



CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT

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TO: Mayor and City Council

CC: Mary Smith, *City Manager*
Joey Boyd, *Assistant City Manager*

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

DATE: January 5, 2026

SUBJECT: Appointment with Ron Hawkins of Land Art of Rockwall (i.e. Honey Locus Farms)

In response to a proactive case (i.e. Case Number CE2025-6295) by the Neighborhood Improvement Services (NIS) Division, the property owner -- Ron Hawkins of Land Art of Rockwall (i.e. Honey Locus Farms) -- met with staff on December 11, 2025. The purpose of this meeting was to discuss the *Banquet Facility/Event Hall and Restaurant* (i.e. a *Coffee Shop*) that had been established on the subject property in conjunction with the existing *Garden Supply/Plant Nursery* without obtaining a Certificate of Occupancy (CO). As discussed in this meeting, the subject property was zoned Agricultural (AG) District, and none of the proposed land uses were permitted within the Agricultural (AG) District, with the exception of the *Garden Supply/Plant Nursery* that was in place at the time of annexation and is considered to be a legally non-conforming land use. Staff also pointed out that the property was designated for *Technology/Employment Center* on the Future Land Use Map contained within the Comprehensive Plan, and that the most appropriate zoning for this property would be Light Industrial (LI) District under this designation. Staff also pointed out that based on current zoning cases and development in this area, this zoning/future land use designation was appropriate for the subject property. The issue with the Light Industrial (LI) District is that it does not allow the *Banquet Facility/Event Hall* land use. It was further discussed that to zone the subject property to a Commercial (C) District -- which would support all the requested land uses -- would be inconsistent with the plan and amount to *Spot Zoning*¹. After further discussing the issue with the property owner, staff determined that perhaps the best course of action was for staff to initiate an appointment with the City Council to propose a text amendment to the Unified Development Code (UDC) to allow the *Banquet Facility/Event Hall* land use by Specific Use Permit (SUP) in the Light Industrial (LI) District. Based on this, staff has included this item on the January 5, 2026 City Council agenda as an appointment with the property owner. In addition, staff has prepared a packet that contains all the requisite information, and this memorandum which contains a background on the subject property and a summary (and rationale) for the proposed code amendment.

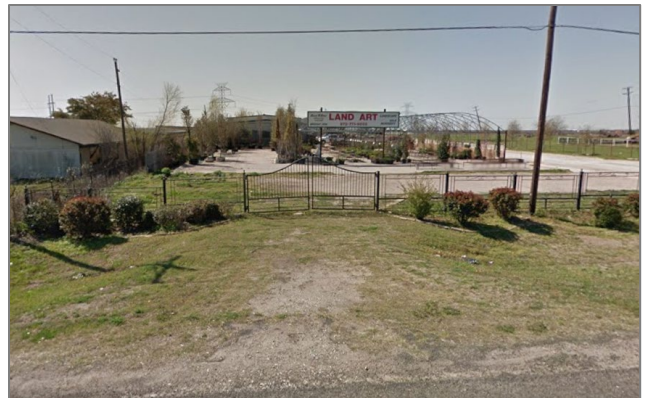


FIGURE 1. MARCH 2013



FIGURE 2. JUNE 2025

¹: *Spot Zoning* refers to the practice of applying a zoning classification to a specific parcel or small area that is inconsistent with the surrounding zoning pattern and is primarily for the benefit of a particular property owner, rather than to advance the public health, safety, morals, or general welfare. *Spot Zoning* is not expressly prohibited in Texas, but zoning actions that meet the classic definition of *Spot Zoning* are legally vulnerable and must be supported by a clear, defensible public-interest rationale to withstand judicial scrutiny.

If the City Council, chooses to proceed with the text amendment -- *as outlined below by staff* -- the process to bring the subject property into conformance would include the following steps: [1] Text Amendment, [2] Zoning Change, [3] Specific Use Permit (SUP). After the completion of these steps the applicant would be required to amend the Certificate of Occupancy (CO), provide any necessary improvements to the subject property, and apply for building permits for any unpermitted work on the subject property.

BACKGROUND

The subject property is a 9.9398-acre tract of land (*i.e. Tract 3 of the J. H. Bailey Survey, Abstract No. 34*) that is zoned Agricultural (AG) District and is situated within the SH-276 Overlay (SH-276 OV) District. It was annexed on December 22, 2008 by *Ordinance No. 08-65 [Case No. A2008-003]*. At the time of annexation, the subject property was zoned Agricultural (AG) District and was occupied with a legally non-conforming *Garden Supply/Plant Nursery* (see *Figure 1*). On April 21, 2009, the property owner -- *Ron Hawkins* -- applied for a Certificate of Occupancy (CO) for a *Nursery/Office* that included the outside storage of "...plants, soils, irrigations parts, fertilizer (seasonal), [and] mulch." On this application, the applicant indicated that the *Garden Supply/Plant Nursery* has been open since 1999. A copy of this Certificate of Occupancy (CO) application has been included in the attached packet. According to the City's *Permitting, Land, and Licensing Software*, other than a sign permit (*i.e. SGN2014-0088*) that expired prior to final inspection in 2014, no additional building permits have been issued for the subject property.

PROPOSED TEXT AMENDMENT

Currently, the Unified Development Code (UDC) allows both the *Garden Center/Plant Nursery* and *Restaurant with Less Than 2,000 SF without Drive-Through or Drive-In* land uses *by-right* in a Light Industrial (LI) District; however, the *Banquet Facility/Event Hall* land use is not a permitted land use in the Light Industrial (LI) District. The purpose for this is due to how these types of facilities operate and there parking requirements (*i.e. one [1] parking space per 100 SF of building area*), which are typically seen as being incompatible within areas that are zoned Light Industrial (LI) District. Recently, staff has observed a trend in older industrial areas where due to lack of tenant options, these areas have started to convert existing lease spaces to allow land uses that are more commercial in nature. Based on this trend, staff is of the opinion that changing the land use charts to allow the *Banquet Facility/Event Hall* land use by Specific Use Permit (SUP) in a Light Industrial (LI) District shouldn't create an issue or inconsistencies with land uses. As a reminder, the Specific Use Permit (SUP) gives the City Council -- upon recommendation from the Planning and Zoning Commission -- the ability to approve a land use on a case-by-case basis, and considers any externalities that may exist in a particular area. The change that would need to be made to the Unified Development Code (UDC) is summarize below in *Table 1*.

TABLE 1: PERMITTED LAND USE CHARTS [PROPOSED CHANGES SHOWN IN HIGHLIGHT]

LAND USE SCHEDULE		RESIDENTIAL DISTRICTS												MIXED USE DISTRICT S	NON-RESIDENTIAL DISTRICTS					OVERLAY DISTRICTS					
<div>LEGEND:</div> <div><div></div>Land Use <i>NOT</i> Permitted <i>OR</i> for <i>Overlay Districts</i> Refer to Base Zoning District</div> <div><div>P</div>Land Use Permitted <i>By-Right</i></div> <div><div>P</div>Land Use Permitted with Conditions</div> <div><div>S</div>Land Use Permitted Specific Use Permit (SUP)</div> <div><div>X</div>Land Use Prohibited by Overlay District</div> <div><div>A</div>Land Use Permitted as an Accessory Use</div>		Agricultural (AG) District	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	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District	
LAND USES																									
RETAIL AND PERSONAL SERVICES LAND USES																									
Banquet Facility/Event Hall													S			P	P	P	S						
Garden Supply/Plant Nursery															S	P	P	P	P						
Restaurant with less than 2,000 SF without Drive-Through or Drive-In													P	S	P	P	P	P	P	P					