

CITY OF ROCKWALL

ORDINANCE NO. 21-39

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 10, FEE SCHEDULE, OF ARTICLE 11, DEVELOPMENT APPLICATIONS AND REVIEW PROCEDURES, 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 10, *Fee Schedule*, of Article 11, *Development Applications and Review Procedures*, 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 10, *Fee Schedule*, of Article 11, *Development Applications and Review Procedures*, 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 7<sup>TH</sup> DAY OF SEPTEMBER, 2021.**

  
Kevin Fowler, Mayor

**ATTEST:**

  
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

  
Frank J. Garza, City Attorney



1<sup>st</sup> Reading: August 16, 2021

2<sup>nd</sup> Reading: September 7, 2021

**Exhibit 'A'**  
Section 10, Fee Schedule, of  
Article 11, Development Applications and Review Procedures, of the  
Unified Development Code (UDC)

Additions: Highlighted

Deletions: Highlighted, Strikeout

(A) Establishment of Fees. Fees for all development related applications in the City of Rockwall shall be established by the City Council upon recommendation of the City Council. Such fees shall be for the sole purpose of recovering the administrative cost of processing development applications, advertising zoning requests, and holding public hearings required by this Article. Such fee shall not be designed to generate revenue for the City other than recovery of actual administrative costs.

(B) Fees. The fees for development related applications in the City of Rockwall shall be as follows:

<b>(1) PLATTING</b>	
(a) Master Plat	\$100.00 + \$15.00/Acre
(b) Preliminary Plat	\$200.00 + \$15.00/Acre
(c) Final Plat	\$300.00 + \$20.00/Acre
(d) Replat	\$300.00 + \$20.00/Acre
(e) Amending or Minor Plat	\$150.00
(f) Plat Reinstatement Request	\$100.00
<b>(2) SITE PLAN</b>	
(a) Site Plan	\$250.00 + \$20.00/Acre
(b) Amended Site Plan	\$100.00
<b>(3) ZONING</b>	
(a) Zoning Change	\$200.00 + \$15.00/Acre
(b) Specific Use Permit (SUP)	\$200.00 + \$15.00/Acre
(c) Planned Development (PD)	\$200.00 + \$15.00/Acre
<b>(4) MISCELLANEOUS</b>	
(a) Variance/Special Exception	\$100.00
(b) Tree Removal	\$75.00
(c) Other Miscellaneous Requests	\$0.00
<b>(5) HISTORIC PRESERVATION ADVISORY BOARD</b>	
(a) Certificate of Appropriateness (COA)	\$0.00
(b) Small Matching Grants	\$0.00
(c) Building Permit Fee Waiver	\$0.00

**NOTES:**

\*: See Section (D) below.

(C) Calculation of Fees. Fees that have a scaled fee structure (*i.e. that are based on the acreage of the property*) are calculated by multiplying the acreage of the property by the scalable fee and adding the base fee. For example, a 5.25-acre property that is requesting a zoning change would be calculated as follows:

$$5.25\text{-acres} \times \$15.00/\text{Acres} = \$78.75 + \$200.00 [\text{Base Fee}] = \$278.75 [\text{Fee Due}]$$

Properties that are less than one (1) acre in total size shall be calculated as one (1) acre. No other rounding methods shall be used in the calculation of a fee.

**Exhibit 'A'**  
Section 10, Fee Schedule, of  
Article 11, Development Applications and Review Procedures, of the  
Unified Development Code (UDC)

(D) **Non-Compliant Structure Fees.** Fees associated with requests for a Specific Use Permit (SUP) or a Variance/Special Exception that deal with structures that were [1] constructed without a building permit, or [2] that were *not* constructed in conformance with an approved building permit shall be increased by \$1,000.00. For example, a 5.25-acre property that is requesting approval under this section would be calculated as follows:

5.25-acres x \$15.00/Acres = \$78.75 + \$200.00 [Base Fee] = \$278.75 [Typical Application Fee] + \$1,000.00 [Forgiveness Fee] = \$1,278.75 [Fee Due]