

CITY OF ROCKWALL

ORDINANCE NO. 02-55

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED AND AMENDING ORDINANCE NO. 89-20 SO AS TO CHANGE THE ZONING ON PROPERTY DESCRIBED HEREIN AS EXHIBIT "A", FROM "A" AGRICULTURAL, "GR"; GENERAL RETAIL AND "C", COMMERCIAL, TO PLANNED DEVELOPMENT DISTRICT NO. 32; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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, and the governing body in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as amend "PD-32", Planned Development No. 32, and change the zoning on a tract of land which is more fully described herein as Exhibit "A" from "A", Agricultural, "GR", General Retail and "C", Commercial, to "PD-32", Planned Development District No. 32, and;

Section 2. That the property described herein shall be used only in the manner and for the purposes provided for in "**PD-32, Planned Development District No. 32**" of the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future and subject to the following additional conditions.

- A. Prior to the issuance of any building permit for any buildings in Planned Development District No. 32 a comprehensive development plan shall be filed with the Planning and Zoning Commission, and after hearing, the City Council

shall approve a final development plan, which shall be filed and included as Exhibit "B" and made a part of this ordinance for all purposes. Such development plan shall set forth in detail the requirements for ingress and egress to the property, public or private streets or drives, with adequate right-of-way to the Thoroughfare Plan of the City of Rockwall, sidewalks, utilities, drainage, parking space, height of buildings, maximum lot coverage, yards and open spaces, screening walls or fences and other development and protective requirements considered necessary by the City Council so as to create a reasonable transition to and protection of the adjacent property.

- B. All development of property covered by the Planned Development District No. 32 shall be in accordance with the provisions of this ordinance and the finally approved comprehensive site plan and list of approved uses, and no substantial change in the development shall be permitted, except after obtaining approval of the change of such site plan in the manner required for changes and amendments to the comprehensive Zoning Ordinance.
- C. Development of Planned Development District No. 32 shall be regulated by the following requirements:
1. PD-32 shall have the uses, area requirements, and development standards of **Section 2.11 (GR) General Retail District** of the Comprehensive Zoning Ordinance as currently adopted except as otherwise provided in this ordinance.
 2. No retail outlets where gasoline products are sold and automotive repair as an accessory to a permitted retail use shall be allowed.
 3. Prior to the development of any property within the PD a circulation plan for the area identified as Exhibit "C" and attached to this ordinance will be submitted and approved.
 4. Prior to the development of any property within the PD adequate access necessary to serve that development in conformance with the approved circulation plan will be constructed.
 5. Any development within the PD will be reviewed to insure that views and the unique characteristics of the area are maintained and enhanced where possible.
 6. All buildings within the PD are subject to height and elevation approval at the time of development plan submission.
 7. All properties within PD-32 shall be subject to architectural review as prescribed to by Section 3.1 of the Comprehensive Zoning Code of the City of Rockwall for any proposed development.

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

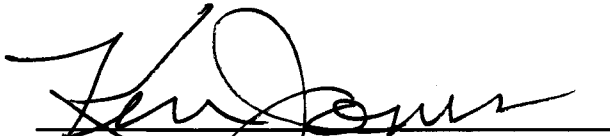
Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. 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, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance 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 of this ordinance shall remain in full force and effect.

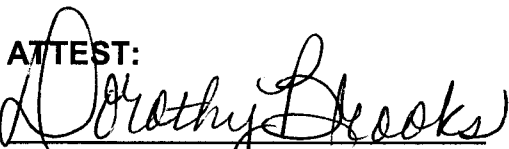
Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

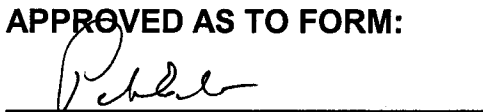
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of December, 2002.



Ken Jones, Mayor

ATTEST:


Dorothy Brooks, City Secretary

APPROVED AS TO FORM:


Pete Eckert, City Attorney

1st Reading: 11-18-02
2nd Reading: 12-02-02

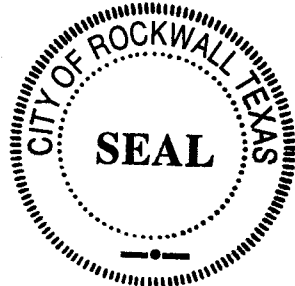


EXHIBIT "A"

