

CITY OF ROCKWALL

ORDINANCE NO. 21-29

SPECIFIC USE PERMIT NO. S-250

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, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *CHURCH/HOUSE OF WORSHIP* WITHIN A SINGLE-FAMILY 10 (SF-10) DISTRICT, ON A 7.45-ACRE TRACT OF LAND, IDENTIFIED AS TRACTS 3 & 10 OF THE W. B. BOWLES SURVEY, ABSTRACT NO. 12 AND THE A. HANNA SURVEY, ABSTRACT NO. 98, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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, a request has been made by St. Benedict's Anglican Church on behalf of Brett Hall for the approval of a Specific Use Permit (SUP) for a *Church/House of Worship* on a 7.45-acre tract of land identified as Tracts 3 & 10 of the W.B. Bowles Survey, Abstract No. 12 and the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 1500 Sunset Hill Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; 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 affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Church/House of Worship* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be subject to the requirements set forth in Subsection 02.03(C)(2), *Church/House of Worship*, of Article 04, *Permissible Uses* and Subsection 03.07, *Single-Family 10 (SF-10) District*, of Article 05, *District Development*

Standards, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall -- as heretofore amended and as my be amended in the future -- and the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of the *Church/House of Worship* land use on the *Subject Property* and conformance to these conditions is necessary for continued operations:

- (1) The *Church/House of Worship* facility shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance.
- (2) Any changes or additions to the exterior of the existing structures or the addition of new structures shall be required to be reviewed by the Architectural Review Board (ARB) and approved by the Planning and Zoning Commission.
- (3) Headlight screening shall be incorporated adjacent to the parking areas as depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance.
- (4) Three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) shall be incorporated adjacent to the northern and eastern property lines of the subject property generally as depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- (1) Upon obtaining a *Certificate of Occupancy (CO)*, should any business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. 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 offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 of this ordinance shall remain in full force and effect.

SECTION 7. 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 AUGUST 2021.**



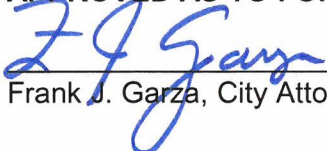
Kevin Fowler, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: July 19, 2021

2nd Reading: August 2, 2021

Exhibit 'A'
Legal Description and Location Map

Legal Description: Tracts 3 & 10 of the W. B. Bowles Survey, Abstract No. 12 and A. Hanna Survey, Abstract No. 98
Address: 1500 Sunset Hill Drive

