

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE 04, *PERMISSIBLE USES*, AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; 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. 20-02*] has been initiated by the City Council of the City of Rockwall to amend Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*]; 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. 20-02*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] 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. 20-02*], 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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF NOVEMBER, 2022.

Kevin Fowler, Mayor

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: October 17, 2022

2nd Reading: November 7, 2022

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ORDINANCE
09.27.2022

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

See Next Page ...



is approved by the Planning and Zoning Commission ~~and City Council~~. If necessary, the office/caretaker residence-unit may exceed one (1) story, but shall not be greater than 36-feet in height.

- (c) A minimum of two (2) parking spaces shall be required for the on-site manager (*i.e. caretaker, resident or otherwise*).
- (d) No direct access from FM-740, SH-205, SH-66, SH-276, FM-3097, FM-552, FM-549 and John King Boulevard. The ~~City Council~~ **Planning and Zoning Commission** may consider granting direct access from the above-mentioned roadways after review and determination of the availability of access to the specific property.
- (e) Perimeter walls shall be provided which face the front, rear and side property lines. Overhead doors shall not face adjacent streets. Perimeter walls facing the front yard shall incorporate architectural features to break up the long repetitive nature of self-storage buildings (e.g. offsets in buildings, variation of materials, and/or variation of heights, etc.). No gutters and downspouts shall be incorporated in the perimeter walls facing the front property line.
- (f) The front, side and rear building set back areas shall be landscaped. Landscaping should be clustered, creating interesting relief from the long repetitive nature of self-storage buildings.
- (g) The facilities shall incorporate the use of perimeter gates that limit access to the storage areas to customers only. Special access for fire and police personnel shall be provided as required.
- (h) All screening fences shall be wrought iron with landscaping/living screen or masonry walls in accordance with the screening requirements contained in [Subsection 05.02, Landscape Screening, of Article 08, Landscape and Fence Standards](#). See-through fencing should be wrought iron, or similar. Chain-link fencing of any kind shall be prohibited.
- (i) Buildings and see-through fencing should be oriented in a manner to restrict the visibility of interior overhead doors and drives from public right-of-way. The color(s) of the garage doors, as well as other doors within the facility, shall compliment the exterior colors of the main building(s).
- (j) The commercial operation of rental trucks and trailers shall be prohibited.
- (k) Businesses shall not be allowed to operate in the individual storage units.
- (l) No outside storage of any kind shall be allowed (including the outside storage of boats, recreational vehicles, and motor or self-propelled vehicles).
- (m) Concrete shall be used for all paving.
- (n) Roofs shall have a minimum pitch of 1:3 and be constructed with a metal standing seam. Mechanical

equipment shall be screened with the roof structure or parapet walls.

- (o) Lighting standards shall be limited to a maximum of 20-feet in height.
 - (p) The residential unit as an accessory to the permitted use shall not exceed 1,600 SF.
- (2) Outside Storage and/or Outside Display.
- (a) Outside Storage and/or Outside Display shall adhere to the requirements of [Subsection 01.05, Screening Standards, of Article 05, District Development Standards](#).
 - (b) No outside storage shall be allowed in any zoning district adjacent to IH-30. However, on property that is zoned Light Industrial (LI) District and adjacent to IH-30, a Specific Use Permit (SUP) may be considered on a case-by-case basis to allow for Outside Storage and/or Outside Display in conjunction with a use that is permitted under [Land Use Schedule](#). A Specific Use Permit (SUP) approved for this use may be subject to time limitations, site/landscaping or building enhancements, or other restrictions deemed appropriate by the Planning and Zoning Commission and City Council.
 - (c) Incidental Display, as defined in [Subsection 02.02\(F\)\(4\)](#), shall not be considered Outside Storage and/or Outside Display, and shall be subject to the requirements of [Subsection 02.02\(F\)\(4\)](#).
- (K) Utilities, Communications and Transportation Land Uses
- (1) Antenna as an Accessory.
- (a) The antenna installation shall comply with the height and area regulations of the applicable zoning district.
 - (b) Administrative approval of the antenna installation shall be required.
 - (c) The antenna will meet all applicable requirements of [Subsection 03.06, Antennas](#).
- (2) Commercial Antenna.
- (a) Located entirely within a non-residential structure as allowed under the applicable zoning district regulations:
 - (1) Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building on the site; or the necessary equipment shall be contained entirely within the principal building on the property or in an underground vault.
 - (2) Any necessary equipment building shall be enclosed by a decorative iron fence surrounded by a screening hedge which will achieve a height of at least six (6) feet at maturity or a masonry screening wall at least eight (8) feet in height, compatible in color with the principal building and the equipment building.
 - (3) At least one (1) paved parking space with paved access thereto shall be provided at the antenna location; said parking space need not be reserved exclusively for use in conjunction with the antenna



SUBSECTION 03.06: ANTENNAS

- (A) Construction and Maintenance Requirements. All antenna masts, towers and antenna supports used for television and radio reception or transmission shall be constructed and maintained in accordance with the current National Electrical Code and the Building Code of the City.
- (B) Permit Required. Any person desiring to erect or have erected an antenna more than 25-feet in height above ground level, or an antenna mast 25-feet or less in height but not erected as required by this section, shall make written application to the building inspection department for a permit to erect same. Sufficient plans and specifications, as determined by the Chief Building Official, must accompany each application. It shall be unlawful and a violation of this division to erect, or cause to be erected, or to maintain, or cause to maintain, such antenna mast without first having obtained a permit. It shall be the duty of the permittee to request a final inspection upon completion of the antenna system. Domestic TV antennas are exempt from this section.
- (C) Restrictions and Limitations. All antenna systems constructed and maintained under the provisions of this section shall be subject to the following restrictions and limitations:
 - (1) No such antenna system shall be more than 99-feet in height.
 - (2) The location on the lot of such antenna system shall comply with the requirements of this Unified Development Code insofar as the front building line and side yard building line and requirements are concerned. No portion of an antenna system shall extend beyond the front building line on any lot, and on corner lots the side yard setback requirements shall be adhered to on the side adjacent to a public street, and where the front and side yard requirements are applicable, all portions of such structures shall be within the limits fixed by such requirements.
 - (3) All antenna systems constructed under the provisions of this section shall be maintained so as to at all times comply with the requirements of this section.
 - (4) The regulations contained herein shall not apply to the extent that they have been preempted by specific regulations of the FCC to the contrary.
- (D) Roof-Mounted Equipment. All roof-mounted equipment, including fans, vents, air conditioning units and cooling towers, should be screened to eliminate the view from the ground level of adjacent properties. The screen shall be constructed of materials approved by the Director of Planning and Zoning. Roof-mounted equipment should be placed and finished in a manner which minimizes its visibility from overhead views from nearby buildings and elevated thoroughfare sections.
 - (1) The overall screening height will be the height of the tallest element of roof-mounted equipment.
 - (2) The outside of the screening device should be painted or finished in a similar color to the building facade, trim or roof surface to minimize the visibility of the equipment and screen the view from ground level.

- (3) Roof-mounted equipment and the inside of the screening device should be painted similar to the color of the roof surface in order to minimize the visibility of the equipment and screening device from overhead views.

SECTION 04 | FLOODPLAIN AREAS

SUBSECTION 04.01: PERMITTED USES

The following uses shall be permitted within that portion of a district which is designated as being within a floodplain by the City Engineer, provided they are allowed in the underlying zoning, and that they meet any additional requirements established in the city's floodplain regulations in [Chapter 20, Floods, of the Municipal Code of Ordinances](#):

- (A) Agriculture. Agricultural activities including the ordinary cultivation of land or legal forms of animal husbandry.
- (B) Utilities. Local utilities.
- (C) Parks and Recreation. Public or private parks, community centers, playgrounds, public golf courses.
- (D) Private Recreation. Private commercial open area amusements such as golf courses, driving ranges, archery courses and similar uses when approved by a specific use permit.
- (E) Private Open Space. Private open spaces as part of a Planned Development (PD) District, provided such use does not interfere with the continuity of the city's open space system.

SUBSECTION 04.02: DUMPING, EXCAVATING OR FILLING FLOODPLAIN

Any dumping, excavation, storage or filling operation ~~within that portion of aon any property within any~~ district having a floodplain designation or that is within a creek or drain way shall require a permit ~~from the ,which must be approved by the City Council~~ City Engineer prior to the commencement of such activity, ~~before such operation is begun. However, if those operations in the floodplain were specifically approved as part of a site plan approval by the City Council, then a permit may be issued by the City Engineer.~~

SUBSECTION 04.03: LOCAL FLOODING MAY OCCUR IN OTHER AREAS

The fact that land or property is or is not within a district having a floodplain designation shall not constitute assurance that such land or property is not subject to local flooding and the designation of floodplain in this Unified Development Code (UDC) shall not be so interpreted.

SECTION 05 | TEMPORARY USES AND STRUCTURES

SUBSECTION 05.01: TEMPORARY USES

- (A) This subsection includes by reference all temporary uses listed in the land use chart.
- (B) The temporary use shall not be intrusive or inconsistent with existing land uses in area, or with anticipated land uses that may be constructed during the life of the temporary use.

SUBSECTION 05.02: TEMPORARY USES