

CITY OF ROCKWALL

ORDINANCE NO. 24-28

SPECIFIC USE PERMIT NO. S-337

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW SOLAR ENERGY COLLECTOR PANELS ON THE ROOF OF AN EXISTING BUILDING SITUATED ON A FIVE (5) ACRE PARCEL OF LAND IDENTIFIED AS LOT 2, BLOCK A, PARK PLACE BUSINESS CENTRE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; 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, the City has received a request from Teshia Brown on behalf of Justin Ripp for the approval of a Specific Use Permit (SUP) for *Solar Energy Collector Panels* on the roof of an existing building situated on a five (5) acre parcel of land identified as Lot 2, Block A, Park Place Business Centre Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1290 E. IH-30, and being more specifically depicted and described 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 (UDC) [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 (UDC) [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 *Solar Energy Collector Panels* as stipulated by Subsection 01.02, *Land Use Schedule*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, and Subsection 04.01, *General Commercial District Standards*, and Subsection 04.05, *Commercial (C) District*, of Article 05, *District Development Standards*, of the Unified Development Code

(UDC) [Ordinance No. 20-02] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

2.1. OPERATIONAL CONDITIONS

The following conditions pertain to *Solar Energy Collector Panels* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The development or redevelopment of the *Subject Property* shall generally conform to the *Site Plan* and *Building Elevations* depicted in *Exhibits 'B' and 'C'* of this ordinance.
- (2) Reflective glare of Solar Energy Collector Panels shall be minimized by the positioning of the Solar Collector Panels or by the use of non-glare glazing.
- (3) Piping, wiring and other mechanical accessories shall be concealed within a roof mounted Solar Energy Collector 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.

2.2. COMPLIANCE

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

- (1) Upon obtaining a *Certificate of Occupancy (CO)* and/or building permit, should the 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 Revision 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.

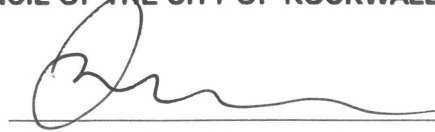
SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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 15th DAY OF JULY 2024.**



Trace Johannesen, Mayor

ATTEST:



Kristy Teague, City Secretary

APPROVED AS TO FORM:



Fran J Garza, City Attorney



1st Reading: July 1, 2024

2nd Reading: July 15, 2024

Exhibit 'A'
Zoning Exhibit

Address: 1290 E. IH-30

Legal Description: Lot 2, Block A, Park Place Business Centre Addition

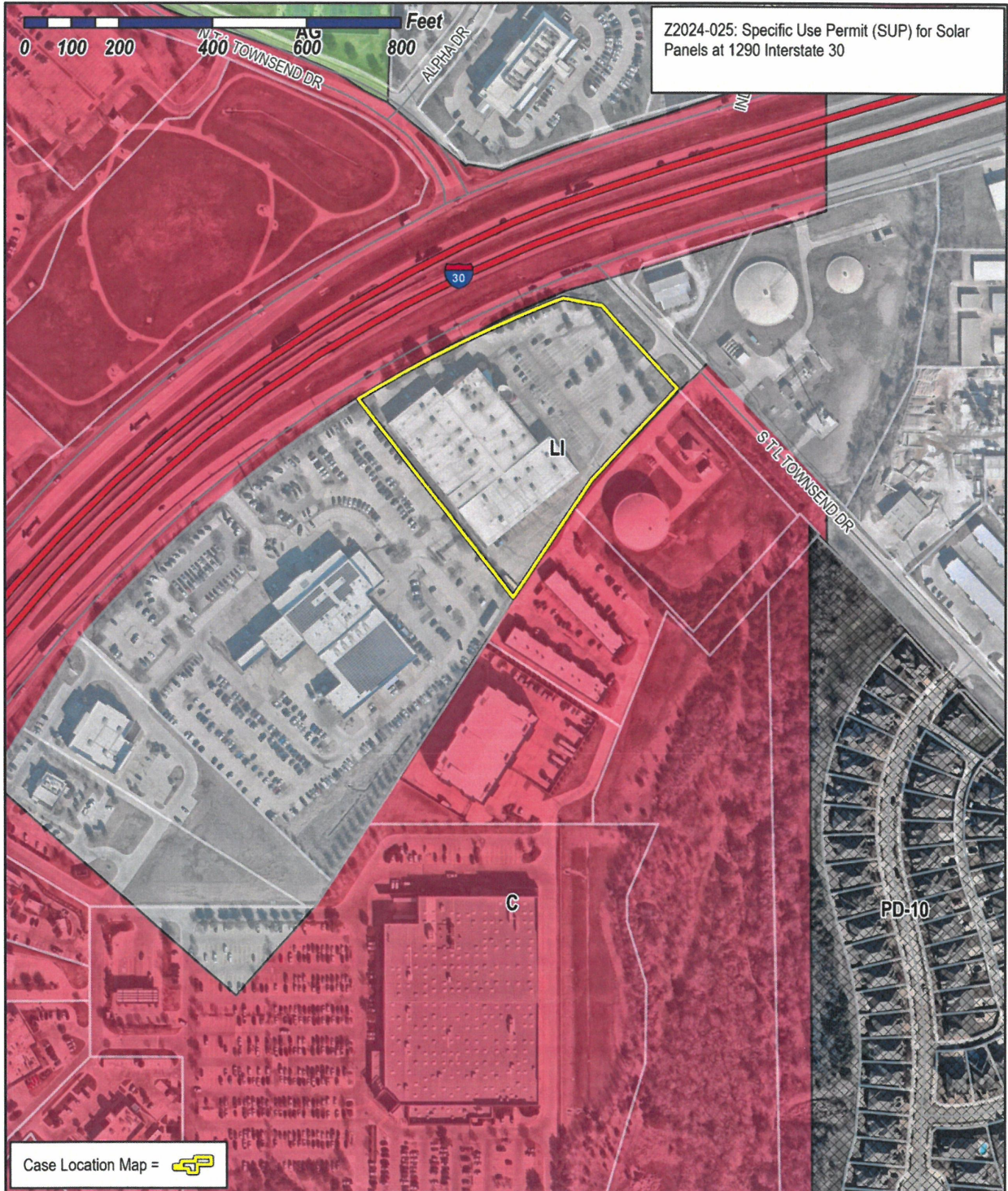
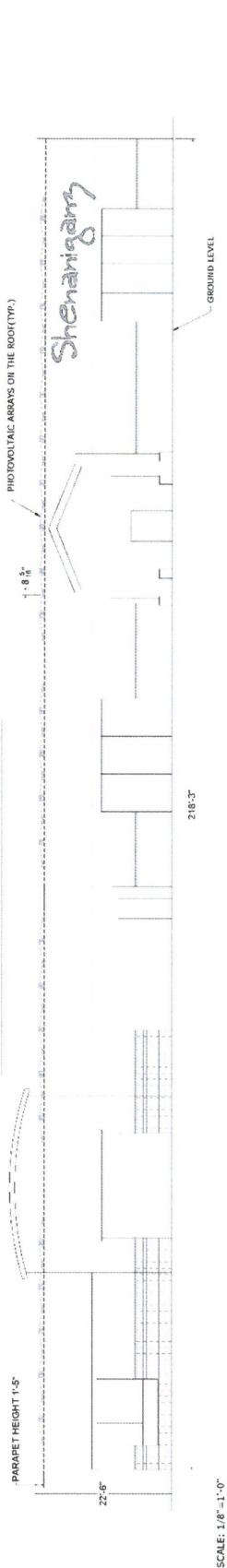


Exhibit 'B':
Concept Plan



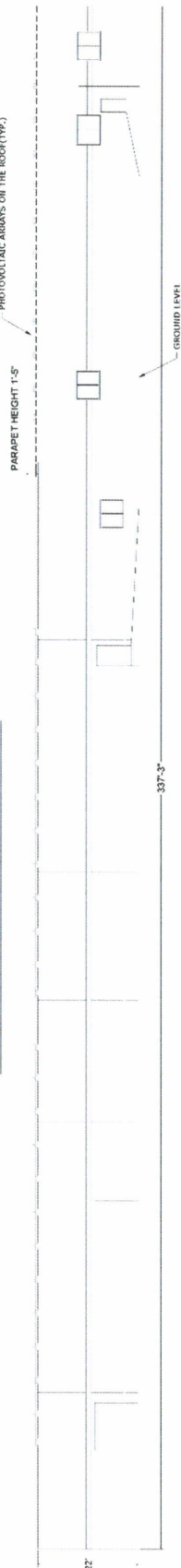
**Exhibit 'C':
Building Elevations**

VIEW FROM NORTH WEST SIDE OF THE BUILDING



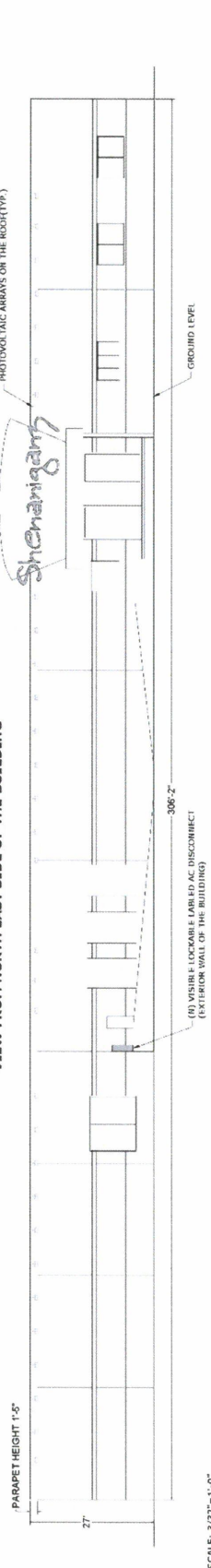
SCALE: 1/8" = 1'-0"

VIEW FROM SOUTH WEST SIDE OF THE BUILDING



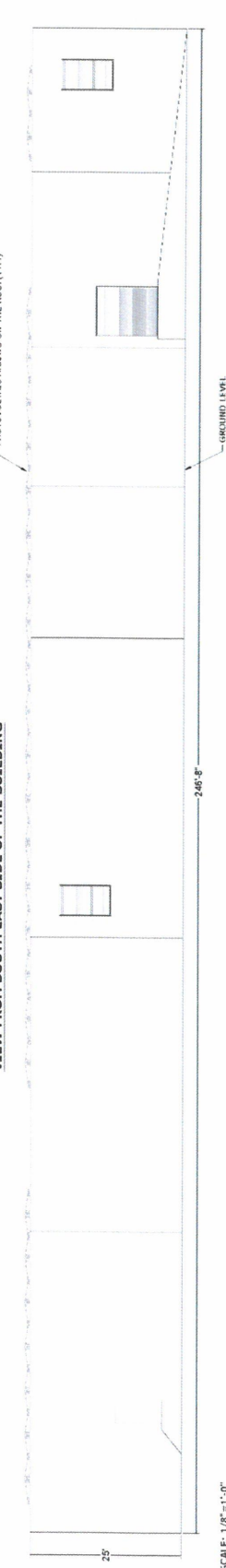
SCALE: 3/32" = 1'-0"

VIEW FROM NORTH EAST SIDE OF THE BUILDING



SCALE: 3/32" = 1'-0"

VIEW FROM SOUTH EAST SIDE OF THE BUILDING



SCALE: 1/8" = 1'-0"