

CITY OF ROCKWALL

ORDINANCE NO. 22-21

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 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 of Rockwall to amend Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] for the purpose of creating an Airport Overlay (AP OV) District; 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:

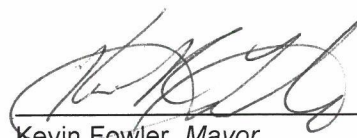
SECTION 1. That Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

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 4TH DAY OF APRIL, 2022.

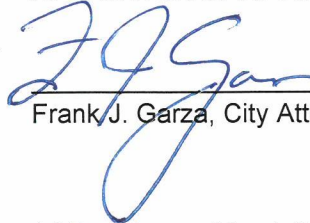

Kevin Fowler, Mayor

ATTEST:


Kristy Teague, City Secretary



APPROVED AS TO FORM:


Frank J. Garza, City Attorney

1st Reading: March 21, 2022

2nd Reading: April 4, 2022

Exhibit 'A'
Text Amendment

*ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, OF THE
UNIFIED DEVELOPMENT CODE (UDC)*

ADDITIONS: RED

DELETIONS: ~~RED WITH STRIKE-THROUGH~~

the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards](#).

SUBSECTION 06.14: SH-276 OVERLAY (SH-276 OV) DISTRICT

- (A) Purpose. The intent of the SH-276 Overlay (SH-276 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.
- (B) Application and Boundaries. The SH-276 Overlay (SH-276 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of SH-276. The SH-276 Overlay (SH-276 OV) District extends from SH-205 east to the eastern city limits, as may be extended with future annexation(s). The standards and regulations set forth in the SH-276 Overlay (SH-276 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) Overlay District Standards. If any portion of a property is situated within the boundaries of the SH-276 Overlay (SH-276 OV) District, the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards](#).

SUBSECTION 06.15: AIRPORT OVERLAY (AP OV) DISTRICT

Note: This document was prepared using FAA guidelines as of March 17, 2020 and using AC150/5300-14D.

- (A) Purpose. The purpose of this district is to provide both airspace protection and land use compatibility with airport operations at the Ralph M. Hall/Rockwall Municipal Airport. This district, through establishment of airport zones and corresponding regulations, provides for independent review of development proposals in order to promote the public interest in safety, health and general welfare of the City of Rockwall. Therefore, the City of Rockwall deems it necessary to regulate uses of land located within or near the traffic patterns of the airport through regulation of height of structures and objects of natural growth, and through the regulation of land uses within the Airport Overlay (AP OV) District, and other FAA regulated areas associated with the airport (*i.e. areas relating to RSA/ROFA/ROFZ which extend off the airport property*).
- (B) District Boundaries. This *Airport Overlay (AP OV) District* is hereby established as the land area owned by the City of Rockwall and held as Ralph M. Hall/Rockwall Municipal Airport, the Airport Runway Protection Zone (RPZs), and a buffer area extending 500-feet from all property lines of the Ralph M. Hall/Rockwall Municipal Airport (see [Figure 29: Airport Overlay District Boundaries](#)).
- (C) Definitions. Unless otherwise stated in this section, the following words shall have the definitions prescribed to them below:

- (1) Administrative Agency. The appropriate person or office of the municipality that is responsible for the administration and enforcement of the regulations prescribed in this section of the Unified Development Code (UDC).
 - (2) Airport. The current and future boundaries of the Ralph Hall Municipal Airport located within the City of Rockwall, Texas.
 - (3) Airport Hazard. A structure or object of natural growth that obstructs the air space required for the taking off, landing, and flight of aircraft or that interferes with visual, radar, radio, or other systems for tracking, acquiring data relating to, monitoring, or controlling aircraft.
 - (4) Airport Hazard Area. An area of land or water on which an airport hazard could exist.
 - (5) Applicant. The person or persons making a request to the administrative agency.
 - (6) Centerline. The runway centerline identifies the center of the runway and provides alignment guidance during takeoff and landings. The centerline consists of a line of uniformly spaced stripes and gaps.
 - (7) Non-Conforming Land Use or Non-Conforming Use. Any land use of which is inconsistent with the provisions of these regulations and which is existing as of the effective date of the Airport Overlay (AP OV) District.
 - (8) Person. An individual, firm, partnership, corporation, company, association, joint stock association, or body politic and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.
 - (9) Runway. A defined area on the airport prepared for the landing and taking off of aircraft along its length. The current length of the Rockwall Municipal Airport is 3,373-feet by 45-feet and the zoned dimensions are 3,373-feet by 60-feet.
 - (10) Runway Safety Area (RSA). The surface surrounding the runway prepared or suitable for reducing the risk of damage to airplanes in the event of an undershoot, overshoot, or excursion from the runway.
 - (11) Structure. An object constructed or installed by one (1) or more persons and includes but is not limited to a building, tower, smokestack, and overhead transmission line.
- (D) Airport Zones. In order to implement the intent of this ordinance, the Airport Overlay (AP OV) District hereby includes the following three (3) exhibits that depict the zones within the controlled area and shown on the official zoning map as depicted in [Figure 29: Airport Overlay District Boundaries](#):
- Airport Overlay (AP OV) District Boundaries (see [Figure 29: Airport Overlay District Boundaries](#))
 - Development Zones within the Airport Overlay (AP OV) District (see [Figure 30: Development Zones within the Airport Overlay \(AP OV\) District](#))
 - Airport Airspace Zones Boundaries (see [Figure 31: Airspace Zone Boundaries](#))
- (E) Permitted Uses. All uses otherwise permitted by existing zoning ordinances within the boundaries of the AP OV District are permitted



within the district, except where there is a conflict between the AP OV District and the existing zoning ordinances. Where the provisions of the AP OV District are more restrictive, the provisions of the AP OV District shall govern.

(F) **Controlled Area.** The area within which airport land use compatibility controls may be instituted, as defined by *Section 241, Municipal and County Zoning Authority Around Airports*, of the V.T.C.A., *Texas Local Government Code*, shall be defined as the controlled area. The controlled area is located outside the Airport boundaries and within an area measured no farther than one and one-half (1½) statute miles from the centerline of the Ralph M. Hall/Rockwall Municipal Airport runway and lies no farther than five (5) statute miles from each end of the paved surface of the runway.

(G) **Airspace Zones.** Airspace Zones consist of all of the land area lying beneath the surfaces referenced in Section H, *Height Limitations*, below and in Title 14, Part 77.19. The following Airspace Zones are hereby established and set forth (see *Figures 26: Airspace Zones [right] & Figure 31: Airspace Zone Boundaries [below]*; reference *Title 14, Part 77, FAR*):

(1) **Primary Surface.** The Primary Surface is a surface that is longitudinally centered on the runway. It extends 200-feet beyond the end of each runway and 250-feet on either side of the centerline of the runway for a total width of 500-feet (i.e. a 250-foot side buffer of the runway centerline).

(2) **Approach Zone.** The Approach Zone is a fan shaped zone that is established at both ends of the runway for the purpose of landings and take-offs. The Approach Zone commences at the end of the Primary Surface (i.e. 200-feet beyond the end of the runway) and has a beginning width of 500-feet. It then extends uniformly along the continuation of the centerline of the runway to a width of 3,500-feet at a distance of 10,000-feet from the point of commencement, and a slope of 34:1 or one (1) foot in height for each 34-feet in horizontal distance [this is the land area that exists underneath the Approach Surface].

(3) **Transitional Zones.** The Transitional Zones are symmetrically located on either side of runway, and have variable widths. The Transitional Zones extend outward and upward commencing from the edge of the Primary Surface (i.e. 250-feet on either side of the centerline of the runway), and Approach Surfaces. The Transitional Zones extend upward and outward at slope of 7:1 or one (1) foot vertically for each seven (7) feet horizontally to the point where they intersect the surface of the Horizontal Zone. The Transitional Zones are established adjacent to the Approach Zones and extend their entire length. The Transitional Zones flare symmetrically with either side of the runway Approach Zone from the base of said zones and slope upward and outward at the rate of 7:1 or one (1) foot vertically for each seven (7) feet horizontally to the points where they intersect the surface of the Horizontal Zone and the Conical Zone [this is the land area that exists underneath the Transitional Surface].

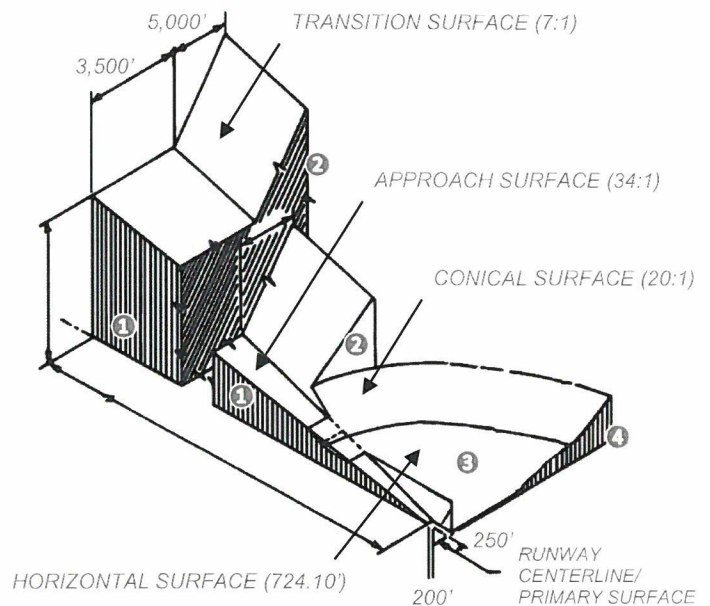
(4) **Horizontal Zone.** The Horizontal Zone consists of the land area within the perimeter of which is constructed by swinging arcs of 10,000-feet from the center of each Primary Surface, 200-feet beyond the centerline of each runway and connecting the adjacent arcs by lines of tangent to those arcs. The Horizontal

Zone does not include the Approach Zone and/or the Transition Zone [this is the land area that exists underneath the Horizontal Surface].

(5) **Conical Zone.** The Conical Zone consists of the land area that commences at the periphery of the Horizontal Zone and extends outward for a distance of 4,000-feet, at a 20:1 slope or one (1) foot in height for each 20-feet of horizontal distance. The Conical Zone does not include the Approach Zone and/or the Transition Zone [this is the land area that exists underneath the Conical Surface].

FIGURE 26: AIRSPACE ZONES

① : APPROACH ZONE; ② : TRANSITION ZONE; ③ : HORIZONTAL ZONE;
④ : CONICAL ZONE



(H) **Height Limitations.** Except as otherwise provided in this ordinance, no structure or tree shall be erected, altered, allowed to grow, or be maintained in any zone created above to a height in excess of the limits established herein for each of the imaginary surfaces created by the airspace zones (*Title 14 CFR, Section 77.19, Civil Airport Imaginary Surfaces*), which are defined as follows:

(1) **Approach Surface.** The Approach Surface is the surface that is created by the Approach Zone, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The Approach Surface is the same starting width as the Primary Surface (i.e. 500-feet), and has a slope of 34:1 or one (1) foot in height for each 34-feet in horizontal distance commencing at the Primary Surface and extending to a point 10,000-feet from the point of beginning and widening to a width of 3,500-feet.

(2) **Transitional Surface.** The Transitional Surface is the surface that is created by the Transitional Zone, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending in the area required for an aircraft's navigable airspace. The Transitional Surface is the surface that extends outward and upward, at right angles to the runway



centerline (at any point 250-feet normal to and at the elevation of the centerline) and extended runway centerline (i.e. 200-feet beyond the end of the runway), from the sides of the *Primary Surface* and the *Approach Surfaces* to a point of 150-feet above the airport elevation (i.e. 724.10-feet) [the airport elevation is 574.10-feet above mean sea level]. The *Transitional Surface* has a slope of 7:1 or one (1) foot in height for each seven (7) feet in horizontal distance.

- (3) **Horizontal Surface.** The *Horizontal Surface* is the surface that is created by the *Horizontal Zone*, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The *Horizontal Surface* is the horizontal plane created by swinging arcs with a 10,000-foot radius centered on the extended runway centerline where it crosses the *Primary Surface*, and is situated 150-feet above the established airport elevation (i.e. 724-feet) [the airport elevation is 574-feet above mean sea level], which coincides with the extent of the *Horizontal Zone*.
- (4) **Conical Surface.** The *Conical Surface* is the surface that is created by the *Conical Zone*, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The *Conical Surface* extends upward and outward from the outer limits or the periphery of the *Horizontal Surface* at a slope of 20:1 or one (1) foot in height for each 20-feet of horizontal distance for a horizontal distance of 4,000-feet. The *Conical Surface* extends to a height of 350-feet above the airport's elevation (i.e. 924-feet) [the airport elevation is 574-feet above mean sea level].

[Where an area is covered by more than one (1) height limitation, the more restrictive limitation shall prevail. Nothing in this ordinance shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height up to 45-feet above the surface of the land, except in the *Approach Zones*.]

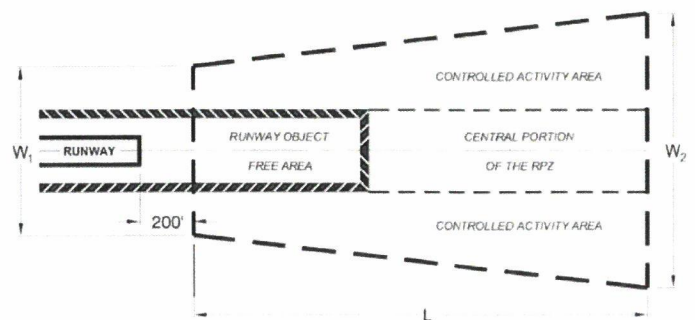
- (I) **Airport Hazard Area.** The *Airport Hazard Area* is an area of land or water on which an airport hazard could exist. An *airport hazard* is defined as a structure or object of natural growth that obstructs the airspace required for the taking off, landing, and flight of aircraft or that interferes with visual, radar, radio, or other systems for tracking, acquiring data relating to, monitoring, or controlling aircraft. For the purposes of this ordinance, the *Airport Hazard Area* is defined as the entirety of all the imaginary surfaces stated in Section H, *Height Limitations*, of this ordinance (see [Figure 31: Airspace Zone Boundaries](#)).
- (J) **Land Use Compatibility.**
- (1) **Intent.** The Airport Overlay (AP OV) District is intended to overlay any other zoning district's regulations comprising or pertaining to areas to which it is applicable, to prevent undue negative interaction between aviation activities associated with the airport and the surrounding community. It is intended to protect the lives and property of the users of the airport and of the occupants of the land in its general vicinity by restricting places of public assembly within this Airport Overlay (AP OV) District. The overlay is intended to preserve the utility of the airport and the public investment therein.

- (2) **Development Zones.** The *Development Zones* are hereby established within the Airport Overlay (AP OV) District. These zones are depicted in [Figure 30: Development Zones within the Airport Overlay \(AP OV\) District](#) of this ordinance. The *Development Zones* are defined and described as follows:

- (a) **Airport Runway Protection Zones (RPZs).** The *Airport Runway Protection Zones* are hereby established as the trapezoidal areas centered about the extended runway centerline. The *RPZ* dimensions for a particular runway end are a function of the type of aircraft and approach/departure visibility minimum associated with the runway end. The *RPZs* for the Ralph M. Hall/Rockwall Municipal Airport commence 200-feet from the edge of pavement at the end of each runway, beginning with a base of 500-feet (i.e. inner width or ' W_1 '), extending 1,000-feet along the runway centerline (i.e. length or ' L '), and terminating at the outboard corners of a 700-foot line segment (i.e. outer width or ' W_2 ') [see [Figure 27: Airport Runway Protection Zone \(RPZ\)](#)], creating a 13.770-acre trapezoidal area, which is intended to service *Aircraft Approach/Departure Categories 'A' & 'B'* (i.e. small single and multi-engine planes). Contained within the two (2) trapezoidal areas that make up the *RPZs* are the *Controlled Activity Area* and a portion of the *ROFA (Object Free Area)*. These areas are defined as follows:

- (1) **The Runway Object Free Area (ROFA).** The *Runway Object Free Area (ROFA)* is centered on the runway centerline. The *ROFA* clearing standard requires clearing the *ROFA* of above ground objects protruding above the runway safety area edge elevation. Except where precluded by other clearing standards, it is acceptable to place objects that need to be located in the *ROFA* for air navigation or aircraft ground maneuvering purposes to protrude above the nearest point of the runway safety area, and to taxi and hold aircraft in the *ROFA*. To the extent practicable, objects in the *ROFA* should meet the same frangibility requirements as the runway safety area. Objects non-essential for air navigation or aircraft ground maneuvering purposes are not permitted to be placed in the *ROFA*. This includes parked airplanes and agricultural operations.

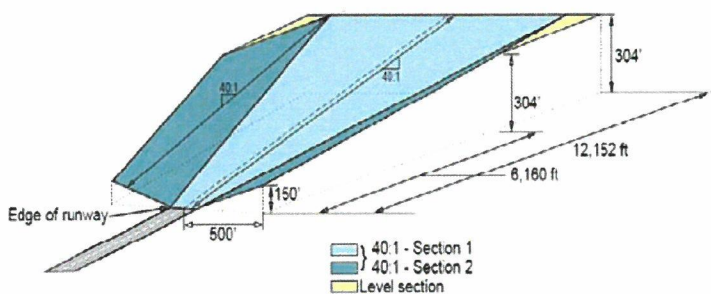
FIGURE 27: AIRPORT RUNWAY PROTECTION ZONE (RPZ)





- (2) The Controlled Activity Area. The *Controlled Activity Area* is the portion of the *RPZ* beyond the boundaries of the *ROFA*.
- (b) Municipal Airport Zone. The *Municipal Airport Zone* is hereby established as the real property boundaries of the Ralph M. Hall/Rockwall Municipal Airport. This zone contains the majority of all airport related land uses and structures.
- (c) Airport Influence Zone. The *Airport Influence Zone* contains all areas within the 500-foot buffer excluding the *Municipal Airport Zone* and the *RPZ*.
- (d) Height Restriction Zone. The *Height Restriction Zone* extends to the edge of the *Conical Zone* and is subject only to the requirements stipulated in Section H, *Height Limitations*, of this ordinance (see Figure 29: Airport Overlay District Boundaries).
- (e) Departure Surface. The *Departure Surface* starts at the end of the runway end elevation and matches the width of the usable runway. From the edge of the usable runway, the surface rises upward to 150-feet above the runway end elevation at a point 500-feet on either side of the runway centerline. The new surface rises upward along the extended centerline at a slope of 40:1 or one (1) foot in height for each 40-feet in horizontal distance until reaching 304-feet above the runway end elevation (i.e. 6,160-feet across at its outer width at the runway end elevation). Upon reaching the 304-foot marker, the surface levels out until the end of the departure surface at 12,152-feet. The area splays outward at a rate of 15-degrees relative to the extended runway centerline (see Figure 28: Departure Surface).

FIGURE 28: DEPARTURE SURFACE



(3) Land Use Restrictions.

- (a) Runway Object Free Area (ROFA) and Controlled Activity Area. No uses are permitted within the *Runway Object Free Area (ROFA)* or the *Controlled Activity Area* unless deemed essential to air navigation or aircraft ground maneuvering purposes by the Federal Aviation Administration (FAA) with the following exceptions:
- (1) Permitted Uses. See the current *FAA Standard*.
 - (2) Specific Use Permit (SUP).

- (a) Roadways, Automobile Parking Areas, and Railroads that Adhere to the Height Restrictions
- (b) Municipal Airport Zone.
- (1) Permitted Uses.
 - (a) Aircraft Runways, Taxiways, Taxi Lanes, Ramps, Parking Areas and Fuel Storage Facilities
 - (b) Aircraft Operational Facilities (including but not limited to *Instrument Landing Systems, Visual Navigational Aids, and Related Equipment; Communication Facilities; Weather Service Offices and Equipment*)
 - (c) Hangars (includes all buildings which may be used for the *Storage or Maintenance of Aircraft, Airport Snow Removal, Sweeping and Other Maintenance Equipment, and/or Other Aviation-Related or Ancillary Activities*)
 - (d) Terminal Buildings (which may contain *Offices or Airline Companies, and Other Businesses and Concessionaires*)
 - (e) Offices and Facilities for Airport Management, Air Charter, Air Taxi, Crop Spraying, Aircraft Sales or Rentals, and Air Cargo Processing Facilities
 - (f) Agriculture (other than *Forestry or Livestock*), Tourism Information Centers and Museums
 - (g) Flight Schools, Flying Clubs, and Other Schools or Training Facilities (relating to *Aviation or Air-Related Transportation*)
 - (h) Offices and Facilities for the Operation and Maintenance of Air Rescue, Emergency and Firefighting Services
 - (i) Aircraft Maintenance, Manufacturing, and Testing Facilities
 - (j) Offices and Facilities of Federal, State and Local Government Entities that Incorporate an *Aeronautical Land Use (Unless the Property has been Designated for Non-Aeronautical Land Uses)*
 - (2) Prohibited Uses.
 - (a) No uses other than those uses explicitly permitted above.
 - (c) Airport Influence Zone. All uses permitted within the underlying zoning depicted on the official zoning map of the City of Rockwall, with the following additional uses and exceptions:
 - (1) Specific Use Permits (SUP).
 - (a) Residential Airpark or Aviation Homes
 - (b) Driving Test Track

(2) Prohibited Uses.

- (a) Residential Uses (e.g. Single Family, Multi Family, etc.)
- (b) Educational Centers (including all types of Primary and Secondary Schools, Pre-Schools, and Child Care Facilities)
- (c) Hospitals, Medical Inpatient Treatment Facilities, Nursing Homes and/or Convalescent Home Facilities
- (d) Places of Worship
- (e) Places of Public Assembly (Not Previously Listed)
- (f) Fuel Handling and Storage Facilities (Does Not Include Gas Station)

(d) Height Restriction Zone. Properties within the Height Restriction Zone, outside of the Airport Overlay (AP OV District), are subject to the use requirements stipulated by the underlying zoning depicted on the official zoning map of the City of Rockwall (see Figure 29: Airport Overlay District Boundaries).

(4) Additional Use Restrictions.

- (a) Notwithstanding any other provision of this ordinance, no use may be made of land within any zone established by this ordinance in such a manner as to (1) create electrical interference with radio communication between the Airport and aircraft, (2) make it difficult for flyers to distinguish between airport lights and others, (3) result in glare in the eyes of flyers using the Airport, (4) impair visibility in the vicinity of the Airport or otherwise endanger the landing, taking-off, or maneuvering of aircraft.

(5) Legal Non-Conforming Land Uses.

- (a) Regulations Not Retroactive. The regulations prescribed by this ordinance shall not be construed to require the removal, lowering, changes and/or alteration of any structure (e.g. building) or object of natural growth (e.g. tree) not conforming to the regulations as of the effective date of this ordinance, or otherwise interfere with the continuance of any legal non-conforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure or property, for which the construction or alteration of said structure or property was commenced prior to the effective date of this ordinance.
- (b) Hazard Marking and Lighting. Notwithstanding the preceding provision of this section, the owner of any non-conforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the City Manager or his designee to indicate to the operators of aircraft in the vicinity of the Airport, the presence of such airport hazards. Markers and lighting necessary for existing non-conforming structures or trees shall be operated and maintained at the expense of the

property owner. Markers and lighting necessary for future non-conforming structures or trees, approved per the requirements of this ordinance, shall be installed, operated, and maintained at the expense of the property owner.

(K) Development Standards.(1) Architectural Standards.

- (a) All buildings within the *Municipal Airport Zone* shall be designed by a licensed, professional architect and all drawings submitted for approval and/or permits shall bear the architect's seal of the State of Texas.
- (b) All buildings intended for airport related use such as hangars, maintenance facilities, offices and facilities for airport management, terminal buildings and other similar types of uses with exterior walls visible from a public right-of-way shall consist of 90% masonry materials, excluding doors and windows as defined in Article 13, *Definitions*, of the Unified Development Code (UDC) [i.e. "Masonry"]. Building exterior walls not visible from the public rights-of-way may be earth-tone colored, pre-finished aluminum, steel or masonry. Materials that are unfinished are prohibited.

[All other buildings not related to airport uses within the Airport Overlay (AP OV) District shall conform to building materials requirements as stipulated within the Unified Development Code (UDC).]

In addition, all buildings intended for airport related uses shall adhere to the following standards:

- (1) A *Material Sample Board* indicating all exterior materials and colors must be submitted to the Planning and Zoning Commission, upon a recommendation by the Architecture Review Board (ARB), for approval prior to the commencement of construction. All sides of the exterior building shall be architecturally integrated and similar in nature with respect to the design and aesthetic.
- (2) All roofs shall be metal. If galvanized metal is being proposed, it shall be limited to a roofing material only.
- (3) Building glazing or reflectors shall not be incorporated into a building if it will cause a glare or reflection that could interfere with airport operations or ground circulation.
- (4) All windows or large glass elements shall be oriented and/or treated to avoid reflections that could cause a distraction to air traffic that is landing or taking off.
- (5) All new construction shall be of a high quality and utilize materials and finishes that will maintain their appearance with relatively low maintenance.
- (6) All steel used for roofing or siding shall be a minimum of 28-gauge steel, with a factory finish in a color that has been approved by the Planning and Zoning Commission, and which has been warranted by the



manufacturer for a minimum of 20 years with regards to the durability and color fastness.

- (7) All floors must be constructed of a minimum of four (4) inches thick concrete and reinforced with steel to a standard approved by the Engineering and Building Inspections Departments.
- (8) All hangars facing a taxiway (*i.e. a path connecting runways with ramps, hangars, terminals, etc.*) shall have a hangar door that has a minimum opening of 55-feet in width by 16-feet in height (*i.e. 55' [w] x 16' [h]*). Buildings facing a taxilane (*i.e. a path connecting the taxiways to aircraft parking positions*) shall have a hangar door that has a minimum opening of 41-feet, 6-inches in width by 12-feet in height (*i.e. 41'-6" [w] x 12' [h]*). Approved swing out, overhead or sliding doors may also be used. All pedestrian doors must be of a pre-finished metal construction positioned in metal doorjamb. No wood doorjamb will be permitted on exterior doors.
- (9) Mechanical equipment shall be screened so as not to be visible from the public and private rights-of-way. All screens, whether situated on the ground or on the building, shall be constructed to be aesthetically integrated into the design of the building. The rooftops of all buildings shall be free of any mechanical equipment unless completely screened from all points of view along all public rights-of-way by an architectural parapet. All screening materials shall be compatible with the material used on the building.

(2) Landscaping.

- (a) The requirements contained within Article 05, *District Development Standards*, and Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC), whichever would be applicable to the subject property independent of the AP OV District, shall apply to a property located within the overlay (*i.e. the landscaping percentage of the underlying zoning district would apply*); however, landscaping plans in the AP OV District should be designed with the consideration of aircraft movement and should not be designed using trees and/or plants that have the propensity to attract hazardous wildlife. In cases where aircraft requirements would conflict with certain landscaping elements, the Planning and Zoning Commission may approve requirements that deviate from those stipulated by the Unified Development Code (UDC) if, in its opinion, such alternate requirements provide for a safer and more efficient use of the property. In addition, the Planning and Zoning Commission may request that a qualified Airport Wildlife Biologist review landscaping plans in sensitive areas and provide recommendations for planting placement and alternatives.
- (3) Variations. The City Council may, upon request from the applicant, grant a variance to the any of the provisions contained within Section K.6, *Architectural Standards*, and Section K.7, *Landscaping*, of this ordinance where unique or

extraordinary conditions exist or where strict adherence to the provisions of this ordinance would create a hardship. Approval of any variance to any provision of this section shall require City Council approval by a three-quarter (¾) majority vote of the City Council members present with a minimum of four (4) affirmative votes.

(L) Administrative Procedures and Permits.

- (1) Notice of Proposed Construction or Alteration (i.e. FAA Form 7460-1). Any tree or structure (*new or alteration of an existing structure*) proposed within the AP OV District or 20,000-feet of the runway shall require an applicant to file a *Notice of Proposed Construction or Alteration* form (*i.e. FAA Form 7460-1*) with the Federal Aviation Administration (FAA) to determine if the tree or structure creates a hazard to air navigation or will result in an inefficient use of airspace.
- (2) Future Use. Except as specifically provided herein, no change shall be made in the use of land and no structure or tree shall be erected, altered, planted or otherwise established in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.
 - (a) In the area lying within the limits of the *Horizontal Zone* and *Conical Zone*, no permit -- *except as required by Section (L)(1) above* -- shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when because of terrain, land contour or topographic features such tree or structure would extend above the height limits prescribed for such zone.
 - (b) In the areas lying within the limits of the *Approach Zones* but at the horizontal distance of not less than 4,000-feet from each end of the runways, no permit -- *except as required by Section (L)(1) above* -- shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when because of terrain, land contour or topographic features such tree or structure would extend above the height limit prescribed for the *Approach Zone*.
 - (c) In the areas lying within the limits of the *Transitional Zones* ending at the perimeter of the *Horizontal Zone*, no permit -- *except as required by Section (L)(1) above* -- shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when such tree or structure because of terrain, land-contour or topographic features would extend above the height limit prescribed for such *Transitional Zones*.
- (3) Exceptions/Variations/Non-Conforming Uses. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, alteration or growth of any structure or tree in excess of any of the height



limits established by this Ordinance except as set forth in Section H, *Height Limitations*.

- (a) *Existing Uses*. No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non-conforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation, than it was on the effective date of this Ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.
- (b) *Non-Conforming Uses Abandoned or Destroyed*. Whenever the Board of Adjustment (BOA) determines that a non-conforming structure or use has been abandoned for a period of six (6) months, or more than eighty (80%) percent of a non-conforming structure or tree has been torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.
- (c) *Variances*. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use of their property, not in accordance with the regulations prescribed in this ordinance, may apply to the Board of Adjustment (BOA) for a variance from such regulations. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulation would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but will do substantial justice to be in accordance with the spirit and intent of this Ordinance.
- (d) *Hazard Marking and Lighting*. Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the owners at their own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

(M) *Enforcement*. It shall be the duty of the City Manager or his designee to administer and enforce the regulations prescribed herein. Application of permits shall be made to the City Manager or his designee upon a form published for that purpose. Applications required by this ordinance to be submitted to the City Manager or his designee shall be promptly considered and granted or denied. Applications for variances shall be made to the Board of Adjustment (BOA) by first filing said application for variance with the City Manager or his designee who shall forthwith transmit said application to the Board of Adjustment for determination.

(A)(N) *Appeals*. Requests for appeals to administrative decisions by the City Manager or his designee concerning the enforcement of this ordinance shall be directed to the Board of Adjustment (BOA) in compliance with Section 04, Board of Adjustments, of Article 02, Authority and Administrative Procedures, of the Unified Development Code (UDC).

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FIGURE 29: AIRPORT OVERLAY (AP OV) DISTRICT BOUNDARIES

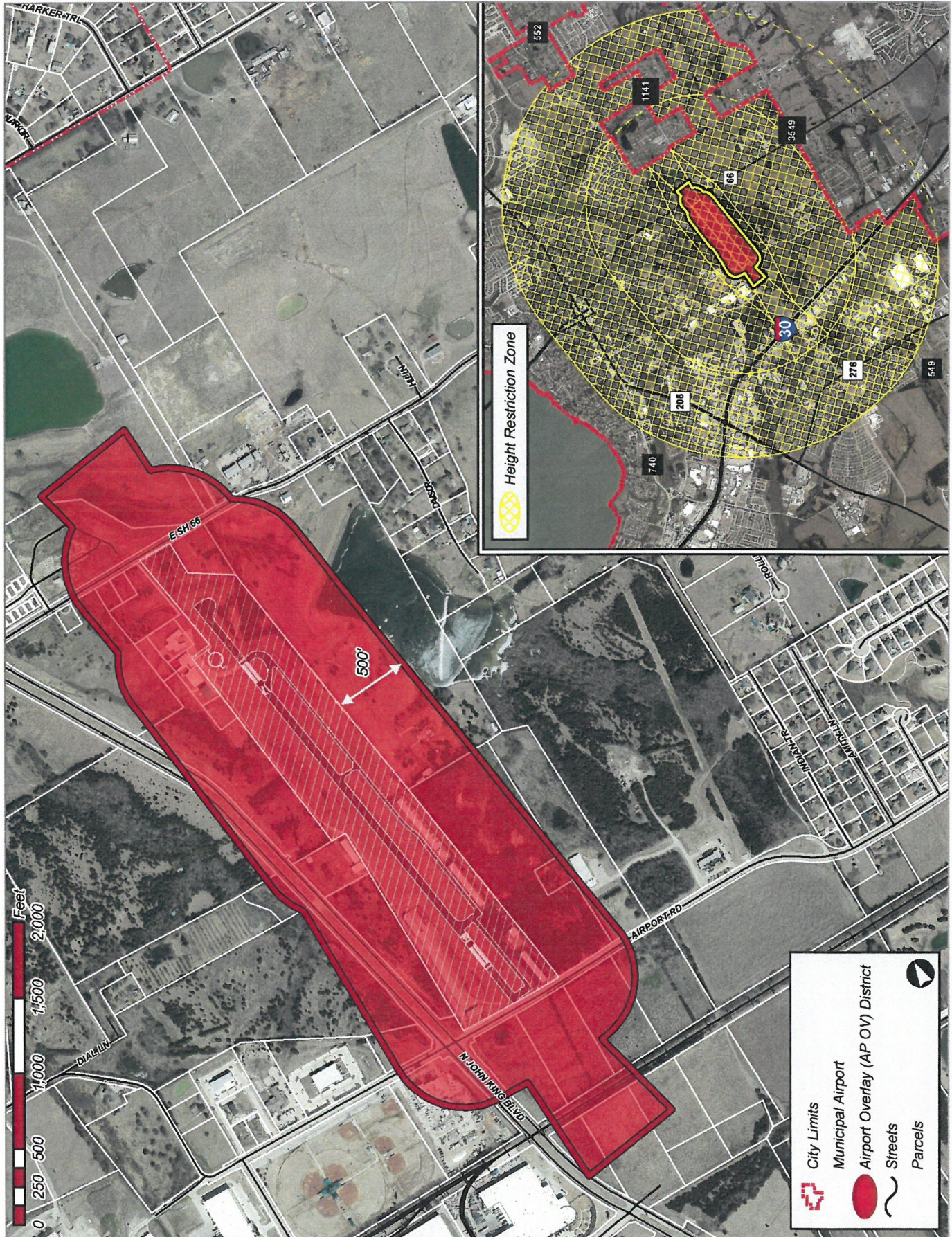


FIGURE 30: DEVELOPMENT ZONES WITHIN THE AIRPORT OVERLAY (AP OV) DISTRICT

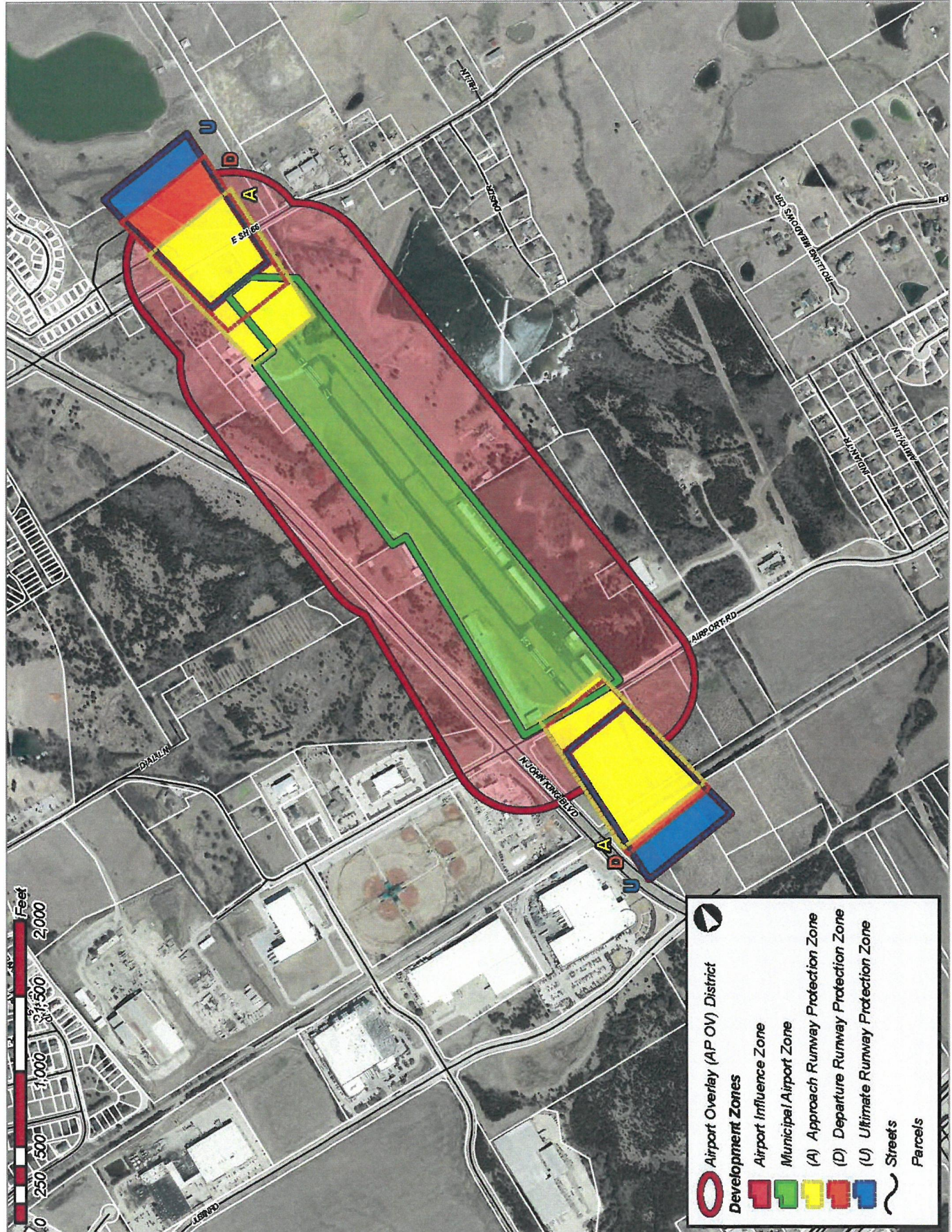




FIGURE 31: AIRSPACE ZONE BOUNDARIES

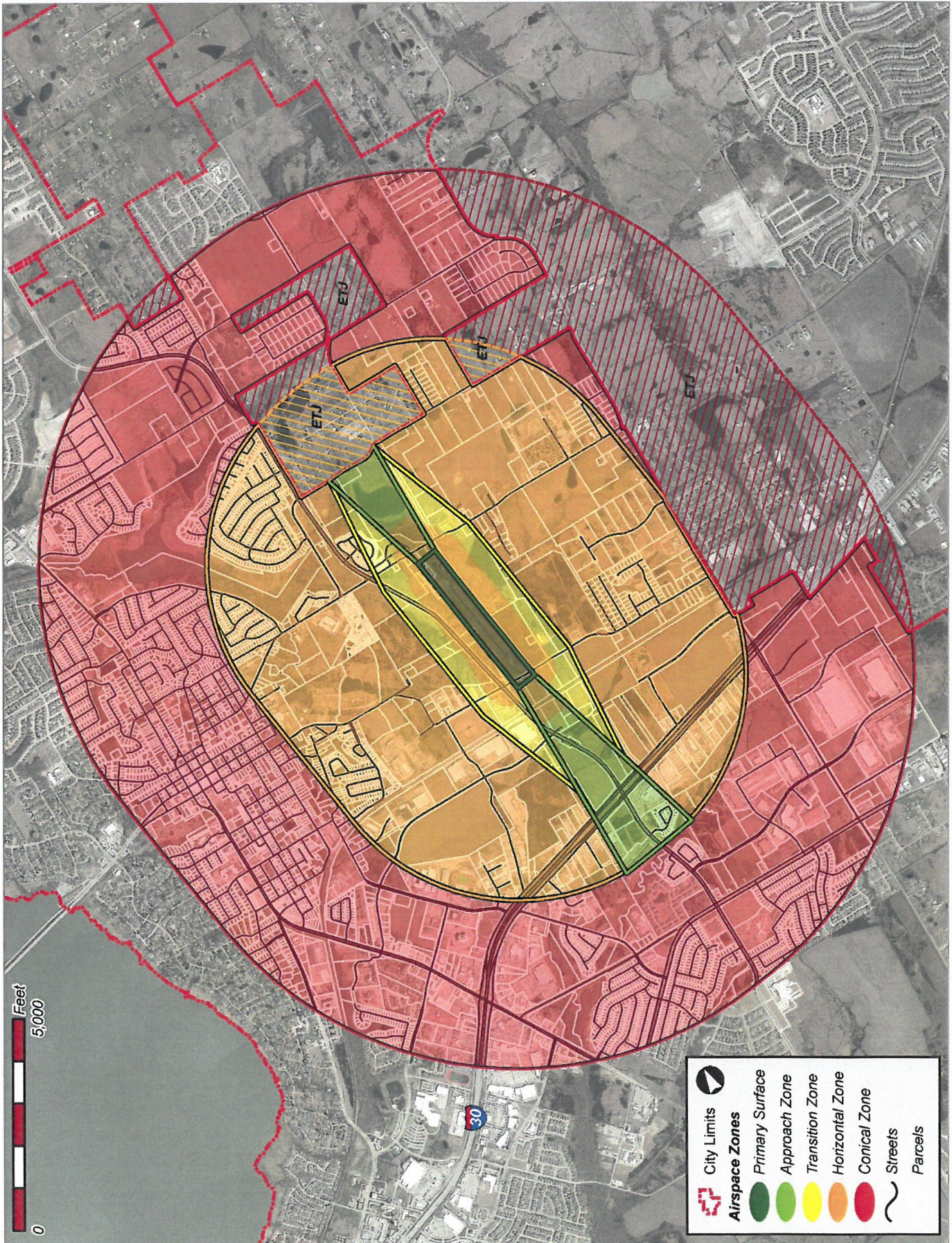
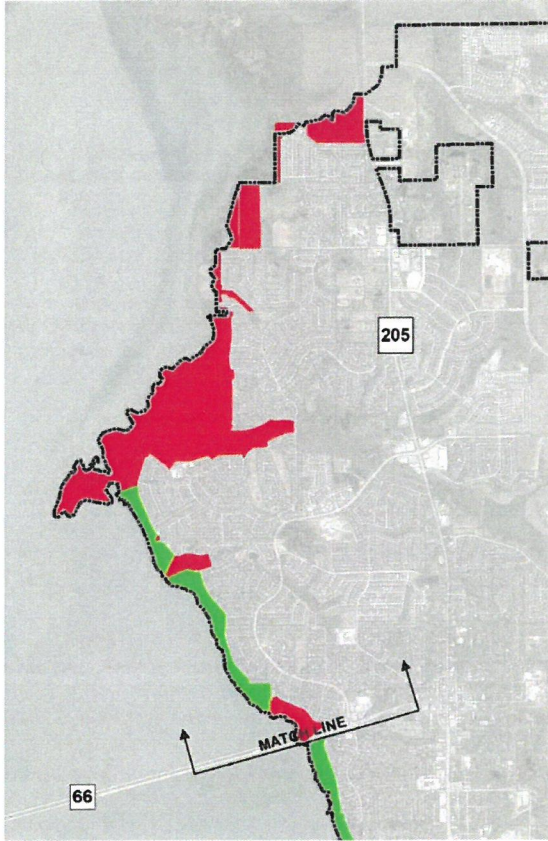


FIGURE 2632: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT MAP

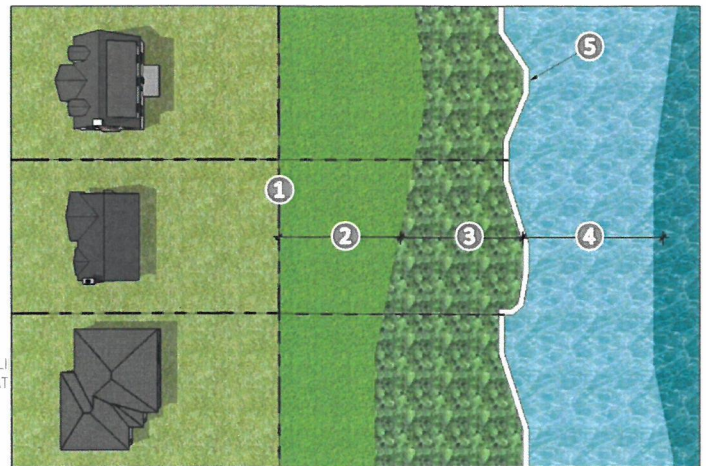


RED: NON LEASABLE PROPERTY
GREEN: LEASABLE PROPERTY

SUBSECTION 06.1516: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) *Purpose.* The purpose of the *Lake Ray Hubbard Takeline Overlay (TL OV) District* is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth the procedures for the development of said property, and establishing an appeal process for the development standards of the district. This zoning district has its basis in and is intended serve as an implementation tool for the Lake Ray Hubbard Master Plan (adopted by the City of Dallas), the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the Lake Cities Coalition (i.e. Garland, Rockwall, and Rowlett) and the City of Dallas, and the OURHometown Vision 2040 Comprehensive Plan. The adoption of this zoning district is intended to provide a means for the protection of water quality
- (B) *Boundaries.* The Lake Ray Hubbard Takeline (TL OV) District includes all property that is located between the City of Dallas Takeline as shown on the boundary map for Lake Ray Hubbard (i.e. File 612D-1 on file in the City of Dallas Records Vault and depicted below in Figure 26, *Lake Ray Hubbard Takeline [TL OV] District Map*) and the meandering of the contour line 435.5-foot sea level elevation. In addition, *Figure 27: Elevation Contours*, shows the elevation zones used to delineate where certain land uses are permitted.

FIGURE 2733: ELEVATION CONTOUR ZONES



- (C) *Applicability.*
 - (1) *Applicable Lots.* The standards set forth within Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, shall apply only to those lots within the takeline that are zoned and used for detached, single-family residential land uses, and that either have a minimum lot width of 45-feet when measured at the front building line or a minimum width of 35-feet at the front building line when located on a curved street or cul-de-sac that are eligible to lease. The properties eligible to lease the takeline area are depicted in *Figure 26: Lake Ray Hubbard Takeline Overlay (TL OV) District Map* above.



- (2) Exceptions for Lots Not Meeting the Applicability Standards. The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay (TL OV) District that are zoned and used for detached, attached, or zero-lot-line single-family residential land uses and meet the minimum lot width requirements as prescribed in Subsection 06.15(C)(1) above.
- (D) Definitions. The terms used in this section shall be as defined in this Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement, and the sublease agreements prepared by the City of Rockwall. For specific land use definitions refer to Subsection (J), Specifications for Permitted Land Uses. In addition, the following terms shall be defined as follows:
- (1) Catwalk. The narrow walkway of a dock providing people access to moored watercraft.
 - (2) Centerline. An established line that is equidistant from the surface or sides of something (e.g. *parcel boundaries*).
 - (3) Cleat. A metal fitting with two (2) projecting pieces used to wrap a rope around to secure a watercraft in position.
 - (4) Dredging. The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.
 - (5) Habitable Structure. A structure fit for human habitation usually containing amenities (e.g. *fireplace, furniture, plumbing, bathing facilities, and cooking facilities*). Structures allowed by this section shall not be habitable structures and may not contain such amenities.
 - (6) Lake. Refers to Lake Ray Hubbard.
 - (7) Lake Area. The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at a normal lake pool elevation (i.e. *property at or below an elevation of 435.5-foot mean sea level*).
 - (8) Leased Area. Means the take area that is within the corporate limits of the City of Rockwall, or where the takeline is directly adjacent to the corporate limits of the City of Rockwall.
 - (9) Lift. A temporary means of elevating a watercraft out of the water by use of a hoist.
 - (10) Locker Box. A secured chest fixed onto a dock used for storage of watercraft equipment.
 - (11) Moor. Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
 - (12) Mooring. A place where a watercraft can be tied up and secured while in the water (e.g. *a slip*) for not more than 156-consecutive hours.
 - (13) Power Source Station. Used as a power supply for lighting a dock just below watercraft level.
 - (14) Shoreline. Refers to the line along the shore of the lake, established by the normal lake pool elevations (i.e. *435.5-foot mean sea level*).
- (15) Slip. A watercraft's berth between two (2) piers or between finger piers.
 - (16) Take or Takeline Area. Refers to the land owned by Dallas between the takeline and the normal lake pool elevations (i.e. *435.5-foot mean sea level*).
 - (17) Treated Wood. Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction cause by insects, fungi, bacteria, or other wood destroying organisms.
 - (18) View Clear Zone. The area within the view preservation angle where no new structures or plantings shall exceed six (6) feet above the existing grade to maintain neighboring views.
 - (19) View Corridor. A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public view area (see Figure 28: Visual Measurements for View Corridors of Subsection (E)).
 - (20) View Preservation Angle. The angle determined as the line extending from the center point -- or 30-foot point depending on lot size -- along the quarter distance line of the leased area extending back toward the opposite corner where the takeline area crosses the lease area's side yard (see Figure 28: Visual Measurements for View Corridors).
 - (21) Watercraft (or Boat). A craft for water transport. Examples of watercrafts are as follows:
 - (a) Motorized Boat. A boat propelled by an internal combustion engine.
 - (b) Sail Boat. A boat with a mast and sail propelled by the wind.
- (E) Visual Measurements for View Corridors.
- (1) View Corridors. View clear zones are established to protect a property owner's views of the lake and to maintain the aesthetic value of the lake's shoreline. The view clear zones for the takeline areas are established by the shoreline frontage of the takeline lease area. This measurement is determined by projecting the lease areas side yards to the normal pool elevation (i.e. *435.5-foot mean sea level*), and connecting these two (2) points in a straight line (see Figure 28: Visual Measurements for View Corridors). Based on this linear measurement, the view clear zones are determined by the following:
 - (a) Lots That Have Less Than 100-Feet of Shoreline Frontage. The view corridor for lots that have less than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (i.e. 25%) center point from the shoreline frontage line along the centerline of the leasing property owner's side yard with the angle running from the quarter distance center point to the opposite corners where the takeline

area crosses the lease area's side yard. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).

- (b) Lots That Have More 100-Foot or More Shoreline Frontage. The view corridor for lots that have 100-foot or more shoreline frontage are defined by the view preservation angle determined as the quarter distance (i.e. 25%) line projected from the shoreline frontage line extending from the leasing property owner's side yard 30-foot along the quarter distance line and running from this point to the opposite corners where the takeline area crosses the lease area's side yard, and in a straight line from the 30-foot point on the quarter distance line to the shoreline frontage line. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).

FIGURE 2834: VISUAL MEASUREMENTS FOR VIEW CORRIDORS

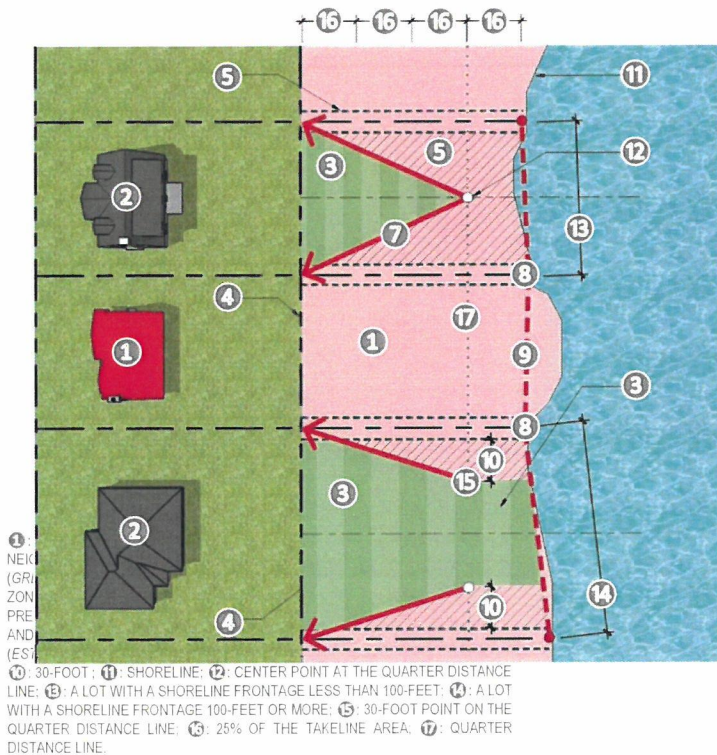
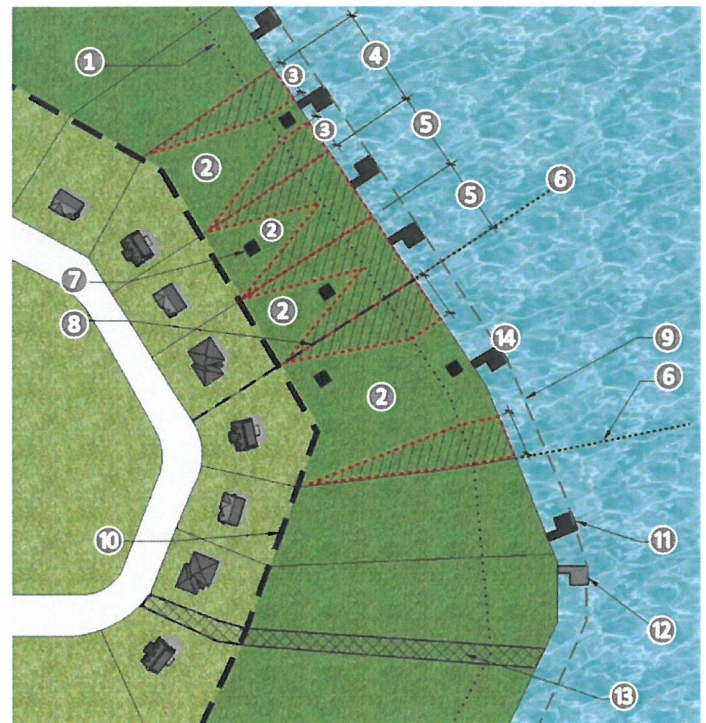


FIGURE 29:35 EXAMPLES OF VISUAL MEASUREMENTS FOR VIEW CORRIDORS AND STRUCTURE PLACEMENT



NOTE: 2: BUILDABLE AREA; 3: 30-FOET; 4: A LOT AGE LINE 100-FOET OR MORE; 5: A LOT WITH A SHORELINE FRONTAGE LESS THAN 100-FOET; 6: LEASE AREA'S STRUCTURE BUILT IN THE 438.0 ELEVATION ZONE; 7: 40-FOOT BUILDING LINE; 8: REAR YARD; 9: EXISTING BOATHOUSE; 10: BOATHOUSE BUILT IN THE 435.5 ELEVATION ZONE; 11: EXISTING BOATHOUSE; 12: BOATHOUSE BUILT IN THE 435.5 ELEVATION ZONE; 13: DRAINAGE EASEMENT; 14: STRUCTURE BUILT IN THE 435.5 ELEVATION ZONE; 15: VIEW CORRIDOR IN THE 435.5 ELEVATION ZONE; 16: VIEW CORRIDOR IN THE 438.0 ELEVATION ZONE; 17: VIEW CORRIDOR IN THE 438.0 ELEVATION ZONE BEHIND THE PRIMARY STRUCTURE.

(F) General Requirements. The following general requirements shall apply for all property in the takeline area.

- (1) Number of Permitted Structures. The following is the maximum number of structures that shall be permitted in each elevation zone (NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height):
 - (a) 438.0 Elevation Zone: Two (2) structures shall be permitted in the 438.0 Elevation Zone.
 - (b) 435.5 Elevation Zone: One (1) structure shall be permitted in the 435.5 Elevation Zone.
- (2) General Location of Permitted Structures. The following requirements relate to where structures should be generally located in each elevation zone (NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height):
 - (a) 438.0 Elevation Zone: Structures in the 438.0 Elevation Zone should be located outside of the view clear zones unless specifically permitted to be in the view clear zone