

CITY OF ROCKWALL

ORDINANCE NO. 23-06

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 SUBSECTION 02.03(K)(7), SOLAR ENERGY COLLECTOR PANELS AND SYSTEMS, OF 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 Subsection 02.03(K)(7), *Solar Energy Collector Panels and Systems*, of 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 Subsection 02.03(K)(7), *Solar Energy Collector Panels and Systems*, of 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 6<sup>TH</sup> DAY OF MARCH, 2023.**



Kevin Fowler, Mayor

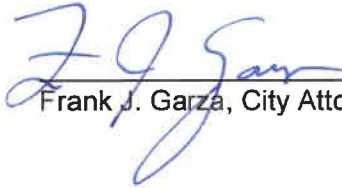
**ATTEST:**



Kristy Teague, City Secretary



**APPROVED AS TO FORM:**



Frank J. Garza, City Attorney

1<sup>st</sup> Reading: February 21, 2023

2<sup>nd</sup> Reading: March 6, 2023

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

*See Next Page ...*



(7) The antenna will meet all applicable requirements of Subsection 03.06, Antennas

(7) Solar Energy Collector Panels and System.

- (a) Residential. Solar Energy Collector Panels and Systems installed on a residential structure shall be required to meet the requirement of the International Building Code (IBC), and be required to apply for and receive a building permit from the Building Inspections Department.
- (b) Small Commercial. Solar Energy Collector Panels and Systems installed on a Small Commercial structure shall be required to meet the requirement of the International Building Code (IBC), and be required to apply for and receive a building permit from the Building Inspections Department. Small Commercial shall mean a Small Commercial Customer as defined by Section 202, Price to Beat, of Chapter 39, Restructuring of Electrical Utility Industry, of the Texas Utilities Code. It shall be the burden of a property owner to show that a particular property meets the definition of a Small Commercial Customer.
- (c) Commercial. Solar Energy Collector Panels and Systems installed on a Commercial structure shall be required to meet the following:

~~(a)~~(1) Solar Energy Collector Panels on a Pitched Roof. ~~Solar energy-Energy collector Collector panels-Panels~~ installed on a pitched roof shall be of a flat configuration and shall be subject to the following requirements:

- (A) Solar Energy Collector Panels shall not extend beyond the roofline or eave lines of a roof.
- (B) Solar Energy Collector Panels shall not exceed more than 45.00% of the total roof area.
- (C) Configuration of Solar Energy Collector Panels on a pitched roof ~~solar energy collector panels~~ shall be a regular quadrangular shape, flat to the roof or integrated with the roof, and aligned with the natural roof edges.

(D) The surface of the ~~solar-Solar energy-Energy collector-Collector panel-Panel~~ shall not be more than six (6) inches above the surface of the pitched roof.

~~(3)~~

(2) Solar Shingle on a Pitched Roof. Solar Shingles may be installed on a pitched roof; however, Solar Shingles are subject to the following requirements:

- (A) Solar Shingles shall be installed on 100.00% of the total roof area – *excluding accent roof materials (e.g. metal roofs over gabled windows, porches, entryways, and etcetera) –*, and shall not be installed alongside another roof mounted Solar Energy Collector System.

~~(b)~~(3) Solar Energy Collector Panels on a Flat Roof. ~~Solar energy-Energy collector-Collector panels~~

Panels installed on a flat roof, whether rack-mounted or flat-mounted, shall be screened from public view, and meet the following requirements:-

~~(A)~~—The height of such screening, at the minimum, shall be the height of the ~~solar-Solar energy Energy collector-Collector panel-Panel~~.

(A)

~~(2)~~(B) The screening may be by a parapet or screening wall replicating the materials of the building.

~~(e)~~(4) Reflective ~~flare-glare of solar-Solar energy Energy collector-Collector panels-Panels~~ shall be minimized by the positioning of the ~~solar-Solar energy collector-Collector panels-Panels~~ or by the use of non-glare glazing.

~~(d)~~(5) Piping, wiring and other mechanical accessories shall be concealed within a roof mounted ~~solar-Solar energy-Energy collector Collector panel-Panel~~. If some portion of the piping, wiring or other mechanical accessories cannot be practically concealed then those portions shall be painted so as to blend with the roofing material.

~~(e)~~(6) Ground mounted or pole mounted ~~solar Solar energy-Energy collector-Collector panels Panels~~ shall be located behind the primary building, and shall be fully screened from public view by a solid screening fence or wall that meets all code requirements of the ~~city~~City of Rockwall.

~~(f)~~(7) The maximum overall height of ground mounted or pole mounted ~~solar-Solar energy-Energy collector Collector panels-Panels~~ shall not exceed ~~42-eight (8)~~ feet.

~~(g)~~—In residential zoning districts, the total coverage area of solar energy collector panels shall not exceed 4,000 SF on a single lot.

~~(h)~~(8) Any ~~solar-Solar energy-Energy collector Collector panels-Panels~~ or ~~systems-Systems~~ not meeting these requirements, or any installation of ~~solar-Solar energy-Energy systems-Systems~~ as the principal use on any property, shall require approval of a Specific Use Permit (SUP).

SECTION 03 | OTHER SPECIAL USE STANDARDS

SUBSECTION 03.01: FARM ANIMALS AND HORSES

(A) Grazing Animals. In the SF-E and SF-1 Districts, grazing animals 500 pounds or greater, including horses and cattle must have a minimum fenced or enclosed area of 40,000 square feet per animal. Grazing animals of less than 500 pounds, including sheep and goats, must have a minimum fenced or enclosed area of 15,000 square feet per animal.

(B) Other Animals. An SUP is required for other farm animals, including chickens and swine (except for "potbellied pigs" as defined in Section 6-1, Definitions, of Chapter 6, Animals, of the Municipal Code of Ordinances), and for a reduction in the land area required for grazing farm animals. The city shall not grant a SUP for any farm