

CITY OF ROCKWALL

ORDINANCE NO. 08-38

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR "RECREATIONAL VEHICLE (RV) SALES AND SERVICE" WITHIN THE (LI) LIGHT INDUSTRIAL DISTRICT, ON A 4.5-ACRE TRACT KNOWN AS TRACT 22-1, ABSTRACT 120, R. IRVINE SURVEY AND LOCATED AT 2260 E IH-30; 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**, a Specific Use Permit (SUP) to allow for "Recreational Vehicle (RV) Sales and Service" within the (LI) Light Industrial District, has been requested by Raymond Jowers, to be located on a 4.5-acre tract known as Tract 22-1, Abstract 120, R. Irvine Survey and located at 2260 E IH-30, City and County of Rockwall, Texas; 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 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 of the City of Rockwall, as heretofore amended, be and the same is hereby amended by the approval of a Specific Use Permit to allow for "Recreational Vehicle (RV) Sales and Service" within the (LI) Light Industrial District on a 4.5-acre tract known as Tract 22-1, Abstract 120, R. Irvine Survey and located at 2260 E IH-30, City and County of Rockwall, Texas; and

**Section 2.** That the Specific Use Permit shall be subject to the conditions set forth in **Article V, Section 5.3, (LI) Light Industrial District** of the City of

Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1. The Specific Use Permit (SUP) shall be valid for a maximum of three (3) years from the time of Certificate of Occupancy issuance. If an extension to the 3-year time limit is desired by the owner, he/she shall petition the City Council for such extension at least 90 days prior to the expiration of the SUP, at which time the City Council shall review the SUP and may determine that an extension of time is warranted based on the status of the FM 549 and IH-30 overpass construction and/or development activity in the area.
2. The outside display of new recreational vehicles and boats shall strictly adhere to the approved site plan attached hereto as Exhibit "A."
3. No outside storage of privately owned RVs shall be allowed, except as indicated for the "service" area indicated on the attached site plan.
4. Any additional exterior lighting shall be reviewed by City staff prior to issuance of a building permit or Certificate of Occupancy.
5. City Council approval of this SUP includes the temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM 549. However, future development upon the expiration of this SUP and/or other redevelopment of the property will be subject to the engineering and fire department standards in effect at that time.
6. Hold Harmless Agreement to be signed for insufficient fire hydrant coverage, water supply requirements, and/or other fire department requirements.

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

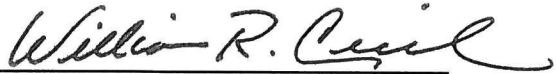
**Section 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.


**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.

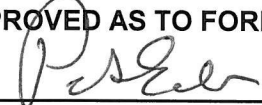
**Section 6.** If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance 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 No. 04-38 of the City of Rockwall, Texas, 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 7.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 4<sup>th</sup> day of August, 2008.**

  
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William R. Cecil, Mayor

ATTEST  
  
\_\_\_\_\_  
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Pete Eckert, City Attorney



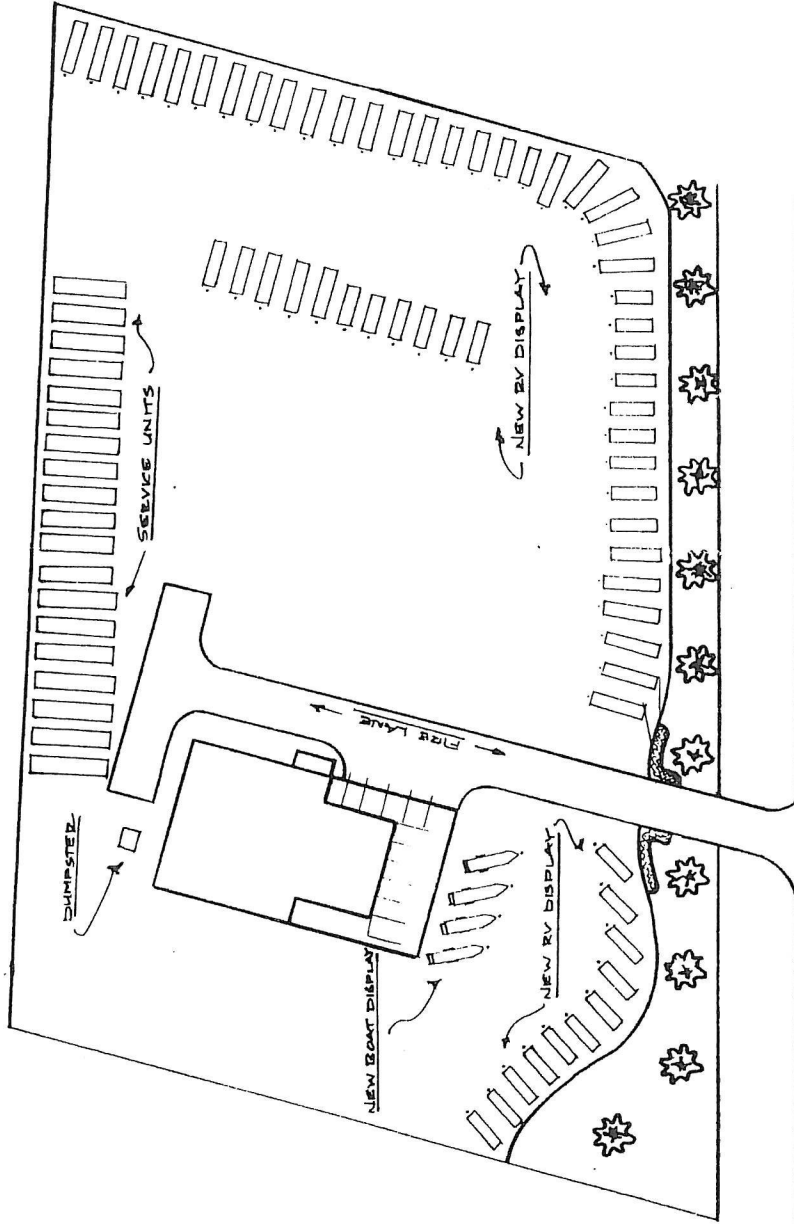
1<sup>st</sup> Reading: 07-21-08  
2<sup>nd</sup> Reading: 08-04-08

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JUN 16 2008  
By

22008 014

NAME	TOWSER 2260 E I-30
PROJECT #	
DATE	
ISSUE	
REVISION	
PLAN NUMBER	492-771-1522



WALKABOUT RV