

CITY OF ROCKWALL

ORDINANCE NO. 20-44

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 SECTION 07.04, *ACCESSORY STRUCTURE DEVELOPMENT STANDARDS*, OF ARTICLE 05, *DISTRICT DEVELOPMENT STANDARDS*, 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 Section 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, 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:

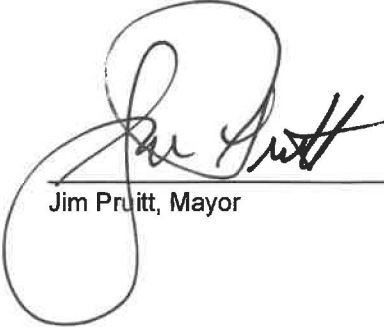
SECTION 1. That Section 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit '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. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 4. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2ND DAY OF NOVEMBER, 2020.


Jim Pruitt, Mayor

ATTEST:


Kristy Cole, City Secretary

APPROVED AS TO FORM:


Frank J. Garza, City Attorney



1st Reading: October 19, 2020

2nd Reading: November 2, 2020

Exhibit 'A'
Section 07.04, Accessory Structure Development Standards, of
Article 05, Development Standards, of the
Unified Development Code (UDC)

Additions: **Highlighted**
Deletions: **Highlighted, Strikeout**

ZONING DISTRICTS OR ACCESSORY STRUCTURE TYPE ¹		ACCESSORY BUILDINGS ^{1, 3, 5, 8 & 12}						ACCESSORY STRUCTURES ^{1, 3, 5 & 8}			
		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 AND ZERO LOT LINE (ZL-5) DISTRICT	PORTABLE ACCESSORY BUILDING 0 SF – 120 SF	DETACHED GARAGE ⁹	CARPORTS ⁷	ATTACHED AND DETACHED COVERED PORCHES	PERGOLAS
DEVELOPMENT STANDARDS ¹											
NUMBER OF ACCESSORY STRUCTURES OR NUMBER OF SPECIFIC ACCESSORY STRUCTURE PERMITTED		2 ²	2 ²	2 ²	2 ⁶	1	1	1	1	1	N/A ¹¹
MAXIMUM SF OF ACCESSORY STRUCTURE		1,000 ²	1,000 ²	1,250 ²	144 ⁶	100	120	625	500	500 ¹⁰	500 ¹⁰
MINIMUM SETBACKS	REAR (FEET)	10	10	10	3	3	3	10	10	3 ¹⁰	3 ¹⁰
	REAR W/ ALLEYWAY (FEET)	20 ⁴	20 ⁴	20 ⁴	3	3	3	20 ⁴	20	3 ¹⁰	3 ¹⁰
	SIDE (FEET)	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	3	3	SEE ZONING DISTRICT	SEE ZONING DISTRICT ¹⁰	SEE ZONING DISTRICT ¹⁰	3 ¹⁰
BETWEEN BUILDINGS (FEET)		10	10	10	6	3 ⁶	3 ⁶	10	10	6	6
BUILDING HEIGHT (FEET) ⁸		15	15	15	15	10	10	15	15	15	12

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/COVERED PORCHES/PERGOLAS THAT ARE INTEGRATED INTO THE MAIN ACCESSORY STRUCTURE AND WHICH ARE INCLUDED IN THE SQUARE FOOTAGE OF THE OVERALL 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 (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 SIZE, ARCHITECTURE AND BUILDING MATERIALS PROPOSED FOR THE STRUCTURE COMPARED TO THOSE OF THE PRIMARY STRUCTURE.
- ⁶: 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. IF A PROPERTY HAS AN EXISTING ACCESSORY BUILDING GREATER THAN 144 SF, NO ADDITIONAL ACCESSORY BUILDINGS OR DETACHED GARAGES SHALL BE PERMITTED.
- 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 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 FRONT, REAR OR SIDE YARD BY A STANDARD WIDTH, CONCRETE DRIVEWAY THAT HAS MINIMUM LENGTH OF 20-FEET OF DRIVEWAY PAVEMENT. DETACHED GARAGES ACCESSIBLE FROM THE FRONT SHALL BE A MINIMUM OF 20-FEET BEHIND THE FRONT FAÇADE OF THE PRIMARY STRUCTURE.
- ¹⁰: COVERED PORCHES AND PERGOLAS THAT ARE DETACHED OR NOT CONTIGUOUS WITH THE PRIMARY STRUCTURE SHALL BE PERMITTED TO BE LOCATED WITHIN FEET OF THE REAR (OR REAR WITH ALLEYWAY) AND SIDE YARD PROPERTY LINE.

Exhibit 'A'
*Section 07.04, Accessory Structure Development Standards, of
Article 05, Development Standards, of the
Unified Development Code (UDC)*

- ¹⁰: 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.
- ¹¹: PERGOLAS ARE NOT SUBJECT TO THE *NUMBER OF ACCESSORY STRUCTURE REQUIREMENTS*, BUT DO COUNT AGAINST THE RESIDENTIAL LOT COVERAGE REQUIREMENTS FOR THE ZONING DISTRICT.
- ¹²: PORTABLE ACCESSORY BUILDINGS ARE DEFINED AS AN ACCESSORY BUILDING THAT DOES NOT HAVE A PERMENEANT FOUNDATION. ALL ACCESSORY BUIDLINGS THAT ARE NOT PORTABLE ACCESSORY BUILDINGS REQUIRE A PERMANENT CONCRETE FOUNDATION.