages that specifically states that a motor vehicle needs to be able to access a detached garage by a standard width, concrete residential driveway that is a minimum of 20-feet in length, and [4] provide additional minor clarifications.
- (2) Building Permit Application. Staff has talked with the permitting technicians and the plans examiner to see if there are ways to simplify the current building permit application. Included as an attachment to this memorandum is the current building permit application form and an updated building permit application form. The new form removes several sections of the old application that were deemed to be unnecessary or confusing, and changes Permit Description to Project Description.

(3) Penalty Fees for Construction without a Permit. The following are potential deterrents that can be used to discourage homeowners and contractors from building without obtaining a building permit:

(a) Double Permit Fees. To discourage building without a building permit, some cities have employed a double permitting fee for projects that involve construction without a permit. This could easily be employed for *Residential Building Permits* that involve construction without a building permit. The following information shows what these costs would look like for residential accessory buildings constructed without a building permit:

Residential Accessory Building Permit Fee Amount

\$0.80/SF up to 250 SF + \$0.45/SF over 225 SF with a \$50.00 minimum

Examples:

Accessory Building Size	Building Permit Fee	Doubled Building Permit Fee
144 SF	\$115.20	\$230.40
256 SF	\$202.25	\$404.50
1,200 SF	\$618.75	\$1,237.50
2,000 SF	\$978.75	\$1,957.50

(b) Contractor Registration. The City of Rockwall requires all contractors in the City to register and pay a \$100.00 registration fee to apply for permits and do work within the City (*with the exception of plumbers and electricians who are required to register but are exempted from the registration fee per State Law*). As a deterrent for contractors who do work without obtaining a building permit or that do work under false pretenses (*i.e. work that was not on an approved permit*), the City can expire their contractor's registration and make them reapply. This would cost the contractor both time and money when they try to pull a subsequent permit from the City.

NOTE: Examples of the changes to the fee schedule to establish these two (2) policies are on the back of the new building permit application in the attached packet.

(4) Educational Tools. With *Ordinance No. 18-47*, the accessory structure requirements were consolidated into a one (1) page chart that could also serve as a handout. Staff has also prepared an exhibit that can be included on the backside of this hand out that graphically depicts the density and dimensional requirements for accessory structures. In addition, staff will continue to contact homeowners and contractors when necessary to clarify ambiguities in a submitted permit.

Exhibit 'A': Accessory Structure Standards Prior to November 19, 2018

Article 04, Permissible Uses, of the Unified Development Code (UDC)

Subsection 01.01, *Use of Land and Buildings*

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Residential and Lodging	DT	R-O	N-S	GR	C	HC	RT	LI	HI
	P	P	P	P	P	P	P	P	P	Accessory building +		P	P	P	P	P	P	P	P

Subsection 02.01.02, *Residential Lodging Use Conditions*

*Accessory Building (Accessory to Residential Use)*

1. The accessory building shall be accessory to a residential use and located on the same lot.
2. In all residential districts, one detached garage shall be allowed provided that it does not exceed 900 square feet in area or 15 feet in height, provided that it is located on the same lot as the residential use and that the exterior cladding contains the same materials, excluding glass, as found on the main structure and is generally in the same proportion.
3. In SF-E: a. No more than two accessory buildings shall be allowed which are up to 625 square feet (each) in area and 15 feet or less in height; or b. In SF-E/1.5, a single building which is up to 1,250 square feet in area and 15 feet or less in height, provided the exterior cladding contains the same materials, excluding glass, as is found on the main structure and generally in the same proportion. In SF-E/2.0 the single accessory building may be up to 1,500 square feet, and in SF-E/4.0, up to 2,000 square feet in area.
4. In SF-7, SF-8.4, SF-10, SF-16, and SF-1, no more than two accessory buildings shall be allowed which are up to 225 square feet (each) in area and 15 feet or less in height, provided the exterior cladding contains only materials found on the main structure. (Greenhouses are exempt from the materials requirement.)
5. In 2F, no more than two accessory buildings shall be allowed which is up to 100 square feet (each) in area and ten feet or less in height, provided the exterior cladding contains only materials found on the main structure. (Greenhouses are exempt from the materials requirement.)
6. Accessory buildings not meeting these standards shall require approval of a SUP.

Article 05, District Development Standards, of the Unified Development Code (UDC)

Subsection 03.01.(A), *Construction Materials.*

2. Buildings less than 120 square feet and under ten feet in height may be constructed with non-masonry materials, or may be all metal with a baked-on pre-painted surface.

NOTE: This standard was appealable to the Planning and Zoning Commission and City Council.

Subsection 03.01.(B), *Residential Garages.*

See Article VI.4, *Residential Parking*, for residential parking and garage standards.

Subsection 03.01.(C), *Residential Portable and Accessory Building Setbacks.*

1. Portable buildings zero to 120 square feet and up to ten feet in height:
  - a. Rear setback: three feet.
  - b. Side setback: three feet.
  - c. Separation from other structures: three feet.
2. Accessory buildings 121 to 225 square feet and up to 15 feet in height:
  - a. Rear setback: three feet.
  - b. Side setback: required zoning district setback.
  - c. Separation from other structures: six feet.
3. Detached garages 226 to 900 square feet and up to 15 feet in height:
  - a. Rear setback:

With alley:

Exhibit 'A': Accessory Structure Standards Prior to November 19, 2018

1. 20 feet with garage doors facing alley;
2. Three feet without garage doors facing alley;

Without alley: ten feet.

- b. Side setback: required zoning district setback.
  - c. Separation from other structures: ten feet.
4. Accessory buildings not meeting these standards shall require approval of a SUP.



Article 05, District Development Standards, of the Unified Development Code (UDC)

Subsection 7.04, Accessory Structure Development Standards

Accessory Structure Development Standards		Accessory Structures & Accessory Buildings <sup>1, 8, &amp; 9</sup>					Portable Accessory Building 0 SF – 120 SF <sup>8</sup>	Detached Garage <sup>8</sup>	Carports <sup>7 &amp; 8</sup>
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	Two Family (2F) District			
Zoning Districts or Accessory Structure Type →									
Development Standards ↓									
Number of Accessory Structures or Number of Specific Accessory Structure		2 <sup>2</sup>	2 <sup>2</sup>	2 <sup>2</sup>	2	1	1	1	1
Maximum SF of Accessory Structure <sup>2</sup>		1,250 <sup>2</sup>	1,500 <sup>2</sup>	2,000 <sup>2</sup>	225 <sup>6</sup>	100	120	900	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	3	3	3	20 <sup>4</sup>	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet)		15	15	15	15	10	10	15	15
Minimum Masonry Content (%) <sup>3</sup>		80 <sup>5</sup>	80 <sup>5</sup>	80 <sup>5</sup>	80 <sup>5</sup>	80 <sup>5</sup>	0	80 <sup>5</sup>	80 <sup>5</sup>

ADDITIONAL REQUIREMENTS:

- 1: Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.
- 2: If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is 625 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.
- 3: Greenhouses are exempt from the minimum masonry requirements.
- 4: If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.
- 5: The exterior of the accessory building or structure shall be clad in the same materials in roughly the same proportions as the primary structure; however, accessory buildings or structures that are less than 120 SF and under ten (10) feet in height may be constructed with non-masonry materials, or may be all metal with a baked-on pre-painted surface.
- 6: Each property shall be permitted one (1) detached garage up to 900 SF and one (1) accessory building up to 225 SF.
- 7: In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.
- 8: Accessory buildings and accessory structures not meeting the masonry requirements shall require the approval of an exception from the Planning and Zoning Commission.
- 9: Barns used for agricultural and/or farm animal purposes, on sites ten (10) acres or more that are zoned Agricultural (AG) District, are excluded from this masonry requirement.

Article 05, District Development Standards, of the Unified Development Code (UDC)

Subsection 7.04, Accessory Structure Development Standards

Accessory Structure Development Standards		Accessory Structures & Accessory Buildings <sup>1 &amp; 3</sup>					Portable Accessory Building 0 SF – 120 SF <sup>8</sup>	Detached Garage <sup>8 &amp; 9</sup>	Carports <sup>7 &amp; 8</sup>
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	Two Family (2F) District			
Zoning Districts or Accessory Structure Type →									
Development Standards ↓									
Number of Accessory Structures or Number of Specific Accessory Structure		2 <sup>2</sup>	2 <sup>2</sup>	2 <sup>2</sup>	2	1	1	1	1
Maximum SF of Accessory Structure <sup>5</sup>		1,000 <sup>2</sup>	1,000 <sup>2</sup>	1,250 <sup>2</sup>	144 <sup>6</sup>	100	120	625	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	3	3	3	20 <sup>4</sup>	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet) <sup>8</sup>		15	15	15	15	10	10	15	15

ADDITIONAL REQUIREMENTS:

- 1: Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.
- 2: If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is 400 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.
- 3: Accessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure.
- 4: If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.
- 5: Accessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP).
- 6: Each property shall be permitted one (1) detached garage up to 625 SF and one (1) accessory building up to 144 SF.
- 7: In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.
- 8: Two (2) story accessory buildings or structures shall be prohibited.
- 9: Shall include a minimum of one (1) garage bay door large enough to pull a standard size motor vehicle through.

Exhibit 'D': Accessory Structure SUP Cases 2010-2020

Active  
Acc.            46  
SUP's: \_\_\_\_\_

Year	Total SUP's	Total Acc. Cases	% of Acc. Cases	Accessory Buildings		Carports		Covered Patio	
				No. of Cases [1]	Cases #'s	No. of Cases	Cases #'s	No. of Cases	Cases #'s
2010	3	2	66.67%	2	Z2010-002, Z2010-005	0		0	
2011	5	1	20.00%	1	Z2011-001	0		0	
2012	10	1	10.00%	1	Z2012-009	0		0	
2013	20	2	10.00%	2	Z2013-021, Z2013-033	0		0	
2014	19	2	10.53%	1	Z2014-015	1	Z2014-020	0	
2015	15	2	13.33%	2	Z2015-009, Z2015-033	0		0	
2016	18	8	44.44%	5	Z2016-002, Z2016-008, Z2016-023, Z2016-030, Z2016-038	3	Z2016-002, Z2016-006, Z2016-020	0	
2017	29	5	17.24%	5	Z2017-013, Z2017-047, Z2017-053, Z2017-064, Z2017-066	0		0	
2018 [2]	32	8	25.00%	6	Z2018-005, Z2018-020, Z2018-035, Z2018-044, Z2018-048, Z2018-053	1	Z2018-004	1	Z2018-050
2019 [3]	14	4	28.57%	4	Z2019-004, Z2019-010, Z2019-022, Z2019-025	0		0	
2020 [4]	29	8	27.59%	8	Z2020-006, Z2020-010, Z2020-011, Z2020-016, Z2020-017, Z2020-020, Z2020-022, Z2020-030	0		0	
	194	43	22.16%	37		5		1	

NOTES:

[1] Includes all detached accessory buildings (i.e. storage buildings, living units, detached garages).

[2] On November 19, 2018 the City Council adopted *Ordinance No. 18-47 [Case No. Z2018-042]*, which consolidated the accessory building standards -- which were in multiple sections of the code -- into a single chart. This also made all variances to the size, height or setbacks go to the Board of Adjustments (BOA), and material exceptions go to Planning and Zoning Commission (i.e. this made the City Council only an appeals board for decision of the Planning and Zoning Commission on materials).

[3] Accessory Structure standards were changed back to requiring a SUP by Z2019-016 on September 3, 2019 to address the legislative update.

[4] As of the August 14, 2020 application deadline (i.e. includes all in process cases). There are 3 more application deadlines in the current year.

Exhibit 'E': Residential Building Permits 2010-2020

Year	Total Building Permits Submitted	Accessory Structure Permits	% of Accessory Structure Permits	Accessory Structure Permits Conforming to Ordinances	Accessory Building Permits Not Conforming to Ordinance (i.e. Requiring a SUP) [1]	% of Accessory Building Permits Requiring a SUP	% of Building Permits Requiring a SUP for Accessory Buildings
2010	2,059	126	6.12%	124	2	1.61%	0.10%
2011	2,152	124	5.76%	123	1	0.81%	0.05%
2012	3,093	124	4.01%	123	1	0.81%	0.03%
2013	2,528	152	6.01%	150	2	1.33%	0.08%
2014	2,652	122	4.60%	120	2	1.67%	0.08%
2015	2,609	123	4.71%	121	2	1.65%	0.08%
2016	3,214	167	5.20%	160	7	4.38%	0.22%
2017	3,259	169	5.19%	164	5	3.05%	0.15%
2018 [2]	4,541	196	4.32%	188	8	4.26%	0.18%
2019 [3]	2,966	152	5.12%	148	4	2.70%	0.13%
2020 [4]	1,946	138	7.09%	130	8	6.15%	0.41%
	31,019	1,593	5.14%	1,551	43	2.77%	0.14%

NOTES:

[1] Includes all detached accessory buildings (i.e. storage buildings, living units, detached garages).

[2] On November 19, 2018 the City Council adopted *Ordinance No. 18-47 [Case No. Z2018-042]*, which consolidated the accessory building standards -- which were in multiple sections of the code -- into a single chart. This also made all variances to the size, height or setbacks go to the Board of Adjustments (BOA), and material exceptions go to Planning and Zoning Commission (i.e. this made the City Council only an appeals board for decision of the Planning and Zoning Commission on materials).

[3] Accessory Structure standards were changed back to requiring a SUP by Z2019-016 on September 3, 2019 to address the legislative update.

[4] As of the August 14, 2020 application deadline (i.e. includes all in process cases). There are 3 more application deadlines in the current year.

Exhibit 'F': Accessory Building Specific Use Permits (SUP) 2010-2020

  = Permitting Issues

Case	Project Type	Action	Requested Size	Approved Size	Requested Height	Approved Height	Reason for SUP
Z2010-002	Accessory Building	Approved	2,000	2,000	15	15	Exterior Materials
Z2010-005	Gazebo	Withdrawn	240	-	15	-	Size Requirements
Z2011-001	Cabana	Approved	930	930	15	15	Size Requirements
Z2012-009	Accessory Building	Approved	140	140	15	15	Exterior Materials
Z2013-021	Accessory Building	Approved	480	480	15	15	Exterior Materials
Z2013-033	Accessory Building	Approved	660	660	15	15	Exterior Materials
Z2014-015	Accessory Building	Approved	240	240	15	15	Size Requirements
Z2015-009	Detached Garage	Approved	1,235	1,235	25	25	Size Requirements, Height Requirements
Z2015-033	Accessory Building	Approved	288	288	15	15	Size Requirements, Exterior Materials
Z2016-002	/Secondary Living Unit	Approved	2,441	2,441	27	27	Size Requirements, Height Requirements
Z2016-008	Detached Garage	Approved	864	864	15	15	Size Requirements
Z2016-023	Accessory Building	Approved	1,364	1,364	15	15	Size Requirements
Z2016-030	Accessory Building	Approved	1,200	1,200	20	20	Size Requirements, Height Requirements
Z2016-038	Accessory Building	Approved	1,250	1,250	15	15	Size Requirements, Exterior Materials
Z2017-013	Accessory Building	Approved	1,800	1,800	15	15	Size Requirements, Exterior Materials
Z2017-047	Accessory Building	Denied	700	-	20	-	Size Requirements, Height Requirements
Z2017-053	Accessory Building	Approved	1,092	2,000	15	15	Size Requirements, Exterior Materials
Z2017-064	Detached Garage	Approved	900	900	20	20	Size Requirements, Height Requirements
Z2017-066	Accessory Building	Approved	700	900	15	15	Size Requirements, Exterior Materials
Z2018-005	Detached Garage	Approved	2,400	2,400	15	15	Size Requirements
Z2018-020	Detached Garage	Denied	1,500	-	15	-	Size Requirements, Exterior Materials
Z2018-035	Detached Garage	Approved	1,200	1,500	17	17	Size Requirements, Height Requirements
Z2018-044	Detached Garage	Denied	3,000	-	15	-	Size Requirements
Z2018-048	Accessory Building	Approved	910	910	15	15	Size Requirements
Z2018-053	Detached Garage	Denied	2,500	-	16	-	Size Requirements, Exterior Materials, Height Requirements
Z2019-004	Secondary Living Unit	Withdrawn	568	-	15	-	Size Requirements
Z2019-010	Secondary Living Unit	Approved	4,950	4,050	15	15	Size Requirements
Z2019-022	Detached Garage	Denied	1,200	-	15	-	Size Requirements
Z2019-025	Detached Garage	Withdrawn	980	-	15	-	Size Requirements
Z2020-006	Detached Garage	Denied	1,600	-	18	-	Size Requirements
Z2020-010	Accessory Building	Approved	420	340	18	18	Size Requirements, Height Requirements
Z2020-011	Accessory Building	Approved	192	192	15	15	Size Requirements
Z2020-016	Secondary Living Unit	Approved	4,755	1,134	15	15	Size Requirements
Z2020-017	Accessory Building	Withdrawn	400	-	15	-	Size Requirements
Z2020-020	Secondary Living Unit	Approved	588	588	15	15	Size Requirements
Z2020-022	Detached Garage	Approved	1,200	1,200	15	15	Size Requirements
Z2020-030	Accessory Building	Approved	359	359	15	15	Size Requirements

Case Count 37

SUP Requests

Size Requirements	33	89.19%
Exterior Materials	11	29.73%
Height Requirements	8	21.62%

Action

Approved	27	72.97%
Denied	6	16.22%
Withdrawn	4	10.81%

- (2) Established Subdivisions. A new land use -- *Residential Infill in or Adjacent to an Established Subdivision* -- was created in Article IV, *Permissible Uses*, of the UDC to require all residential infill development be required to apply for a Specific Use Permit (SUP). This will only affect subdivisions that [1] consist of five (5) or more lots, [2] are 90% developed, and [3] that have been in existence for a period greater than ten (10) years. The strategy behind this change in the code is to protect subdivisions that are [1] not protected under a Planned Development District or [2] that are not covered by deed restrictions (*typically the City's older subdivisions*) from potential infill development that is not aesthetically similar to existing development within the subdivision. Staff should note that the City Attorney has ruled that Specific Use Permits (SUP's) are exempt from the material requirement exemptions of HB2439. For the City Council's reference staff has included a map showing all residential subdivisions in the City that have: [1] deed restrictions with material requirements, [2] deed restrictions with no material requirements, and [3] subdivisions that staff was unable to find deed restrictions or that have no deed restrictions. Staff should point out that these neighborhoods would not be covered by any building material requirements in cases where an addition is being proposed for an existing structure or where the exterior of an existing structure is being re-cladded in a new exterior material. Staff anticipates that this strategy will add an estimated 15-25 additional Specific Use Permit (SUP) cases each year based on previous permitting numbers (*i.e. in 2018 the City issued 23 infill permits and in 2019 the City issued 14 infill permits to date that meet the new requirements*).
- (3) Residential Accessory Buildings. In 2018, the UDC was amended to no longer require Specific Use Permits (SUPs) for accessory buildings/structures. In replacement of this requirement the Planning and Zoning Commission was charged with approving material exceptions for accessory buildings/structures, and the Board of Adjustments (BOA) was charged with approving variances to the density and dimensional requirements (*i.e. size and height*) for accessory buildings/structures. Based on the changes of HB2439, staff changed the zoning code back to requiring SUPs for these types of structures. In addition, staff reduced the size requirements for all accessory buildings/structures that can be permitted without a SUP. Staff should reiterate that this strategy is not tied to building materials, but is tied to ensuring that [1] any development within an existing subdivision is aesthetically similar to existing development within the subdivision, and [2] to ensure that a public hearing process is retained in approving structures that do not conform to the permitted standards. Staff anticipates based on previous case volumes (*i.e. the code previously required SUP's for accessory buildings prior to changes in 2018*) that this will add an additional five (5) to ten (10) SUP cases per year. This was based on the number of SUP's that were processed in 2016 (*ten [10] cases*) and 2017 (*four [4] cases*) for accessory buildings
- (4) Development Review Procedures. Staff moved all references relating to the City's development processes to Article XI, *Development Applications and Review Process*, of the UDC (*formerly Zoning Related Applications*). In addressing the requirements of HB3167 staff reviewed all of the City's development processes for compliance to the approved legislative bill. Upon review staff noticed that the zoning code had multiple sections duplicated through out the document (*with some inconsistencies from section to section*), and that the majority of the processes were divided between Article II, *Authority and Administrative Procedures*, and Article XI, *Zoning Related Applications*, of the UDC. In addition, Article XI, *Zoning Related Applications*, -- *despite the name of the article* -- did not contain information relating to zoning cases. Based on this staff consolidated the City's processes relating to development applications in Article XI, *Zoning Related Applications*, removed duplicated sections, and renamed the Article XI, *Development Applications and Review Process*. Article II, *Authority and Administrative Procedures*, was also renamed to Article II, *Development Review Authority*, and only contains information relating to the authority of boards, commissions, the City Council, and administrative staff.
- (5) Residential Standards. Staff increased the *General Residential District Standards* contained in Article V, *District Development Standards*, of the UDC not pertaining to building material requirements. Specifically, staff increased the *Anti-Monotony* standards contained in this section



**Exhibit 'H': Proposed Changes to the Accessory Structure Requirements**

ADDITIONS = **HIGHLIGHTED**  
 SUBTRACTIONS = **HIGHLIGHT, STRIKE THROUGH**

ZONING DISTRICTS OR ACCESSORY STRUCTURE TYPE →  DEVELOPMENT STANDARDS ↓		ACCESSORY STRUCTURES & ACCESSORY BUILDINGS <b>1, 3, 5, &amp; 13</b>					PORTABLE ACCESSORY BUILDING 0 SF – 120 SF <b>8 &amp; 13</b>	DETACHED GARAGE <b>5, 8, &amp; 9</b>	COVERED PORCHES, PERGOLAS, AND CARPORTS <b>5, 7, &amp; 8</b>
		SINGLE FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT	SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT	SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT	ALL OTHER SINGLE-FAMILY ZONING DISTRICTS (I.E. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	TWO FAMILY (2F) DISTRICT			
NUMBER OF ACCESSORY STRUCTURES OR NUMBER OF SPECIFIC ACCESSORY STRUCTURE		2 <sup>2</sup>	2 <sup>2</sup>	2 <sup>2</sup>	2	1	1	1	1 <sup>12</sup>
MAXIMUM SF OF ACCESSORY STRUCTURE		1,000 <sup>2</sup>	1,000 <sup>2</sup>	1,250 <sup>2</sup>	144 <sup>6</sup>	100	120	625	500 <sup>11</sup>
MINIMUM SETBACKS	REAR (FEET)	10	10	10	3	3	3	10	10 <sup>10 &amp; 11</sup>
	REAR W/ ALLEYWAY (FEET)	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	3	3	3	20 <sup>4</sup>	20 <sup>10 &amp; 11</sup>
	SIDE (FEET)	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	3	3	SEE ZONING DISTRICT	SEE ZONING DISTRICT <b>10 &amp; 11</b>
BETWEEN BUILDINGS (FEET)		10	10	10	6	3	3	10	10
BUILDING HEIGHT (FEET) <sup>8</sup>		15	15	15	15	10	10	15	15

**ADDITIONAL REQUIREMENTS:**

- ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES SHALL BE ACCESSORY TO A RESIDENTIAL USE AND LOCATED ON THE SAME LOT. UNLESS STIPULATED ABOVE, ONLY TWO (2) ACCESSORY STRUCTURES ARE PERMITTED PER SINGLE-FAMILY LOT; EXCLUDING CARPORTS, **COVERED PORCHES/PERGOLAS** THAT ARE INTEGRATED INTO THE MAIN ACCESSORY STRUCTURE.
- IF MORE THAN ONE (1) ACCESSORY BUILDING IS PROPOSED OR IF AN ACCESSORY BUILDING, 625 SF OR LESS, IS EXISTING THEN THE MAXIMUM ACCESSORY BUILDING THAT CAN BE CONSTRUCTED IS 400 SF. IF THERE IS AN EXISTING ACCESSORY BUILDING GREATER THAN 625 SF NO ADDITIONAL ACCESSORY BUILDINGS OR STRUCTURES ARE PERMITTED.
- ACCESSORY BUILDINGS AND STRUCTURES SHALL BE ARCHITECTURALLY COMPATIBLE WITH THE PRIMARY STRUCTURE, AND BE SITUATED BEHIND THE FRONT FAÇADE OF THE PRIMARY STRUCTURE.
- IF THE ACCESSORY BUILDING DOES NOT HAVE GARAGE DOORS FACING THE ALLEYWAY THE SETBACK IS THE SAME AS THE BASE ZONING DISTRICT.
- ACCESSORY BUILDINGS AND STRUCTURES (**EXCLUDING PORTABLE BUILDINGS**) NOT MEETING THE SIZE OR HEIGHT REQUIREMENTS STIPULATED BY THIS SECTION SHALL REQUIRE A SPECIFIC USE PERMIT (SUP). **IN REVIEWING A SPECIFIC USE PERMIT (SUP), THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL SHALL CONSIDER: [1] IF THE STRUCTURE WAS CONSTRUCTED WITHOUT A PERMIT OR UNDER FALSE PRETENSES, [2] THE SIZE OF THE PROPOSED ACCESSORY STRUCTURE COMPARED TO THE SIZE OF OTHER ACCESSORY STRUCTURES IN THE AREA/NEIGHBORHOOD/SUBDIVISION, AND [3] THE ARCHITECTURE AND BUILDING MATERIALS PROPOSED FOR THE STRUCTURE COMPARED TO THOSE OF THE PRIMARY STRUCTURE.**
- EACH PROPERTY SHALL BE PERMITTED ONE (1) DETACHED GARAGE UP TO 625 SF AND ONE (1) ACCESSORY BUILDING UP TO 144 SF **OR TWO (2) ACCESSORY BUILDINGS UP TO 144 SF EACH OR ONE (1) ACCESSORY BUILDING UP TO 256 SF. IF A PROPERTY HAS AN EXISTING ACCESSORY BUILDING 256 SF OR GREATER NO ADDITIONAL ACCESSORY BUILDINGS OR DETACHED GARAGES SHALL BE PERMITTED.**
- IN RESIDENTIAL DISTRICTS, CARPORTS MUST BE OPEN ON AT LEAST TWO (2) SIDES, ARCHITECTURALLY INTEGRATED INTO THE PRIMARY STRUCTURE, AND BE LOCATED 20-FEET BEHIND THE CORNER OF THE FRONT FAÇADE AND MEET THE GARAGE SETBACK ADJACENT TO AN ALLEY. PORTE-COCHERES ARE NOT CONSIDERED CARPORTS, AND ARE ALLOWED, IF THEY ARE ATTACHED AND INTEGRAL WITH THE DESIGN OF THE HOUSE.
- TWO (2) STORY ACCESSORY BUILDINGS OR STRUCTURES SHALL BE PROHIBITED.
- SHALL INCLUDE A MINIMUM OF ONE (1) GARAGE BAY DOOR LARGE ENOUGH TO PULL **AND PARK** A STANDARD SIZE MOTOR VEHICLE **(I.E. A VEHICLE THAT IS A MINIMUM OF NINE (9) FEET BY 18-FEET)** THROUGH INSIDE THE STRUCTURE. IN ADDITION, A DETACHED GARAGE MUST BE ACCESSIBLE FROM THE REAR OR SIDE YARD BY A STANDARD SIZE WIDTH, CONCRETE DRIVEWAY THAT HAS MINIMUM LENGTH OF 20-FEET **OF DRIVEWAY PAVEMENT.**
- COVERED PORCHES AND PERGOLAS THAT ARE DETACHED OR NOT CONTIGOUS WITH THE PRIMARY STRUCTURE SHALL BE PERMITTED TO BE LOCATED WITHIN THREE (3) FEET OF THE REAR **(OR REAR WITH ALLEYWAY)** AND SIDE YARD PROPERTY LINE.
- COVERED PORCHES AND PERGOLAS THAT ARE ATTACHED OR CONTIGOUS WITH THE PRIMARY STRUCTURE SHALL BE EXEMPTED FROM THE SIZE RESTRICTIONS BUT SHALL BE REQUIRED TO MEET THE SAME SETBACKS AS THE PRIMARY STRUCTURE.
- PERGOLAS ARE NOT SUBJECT TO THE **NUMBER OF ACCESSORY STRUCTURE REQUIREMENTS**, BUT **DO** COUNT AGAINST THE RESIDENTIAL LOT COVERAGE REQUIREMENTS FOR THE ZONING DISTRICT.
- PORTABLE ACCESSORY BUILDINGS ARE DEFINED AS AN ACCESSORY BUILDING THAT DO NOT HAVE A PERMENEANT FOUNDATION. ALL ACCESSORY BUILDINGS THAT ARE NOT PORTABLE ACCESSORY BUILDINGS REQUIRE A CONCRETE FOUNDATION.**



**CITY OF ROCKWALL**  
**BUILDING PERMITS**  
 BUILDING INSPECTION DEPT.  
 385 S. Goliad St.,  
 Rockwall, TX 75087

Phone #: (972) 771-7709

Permit # \_\_\_\_\_

**To schedule an inspection go to: [www.rockwall.com/buildinginspections/inspectionreq.asp](http://www.rockwall.com/buildinginspections/inspectionreq.asp)**

CONSTRUCTION ADDRESS				TYPE OF PERMIT				
SUBDIVISION			ZONING	LOT	BLOCK			
BUILDING OWNER	MAIL ADDRESS		CITY, STATE, ZIP		PHONE #			
PERSON TO BE CONTACTED REGARDING PERMIT			E-MAIL ADDRESS		PHONE #			
<u>EMAIL ADDRESS FOR INSPECTION REPORT</u>								
GENERAL CONTRACTOR	MAIL ADDRESS		CITY, STATE, ZIP		PHONE #			
ELECTRICAL CONTRACTOR	MAIL ADDRESS		CITY, STATE, ZIP		PHONE #			
PLUMBING CONTRACTOR	MAIL ADDRESS		CITY, STATE, ZIP		PHONE #			
MECHANICAL CONTRACTOR	MAIL ADDRESS		CITY, STATE, ZIP		PHONE #			
<b>BUILDING INFORMATION</b>								
1 <sup>st</sup> floor SF	2 <sup>nd</sup> floor SF	Garage	Covered Porch	Covered Patio	Total SF	Height	Lot Size	Plan #:
Permit Description:								
<small>NOTICE TO APPLICANT: THIS PERMIT IS ISSUED ON THE BASIS OF INFORMATION FURNISHED IN THIS APPLICATION AND ON ANY SUBMITTED PLANS, AND IS SUBJECT TO THE PROVISIONS IN ADDITION, REQUIREMENTS OF THE CITY OF ROCKWALL CODE OF ORDINANCES AND ANY OTHER APPLICABLE ORDINANCE. THIS PERMIT IS ISSUED ONLY FOR THE PURPOSE OF ALLOWING CONSTRUCTION OF A BUILDING OR STRUCTURE CONFORMING TO THE CODES AND ORDINANCES OF THE CITY, REGARDLESS OF INFORMATION AND/OR PLANS SUBMITTED.</small>								
<small>SCOPE OF PERMIT: FOR NEW BUILDINGS AND FOR ADDITIONS TO EXISTING BUILDINGS, THIS PERMIT AUTHORIZES STRUCTURAL, PLUMBING, ELECTRICAL, MECHANICAL, AND WORK TO BE PERFORMED IN THE CONSTRUCTION OF THE BUILDING OR STRUCTURE AT THIS ADDRESS, IF DONE AT THE SAME TIME OF INITIAL CONSTRUCTION. NO SEPARATE SUBCONTRACTOR PERMITS ARE NEEDED FOR THOSE TRADES. HOWEVER, THE PERMIT HOLDER IS REQUIRED TO USE ONLY SUBCONTRACTORS LICENSES, REGISTERED, OR BONDED BY THE CITY OF ROCKWALL WHERE SUCH REQUIREMENT IS APPLICABLE.</small>								
I HEREBY ACCEPT ALL CONDITIONS HEREIN ABOVE MENTIONED AND CERTIFY That ALL STATEMENTS HEREIN RECORDED BY ME ARE TRUE:  _____ AGENT OR APPLICANT  _____ (DATE)  _____ CITY APPROVAL  _____ (DATE)				<b>ESTIMATED VALUE:</b>				
				Building Permit	\$ _____			
		Water Meter Deposit	\$ _____					
		Meter Installation	\$ _____					
		Sewer Service	\$ _____					
		Water Impact Fees	\$ _____					
		Sewer Impact Fees	\$ _____					
		Siren Fee	\$ _____					
		Contractor Registration	\$ _____					
		Certificate of Occupancy	\$ _____					
		Total Fees	\$ _____					



# City of Rockwall

## Schedule of Building Permit and Misc. Fees

<u>Building Permits</u>	<u>Fee Amount</u>
<b>1. Residential</b>	
a. Accessory Building	.80 per sq. ft. up to 225 sq. ft. + .45 per sq. ft. over 225 sq. ft./ \$50.00 min.
b. Single Family - New	.48 per sq. ft. up to 5000 sq. ft. / .40 per sq. ft. if home is > 5000 sq. ft.
c. Single Family – Alteration / Addition	.48 per sq. ft. (scope of work) / \$125.00 min.
d. Electrical – Panel replacement / re-wire / service- meter base replacement	\$ 125.00
e. Electrical – other / repair	\$ 75.00
f. Plumbing – Slab leaks / tunneling / sewer main replacement	\$ 125.00
g. Plumbing – Water Heater / other / repair	\$ 75.00
h. Mechanical – New system installation	\$ 125.00
i. Mechanical – other / repair	\$ 75.00
j. Patio covers / decks / carports	\$ 75.00
<b>2. Commercial</b>	
a. Commercial – New	Table 1A
b. Commercial – Remodel	Table 1A
c. Certificate of Occupancy	\$ 75.00
d. Temporary Certificate of Occupancy	\$ 300.00
e. Mechanical, Electrical, Plumbing	Table 1A
<b>3. Board of Adjustments City Council Sign Variances, Sign Plans / Construction Advisory and Appeals Board</b>	\$ 200.00
<b>4. Solar Panel Systems</b>	.65 per sq. ft.
<b>5. Concrete</b>	.20 per sq. ft. / \$50 min.
<b>6. Demolition of Structures</b>	\$ 50.00
<b>7. Fence</b>	\$ 50.00
Screening Wall	\$ 75.00
<b>8. Inspection Fees</b>	
a. After Hours Inspection	\$ 50.00 per hr. (min. 2 hrs.)
b. Re-inspection	\$ 50.00
<b>9. Irrigation</b>	\$75.00
<b>10. Moving of Structures</b>	Refer To Chapter 10, Article XIV of the Code of Ordinances
<b>11. Permit Bag Replacement</b>	\$ 20.00
<b>12. Pools/Hot Tub/Spa</b>	
a. Pool – above ground	\$ 75.00
b. Pool – in ground	\$150.00
c. Hot Tub/Spa	\$100.00
<b>13. Roofing</b>	\$ 75.00
<b>14. Sign</b>	\$75.00
<b>15. Temporary Construction/Sales Trailer</b>	\$100.00
<b>16. Miscellaneous Permits</b>	\$ 50.00 (includes windows, retaining wall, storm shelter, etc.)

## Commercial Building Permit Fees

Table 1A

Total Valuation	Fee
\$1.00 to \$500.00	\$50.00
\$501.00 to \$2,000.00	\$50.00 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2000.00
\$2,001.00 to \$25,000.00	\$80.75 for the first \$2000.00 plus \$14.00 for each additional \$1000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$402.75 for the first \$25,000.00 plus \$10.10 for each additional \$1000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$655.25 for the first \$50,000.00 plus \$7.00 for each additional \$1000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1005.25 for the first \$100,000.00 plus \$5.60 for each additional \$1000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3245.25 for the first \$500,000.00 plus \$4.75 for each additional \$1000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5620.25 for the first \$1,000,000.00 plus \$3.65 for each additional \$1000.00, or fraction thereof
For use of outside consultants for plan review or inspections	Actual costs

### *Contractor Registrations Expire when State License Expires*

Back Flow	\$100.00
Fence	\$100.00
General Contractor	\$100.00
Irrigation	\$100.00
Mechanical Contractor	\$100.00
Demo Contractor	\$100.00
Sign Contractor	\$100.00



# BUILDING PERMIT APPLICATION

City of Rockwall  
Building Inspections Department  
385 S. Goliad Street  
Rockwall, Texas 75087

APPLICANT OR AGENT SIGNATURE REQUIRED

**CERTIFICATION:** I HEREBY ACCEPT ALL CONDITIONS ON THIS APPLICATION FORM AND CERTIFY THAT ALL STATEMENTS RECORDED HEREIN BY ME ARE TRUE.

AGENT OR APPLICANT

DATE

**NOTICE TO APPLICANTS.** This permit is issued on the basis of information furnished in this application and on any submitted plans, and is subject to the provisions in addition, requirements of the City of Rockwall code of ordinances and any other applicable ordinance. This permit is issued only for the purpose of allowing construction of a building or structure conforming to the codes and ordinances of the city, regardless of information and/or plans submitted.

**SCOPE OF PERMIT.** For new buildings and for additions to existing buildings, this permit authorizes structural, plumbing, electrical, mechanical, and work to be performed in the construction of the building or structure at this address, if done at the same time of initial construction. No separate subcontractor permits are needed for those trades. However, the permit holder is required to use only subcontractors' licenses, registered, or bonded by the City of Rockwall where such requirement is applicable.

**INSPECTION.** To schedule an inspection, go to [www.rockwall.com/buildinginspections/inspectionreq.asp](http://www.rockwall.com/buildinginspections/inspectionreq.asp).

## PROPERTY INFORMATION [PLEASE PRINT]

Construction Address		Zoning	
Subdivision		Lot	Block
General Location			

## PROPERTY OWNER INFORMATION PRIMARY CONTACT [ ]

Name		Phone	
Mailing Address		City	State Zip Code
Email			

## GENERAL CONTRACTOR INFORMATION PRIMARY CONTACT [ ]

Name		Phone	
Mailing Address		City	State Zip Code
Email			

## ELECTRICAL CONTRACTOR INFORMATION

Name		Phone	
Mailing Address		City	State Zip Code
Email			

## PLUMBING CONTRACTOR INFORMATION

Name		Phone	
Mailing Address		City	State Zip Code
Email			

## MECHANICAL CONTRACTOR INFORMATION

Name		Phone	
Mailing Address		City	State Zip Code
Email			

## BUILDING PERMIT INFORMATION

1 <sup>ST</sup> Floor	SF	2 <sup>ND</sup> Floor	SF	Garage	SF	Covered Porch	SF	Covered Patio	SF
Total SF	SF	Height	FT	Lot Size	SF	Plan #			
Estimated Value	\$			Commercial Value <u>ONLY</u> ; Residential is <u>NOT</u> required to provide estimated value.					

Project Description

Is the subject property located with the flood hazard area? Yes [ ] No [ ] Required lowest floor elevation is:



# BUILDING PERMIT FEE SCHEDULE

City of Rockwall  
 Building Inspections Department  
 385 S. Goliad Street  
 Rockwall, Texas 75087

## RESIDENTIAL BUILDING PERMITS (SEE ADDITIONAL NOTES [1] & [2] BELOW)

[1] ACCESSORY BUILDING	\$0.80/SF UP TO 225 SF + \$0.45/SF OVER 225 SF (MINIMUM FEE: \$50.00)
[2] SINGLE-FAMILY [NEW CONSTRUCTION]	\$0.48/SF UP TO 5,000 SF + \$0.40/SF OVER 5,000 SF
[3] SINGLE-FAMILY [REMODEL/ADDITION]	\$0.48/SF (MINIMUM FEE: \$125.00)
[4] ELECTRICAL [PANEL REPLACEMENT, REWIRE, SERVICE METER BASE REPLACEMENT]	\$125.00
[5] ELECTRICAL [OTHER, REPAIR]	\$75.00
[6] PLUMBING [SLAB LEAKS, TUNNELING, SEWER MAIN REPLACEMENT]	\$125.00
[7] PLUMBING [WATER HEATER, OTHER, REPAIR]	\$75.00
[8] MECHANICAL [NEW SYSTEM INSTALLATION]	\$125.00
[9] MECHANICAL [OTHER, REPAIR]	\$75.00
[10] PATIO COVERS/DECKS/CARPORTS	\$75.00

## COMMERCIAL BUILDING PERMITS

[1] CERTIFICATE OF OCCUPANCY (CO)	\$75.00
[2] TEMPORARY CERTIFICATE OF OCCUPANCY (TCO)	\$300.00
[3] COMMERCIAL [NEW CONSTRUCTION, REMODEL, OR ADDITION]	SEE TABLE 1A BELOW
[4] MECHANICAL, ELECTRICAL, PLUMBING	SEE TABLE 1A BELOW

TABLE 1A: COMMERCIAL BUILDING PERMIT FEES

TOTAL PROJECT VALUATION	FEE
\$1.00 - \$500.00	\$50.00
\$500.01 - \$2,000.00	\$50.00 FOR THE FIRST \$500.00 + \$3.05 FOR EACH ADDITIONAL \$100.00 UP TO \$2,000.00 <sup>2</sup>
\$2,000.01 - \$25,000.00	\$80.75 FOR THE FIRST \$2,000.00 + \$14.00 FOR EACH ADDITIONAL \$1,000.00 UP TO \$25,000.00 <sup>2</sup>
\$25,000.01 - \$50,000.00	\$402.75 FOR THE FIRST \$25,000.00 + \$10.10 FOR EACH ADDITIONAL \$1,000.00 UP TO \$50,000.00 <sup>2</sup>
\$50,000.01 - \$100,000.00	\$655.25 FOR THE FIRST \$50,000.00 + \$7.00 FOR EACH ADDITIONAL \$1,000.00 UP TO \$100,000.00 <sup>2</sup>
\$100,000.01 - \$500,000.00	\$1,005.25 FOR THE FIRST \$100,000.00 + \$5.60 FOR EACH ADDITIONAL \$1,000.00 UP TO \$500,000.00 <sup>2</sup>
\$500,000.01 - \$1,000,000.00	\$3,245.25 FOR THE FIRST \$500,000.00 + \$4.75 FOR EACH ADDITIONAL \$1,000.00 UP TO \$1,000,000.00 <sup>2</sup>
\$1,000,000.01 - \$1,000,000.01+	\$5,620.25 FOR THE FIRST \$1,000,000.00 + \$3.65 FOR EACH ADDITIONAL \$1,000.00 UP TO THE VALUATION COST <sup>2</sup>

NOTES: [1] COSTS FOR THE USE OF AN OUTSIDE CONSULTANT FOR PLAN REVIEW OR INSPECTION SHALL BE PAID BY THE APPLICANT; [2] OR FRACTION THERE OF

## OTHER BUILDING PERMITS

[1] BOARD OF ADJUSTMENTS APPLICATION	\$200.00
[2] CONSTRUCTION ADVISORY BOARD APPLICATION	\$200.00
[3] CITY COUNCIL SIGN VARIANCE	\$200.00
[4] SIGN PLAN	\$200.00
[5] SOLAR PANEL SYSTEMS	\$0.65/SF
[6] CONCRETE	\$0.20/SF (MINIMUM FEE: \$50.00)
[7] DEMOLITION OF STRUCTURES	\$50.00
[8] FENCE	\$50.00
[9] SCREENING WALL	\$75.00
[10] INSPECTION FEES	
[A] AFTER HOURS INSPECTION	\$50.00/HOUR (2 HOUR MINIMUM)
[B] RE-INSPECTION	\$50.00/HOUR
[11] IRRIGATION	\$75.00
[12] MOVING OF STRUCTURES	REFER TO ARTICLE XIV, CHAPTER 10 OF THE MUNICIPAL CODE OF ORDINANCES
[13] PERMIT BAG REPLACEMENT	\$20.00
[14] POOLS, HOT TUBS, & SPAS	
[A] ABOVE GROUND POOLS	\$75.00
[B] IN-GROUND POOLS	\$150.00
[C] HOT TUBS & SPAS	\$100.00
[15] ROOFING	\$75.00
[16] SIGN	\$75.00
[17] TEMPORARY CONSTRUCTION OR SALES TRAILER	\$100.00
[18] MISCELLANEOUS PERMITS [INCLUDES WINDOWS, RETAINING WALLS, STORM SHELTERS, ETC]	\$50.00

## CONTRACTOR REGISTRATIONS (SEE ADDITIONAL NOTE [2] BELOW)

[1] <u>EXPIRE WHEN STATE LICENSE EXPIRE</u> : BACKFLOW, IRRIGATION & MECHANICAL CONTRACTOR	\$100.00
[2] <u>EXPIRE ANNUALLY</u> : FENCE, GENERAL CONTRACTOR, DEMO CONTRACTOR, & SIGN CONTRACTOR	\$100.00

## ADDITIONAL NOTES

[1] BUILDING WITHOUT A VALID BUILDING PERMIT OR UNDER FALSE PRETENSES WILL CAUSE THE BUILDING PERMIT FEE TO DOUBLE
[2] CONTRACTORS IN VIOLATION FOR BUILDING WITHOUT A BUILDING PERMIT OR UNDER FALSE PRETENSES WILL HAVE THEIR CONTRACTOR REGISTRATIONS REVOKED, AND WILL BE REQUIRED TO RESUBMIT FOR A NEW CONTRACTOR REGISTRATION.