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ROCKWALL CITY COUNCIL REGULAR MEETING Tuesday, September 03, 2019 - 4:00 PM City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

- p.9** 1. Hold work session to discuss sidewalks citywide

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TROWBRIDGE

VIII. PROCLAMATIONS

- p.18** 1. Childhood Cancer Awareness Month

IX. OPEN FORUM

X. CONSENT AGENDA

- p.20** 1. Consider approval of the minutes from the August 19, 2019 regular city council meeting, and take any action necessary.
- p.28** 2. Consider approval of the minutes from the August 27, 2019 Special City Council / Budget Work Session meeting, and take any action necessary.

- p.32 3.** Consider an **ordinance** amending the Code of Ordinances in Chapter 10. "Building and Building Regulations;" Article II. "Administration and Enforcement;" Division 2. "Building and Standards Commission" ("the Commission") to appoint the duties of the Commission to the Board of Adjustments, and take any action necessary. **(2nd Reading)**
- p.36 4.** Consider an **ordinance** amending the Code of Ordinances in Chapter 38. "Subdivisions," Article I. "In General," Section 38-15, "Miscellaneous Requirements" to establish a fee schedule for engineering plan review fees, and take any action necessary. **(2nd Reading)**
- p.39 5.** **Z2019-015** - Consider a request by Greg Wallis of Mershaw Architects on behalf of the owner for the approval of an **ordinance** for a Specific Use Permit (SUP) for the expansion of an existing Minor Auto Repair Garage on a 1.1107-acre parcel of land identified as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], and take any action necessary **(2ndReading)**.
- p.48 6.** **Z2019-016** - Consider approval of an **ordinance** for a text amendment to various sections of the Unified Development Code [Ordinance No. 04-38] and Article IX, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances for the purpose of updating the codes to conform to changes made by the 86th Legislative Session, and take any action necessary **(2nd Reading)**.
- p.339 7.** Consider awarding bids to Caldwell Country Chevrolet for 2020 model Police Pursuit Tahoes and Pursuit Safety for the vehicle equipment and authorizing the City Manager to execute Purchase Orders in the amount of \$209,300 and \$118,000 respectfully to be funded out of the General Fund Reserves, and take any action necessary.
- p.341 8.** Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 10. "Buildings and Building Regulations;" Article III. "Building Code;" Article IV. "Residential Code;" Article VI. "Plumbing Code;" Article VII. "Fuel Gas Code; and Article IX. "Electrical Code" for the purpose of updating the codes to conform to changes made by the 86th Legislature through passage of H.B. 2439, and taken any action necessary. **(1st reading)**
- p.347 9.** **P2019-032** - Consider a request by Jay and Terri Bedford of A. J. Bedford Group, Inc. on behalf of Raymond Jowers for the approval of a replat for Lot 8, Block A, Bodin Industrial Addition being a 2.029-acre parcel of land identified as Lot 7, Block A, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2040 Kristy Lane, and take any action necessary.
- p.353 10.** **P2019-034** - Consider a request by Matt Atkins of Engineering Concepts on behalf of Scott Lewis of RRDC, LTD. for the approval of a replat for Lots 29-33, Block A, Whisper Rock Addition being a 1.177-acre tract of land currently identified as Lots 1-5, Block A, Whisper Rock Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1206, 1210, 1214, 1218 & 1222 Whisper Rock Drive, and take any action necessary.
- p.359 11.** **P2019-036** - Consider a request by Price Pointer of TCB Construction Group, LLC for the approval of a replat for Lot 1, Block A, TCB Addition being a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas,

zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, addressed as 505 N. Goliad Street, and take any action necessary.

XI. APPOINTMENT ITEMS

- p.365** 1. Appointment with Mike Svetz of Pros Consulting to hear a presentation regarding the athletic field feasibility study, and take any action necessary.
- p.478** 2. Appointment with Phil Wagner, President of the Rockwall Economic Development Corporation, to request an ordinance to limit on-street parking in the Rockwall Technology Park to no more than two hours, and take any action necessary.

XII. PUBLIC HEARING ITEMS

- p.481** 1. Hold a public hearing to receive comments regarding the proposed FY 2020 City of Rockwall budget and tax rate, and take any action necessary

XIII. ACTION ITEMS

- p.483** 1. Discuss and consider citywide sidewalks policy, and take any action necessary.
- p.493** 2. **MIS2019-001** - Discuss and consider approval of a resolution establishing a public hearing date for the consideration of an updated Land Use Assumptions, Capital Improvements Plan, and the adoption of Roadway, Water, and Wastewater Impact Fees, and take any action necessary.
- p.496** 3. Discuss and consider an **ordinance** approving a negotiated settlement between cities in the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding the 2019 Rate Review Mechanism filings, adopting tariffs as part of the settlement, and take any necessary action.
- p.533** 4. Discuss and consider (re)appointments to the city's Airport Advisory Board, Historic Preservation Advisory Board, Main Street Advisory Board, and Park Board and take any action necessary.
- p.535** 5. Discuss and consider appointments to the city's Youth Advisory Council (YAC), and take any action necessary.

XIV. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

- Building Inspections Monthly Report - July 2019
- GIS Division Monthly Report - July 2019
- Internal Operations Department Monthly Report - July 2019
- PARD Monthly Report - July 2019
- Police Department Monthly Report - July 2019

Rockwall Animal Adoption Center Monthly Report - July 2019
Rockwall Fire Department Monthly Report - July 2019
STAR Transit Monthly Report - July 2019

2. City Manager's Report

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding appointments to and interviews for city regulatory boards, commissions, and committees - specifically the Board of Adjustments - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 30th day of August, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Councilmembers

FROM: Rick Crowley, City Manager

DATE: August 26, 2019

SUBJECT: Sidewalk Policy & Discussions

At the next City Council meeting, the Staff will be providing a sample policy related to the design and construction of sidewalks adjacent to streets which have been selected for reconstruction with bond funds. Hopefully, this sample policy will assist the Council in determining the provisions for an agreed upon guidance to be used as these projects are designed and built. The sample policy will be structured consistent with our best interpretation of what we thought might have been the inclination of the Council at the time we began to develop the sample policy. There may well be (or may well have been) some change in the inclinations of the Council regarding sidewalks as discussions have continued since that time, or our interpretation of the Council's inclinations may have been incorrect. I do not currently get a sense that there is a unanimous opinion on the subject. Certainly, there is an understanding that the Council may choose to modify any policy as it sees fit before it is considered for adoption. Hopefully having a sample policy before you will help in development of an adopted or new policy.

As Street Department budget discussions are held on Tuesday, we hope to get a better "handle" on the kinds of information that the staff can make available to you that may help you in the decisions related to a sidewalk policy. As reference points for those budget discussions, information below is provided, a sample policy has been drafted and provided, and a series of pictures of various sidewalks currently located throughout the City is provided. It is not likely that any of the provided information will be information of which you are not currently aware, but perhaps it will be helpful to provide it as structured below.

Three basic questions prevail when considering the adoption of a sidewalk policy associated with reconstruction projects. These include:

1. **"When"** to design and build sidewalks with street reconstruction projects.
2. **"Where"** to locate sidewalks within the right-of-way or street construction section when sidewalks are to be built.
3. **"How wide"** to build sidewalks that are to be built.

When

In reviewing the matter of when sidewalks are to be designed and built with street reconstruction projects a wide range of ideas may be considered including those listed below (in an order ranging from including sidewalks on all projects to including sidewalks in no projects):

Design and build sidewalks on ALL street construction projects.

Design and build sidewalks on all reconstruction projects if no/minimal right-of-way acquisition is required to do so.

Design and rebuild sidewalks on streets being reconstructed in cases where intermittent sidewalks exist along the project length and build new sidewalk sections to connect those partially existing sidewalk routes.

Design and rebuild only the existing sections of intermittent sidewalks, but build no new connective sidewalk sections.

Design and build sidewalks on streets selected for reconstruction that meet a predetermined traffic volume test or that are expected to meet a predetermined traffic volume test in the future.

Design and build sidewalks only on streets that meet a predetermined traffic volume test at the time of the reconstruction project selection.

Design and build sidewalks only on streets that are shown on the City's adopted Thoroughfare Plan at a predetermined street classification or above (such as collector and above).

Design and build sidewalks only on streets selected for reconstruction that are designated on the City's Thoroughfare Plan as pedestrian routes to schools, destinations, or State Roadways. (Such a designation would have to be added to the existing Thoroughfare Plan.)

Use preliminary design information for selected projects to determine the potential effect of adding sidewalks on existing trees, shrubs, and landscaping to be used in the final sidewalk decision for each project.

Conduct surveys and/or hold hearings for each project to assist in making the decision as to whether to design and build sidewalks when streets are selected for reconstruction.

Design and build streets without sidewalks unless full length sidewalks exist at the time of project selection.

Where

When sidewalks are to be designed and built with street reconstruction projects, there are a number of options as to the location of sidewalks. An example of most every option currently exists within the City. Presently existing sidewalk locations in the City include:

1. Sidewalks located directly “back of curb” with no space between the concrete curb and sidewalk.
2. Sidewalks located 1’- 5’ away from the curb with space between concrete curb and the sidewalk where grass or other vegetation may occur.
3. Sidewalks with location shifting from back of curb to 1’-5’ from the curb – sometimes done to avoid conflict with trees, shrubs, mailboxes or other things located along the sidewalk route.
4. Sidewalks of variable width to avoid conflicts as stated above.
5. Discontinuous sidewalks that have occurred based on sidewalk preferences of the owner/builder; sidewalk requirements in place at the time of construction; or to protect trees, shrubs, or landscaping in place at the time of sidewalk construction. (The latter case may involve shifting pedestrians onto the street for a short distance.)

How Wide

Existing sidewalk widths located throughout the City vary. Existing sidewalk widths include:

1. 3’ sidewalks (mostly located in older areas of the City – if built today 3’ widths may require certain provisions to accommodate ADA compliance or practical use modifications such as periodic “bump outs”).
2. 4’ sidewalks (if built today may also require certain provisions to accommodate ADA compliance or practical use modifications such as “bump outs”).
3. 5’ sidewalks.
4. 6’ sidewalks.
5. Variable width sidewalks.

Both functionality and aesthetics may be affected by sidewalk width. A number of examples of sidewalk location and widths that currently exist in the City are shown in the attached pictures. Examining these locations may be helpful in determining policy guidelines for future sidewalk construction.

The Staff can use any input received during the discussion of sidewalks as a part of the Street budget to adjust or add information for the Council to consider when the policy matter comes before the Council at the next meeting. If you have any questions, please do not hesitate to contact me in the meantime.

3' Sidewalks – Old Town



3' Parkway Sidewalk – N. Fannin St



3' Parkway Sidewalk N. Goliad Street

4' Sidewalks



4' Parkway Sidewalk – Arbor View Place



4' Parkway Sidewalk – Arbor View Place

4' Sidewalks



4' Parkway Sidewalk – Berkley Drive



4' Parkway Sidewalk – Angie Lane



4' Back of Curb Sidewalk – Rockwall Pkwy



4' Back of Curb Sidewalk – Winter Park Ct

5' Sidewalks



5' Parkway Sidewalk – Brazos Way



5' Parkway Sidewalk – Capstone Way



5' Parkway Sidewalk – Park Place Blvd



5' Parkway Sidewalk – Ivy Lane

5' Sidewalks (continued)

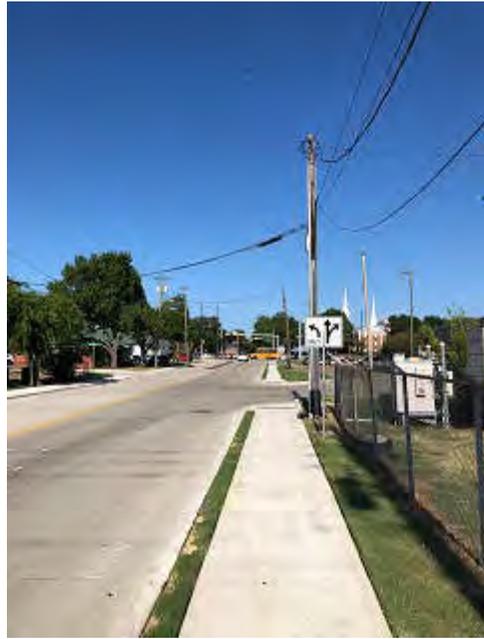


5' Back of Curb Sidewalk – North Lakeshore Drive

6' Sidewalks



6' Parkway Sidewalk – E. Boydston Ave



6' Parkway Sidewalk – E. Boydston Ave

6' Sidewalks



6' Back of Curb Sidewalk – E. Boydston Ave



6' Back of Curb Sidewalk – E. Boydston Ave



6' Back of Curb Sidewalk – N. Lakeshore Drive

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Rockwall,  Texas
Proclamation

Whereas, childhood Cancer is the leading cause of death by disease in children, with 1 in 285 children in the U.S. being diagnosed with cancer before the age of 20; and

Whereas, two-thirds of childhood cancer patients will have chronic health conditions as a result of their treatment toxicity, with one quarter being classified as severe to life threatening; and

Whereas, in the last 20 years only four new drugs have been approved by the FDA to specifically treat childhood cancer; and

Whereas, too many children are affected by this disease, and more must be done to raise awareness and find a cure; and

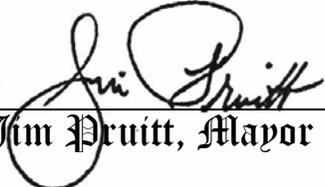
Whereas, our community has the opportunity to join together to make a significant impact on the lives of the children and families who have been touched by childhood cancer by joining to “Do Your Part” to raise awareness for childhood cancer and encourage funding to find a cure.

Now, Therefore, I, Jim Pruitt, Mayor of Rockwall, do hereby proclaim **September, 2019** as:

Childhood Cancer Awareness Month

in the City of Rockwall and encourage all of our citizens to “Do Your Part” to raise awareness for childhood cancer and encourage funding to find a cure.

In Witness Whereof, I hereby affix my official hand and seal this 3rd day of September 2019.



Jim Pruitt, Mayor

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2 **ROCKWALL CITY COUNCIL REGULAR MEETING**

3 **Monday, August 19, 2019 - 5:00 PM**

4 **City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087**

5
6 **I. CALL PUBLIC MEETING TO ORDER**

7 Mayor Jim Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro
8 Tem Dana Macalik and City Council Members John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace
9 Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Joey Boyd and
10 Mary Smith and City Attorney Frank Garza. Councilmember Patrick Trowbridge was absent from the
11 meeting.

12
13 Mayor Pruitt read the below listed discussion items into the public record before recessing the meeting
14 to go into Executive Session.

15
16 **II. EXECUTIVE SESSION.**

17 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE**
18 **FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:**

- 19 **1.** Discussion regarding legal issues pertaining to a Facilities Agreement pursuant to Section
20 §551.071 (Attorney/Client Consultation).
21 **2.** Discussion regarding appointments to and interviews for city regulatory boards, commissions,
22 and committees - specifically the Planning & Zoning Commission and Board of Adjustments -
23 pursuant to Section 551.074 (Personnel Matters)
24 **3.** Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
25 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
26 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

27 **III. ADJOURN EXECUTIVE SESSION**

28
29 **Council adjourned from Executive Session at 5:45 p.m.**

30 **IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

31 **Mayor Pruitt reconvened the public meeting at 6:00 p.m. with six of the seven council members present**
32 **(Trowbridge absent).**

33 **V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

34 **Mayor Pro Tem Macalik moved to reappoint John Womble and Mark Moeller and newly appoint Sedric**
35 **Thomas to the Planning & Zoning Commission (these 3 year terms will expire in August of 2022).**
36 **Councilman Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absence**
37 **(Trowbridge). Mr. Thomas replaces outgoing member Johnny Lyons, who is termed out.**

38 **VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER JOHANNESSEN**

39 Councilmember Johannesen delivered the invocation and led the Pledge of Allegiance.

40 **VII. OPEN FORUM**

41 Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth at
42 this time to address the Council. There being no one indicating such, he then closed Open Forum.

43 **VIII. CONSENT AGENDA**

- 44 1. Consider approval of the minutes from the August 5, 2019 regular city council meeting, and
45 take any action necessary.
- 46 2. Consider authorizing the City Manager to engage the firm of BrooksWatson & Co PLLC to
47 conduct the audit of the City's financial statements for the fiscal years ending September 30,
48 2019 - 2022, and take any action necessary.
- 49 3. Consider an **ordinance** amending the Code of Ordinances in Chapter 10. "Building and
50 Building Regulations;" Article II. "Administration and Enforcement;" Division 2. "Building and
51 Standards Commission" ("the Commission") to appoint the duties of the Commission to the
52 Board of Adjustments, and take any action necessary. **(1st Reading)**
- 53 4. Consider an **ordinance** amending the Code of Ordinances in Chapter 38. "Subdivisions,"
54 Article I. "In General," Section 38-15, "Miscellaneous Requirements" to establish a fee
55 schedule for engineering plan review fees, and take any action necessary. **(1st Reading)**
- 56 5. **P2019-029** - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-
57 Liang Wu of Unison Investment for the approval of a master plat for the Northgate Subdivision
58 being a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No.
59 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88)
60 for Single-Family 1 (SF-1) District land uses, located at the southwest corner of the
61 intersection of Stodgehill Road [FM-3549] and Clem Road, and take any action necessary.
- 62 6. **P2019-030** - Consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-
63 Liang Wu of Unison Investment for the approval of a preliminary plat for the Northgate
64 Subdivision containing 40 single-family residential lots on a 61.45-acre tract of land identified
65 as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County,
66 Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land
67 uses, located at the southwest corner of the intersection of Stodgehill Road [FM-3549] and
68 Clem Road, and take any action necessary.

69 Councilmember Hohenshelt moved to approve the entire Consent Agenda as presented (#1, 2, 3, 4, 5,
70 and 6). Mayor Pro Tem Macalik seconded the motion. The ordinances were read as follows:

71 CITY OF ROCKWALL
72 ORDINANCE NO. 19-
73

74 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE
75 CODE OF ORDINANCES IN CHAPTER 10. "BUILDINGS AND BUILDING REGULATIONS;"
76 ARTICLE II. "ADMINISTRATION AND ENFORCEMENT;" DIVISION 2. "BUILDING AND
77 STANDARDS COMMISSION" TO APPOINT THE DUTIES OF THE CITY'S BUILDING AND
78 STANDARDS COMMISSION TO THE CITY'S BOARD OF ADJUSTMENT; PROVIDING FOR A
79 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN
80 EFFECTIVE DATE.

81 CITY OF ROCKWALL, TEXAS
82 ORDINANCE NO. 19-____
83

84 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
85 THE CODE OF ORDINANCES IN CHAPTER 38. "SUBDIVISIONS," ARTICLE I. "IN GENERAL,"
86 SECTION 38-15 "MISCELLANEOUS REQUIREMENTS" TO ESTABLISH AN ENGINEERING
87 PLAN REVIEW FEE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
88 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
89

90 The motion passed by a vote of 6 ayes with 1 absence (Trowbridge).
91

92 IX. APPOINTMENT ITEMS

93 1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions
94 regarding cases on the agenda and related issues and take any action necessary.

95 Chairman of the P&Z Commission, Johnny Lyons came forth. Mayor Pruitt thanked Mr. Lyons for his
96 leadership and service on the Commission, indicating that he has 'termed out.' Council thanked Mr.
97 Lyons for his service. Mr. Lyons briefed the Council on recommendations of the Commission relative to
98 planning-related items on tonight's meeting agenda. Council took no action concerning this agenda
99 item.

100 2. Appointment with Brad Helmer of Heritage Christian Academy to discuss Specific Use Permit
101 (SUP) No. S-201 concerning temporary educational buildings, and take any action necessary.

102 Brian McKinney came forth on behalf of Mr. Helmer, indicating that he is at new parent/teacher
103 orientation this evening, so he could not be present. Mr. McKinney thanked Councilmembers
104 Johannesen and Trowbridge for their recent advice and guidance. Councilmember Johannesen
105 recommended that the city consider reapproving the SUP once every six months or so in order to
106 provide check points along the way. Mr. McKinney shared that a professional fund raising consultant
107 has been hired to help move the fundraising efforts forward.

108 Mayor Pruitt moved to approve the proposed timeline that was put forth, calling for HCA to come
109 before the council once every six months to provide updates on the timeline and with the
110 understanding that if things are not going well, the SUP may be discontinued by Council.

111 Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absence
112 (Trowbridge).

113 **X. PUBLIC HEARING ITEMS**

114 **1. Z2019-015** - Hold a public hearing to discuss and consider a request by Greg Wallis of
115 Mershawn Architects on behalf of the owner for the approval of an **ordinance** for a Specific
116 Use Permit (SUP) for the expansion of an existing Minor Auto Repair Garage on a 1.1107-acre
117 parcel of land identified as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall
118 County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097],
119 and take any action necessary **(1st Reading)**.

120 Planning Director Ryan Miller provided background information concerning this agenda item. He
121 indicated that thirty-two notices were sent out to property owners and residents located within 500' of
122 the subject property; however, no notices have been returned. The Planning & Zoning Commission has
123 recommended approval of this SUP request.

124 Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this
125 time. There being no one indicating such, he then closed the public hearing.

126 The applicant - 1520 E. IH-30 Rockwall, TX – came forth briefly. Councilman Johannesen then moved
127 to approve the SUP request. Councilman Hohenshelt seconded the motion. The ordinance was read as
128 follows:

129 **CITY OF ROCKWALL**
130 **ORDINANCE NO. 19-XX**
131 **SPECIFIC USE PERMIT NO. S-_____**

132 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING**
133 **THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, AS PREVIOUSLY**
134 **AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A MINOR**
135 **AUTO REPAIR GARAGE, IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 1.1107-ACRE**
136 **PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK 1, HORIZON VILLAGE ADDITION, CITY OF**
137 **ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS;**
138 **PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND**
139 **DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;**
140 **PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

141 The motion passed by a vote of 6 ayes with 1 absence (Trowbridge).

142 **2. Z2019-016** - Hold a public hearing to discuss and consider approval of an **ordinance** for a text
143 amendment to various sections of the Unified Development Code [Ordinance No. 04-38] and
144 Article IX, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of
145 Ordinances for the purpose of updating the codes to conform to changes made by the 86th
146 Legislative Session, and take any action necessary **(1st Reading)**.

147 Planning Director Ryan Miller provided background information pertaining to this agenda item, sharing
148 that these issues were initially discussed with Council at a work session in early July. He explained that
149 these amendments are in response to passage of recent state legislation. He went on to explain each of
150 the proposed amendments and its purpose. A fifteen day notice was posted in the Herald Banner, and
151 all state and local notification requirements were also met associated with these proposed UDC and
152 Code amendments.

153 Councilmember Hohenshelt moved to approve Z2019-016 as presented. Councilmember Fowler
154 seconded the motion. The ordinance was read as follows:

155 CITY OF ROCKWALL
156 ORDINANCE NO. 19-XX

157
158 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING
159 THE MUNICIPAL CODE OF ORDINANCES AND THE UNIFIED DEVELOPMENT CODE
160 [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY
161 AMENDING ARTICLE II, AUTHORITY AND ADMINISTRATIVE PROCEDURES, ARTICLE IV,
162 PERMISSIBLE USES, ARTICLE V, DISTRICT DEVELOPMENT STANDARDS, ARTICLE VIII,
163 LANDSCAPE STANDARDS, ARTICLE X, PLANNED DEVELOPMENT DISTRICT REGULATIONS,
164 ARTICLE XI, ZONING RELATED APPLICATIONS, AND ARTICLE XIII, DEFINITIONS, OF THE
165 UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38], AND ARTICLE XI, FENCES, OF
166 CHAPTER 10, BUILDING AND BUILDING REGULATIONS, OF THE MUNICIPAL CODE OF
167 ORDINANCES; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
168 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY
169 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

170 The motion passed by a vote of 6 ayes with 1 absence (Trowbridge).

171 After Action Item No. 3, Mayor Pruitt opened the public hearing for this agenda item, asking if anyone
172 would like to come forth and speak at this time. There being no one indicating such, he then closed the
173 public hearing.

174 **XI. ACTION ITEMS**

- 175 1. Discuss and consider recommendations by the Main Street Advisory Board regarding approval
176 of an **ordinance** amending the Code of Ordinances in Chapter 32. "Signs;" Article III.
177 "Regulations and Requirements;" Division 4. "Downtown District Signs" to modify allowances
178 for permanent signs in the Downtown District (DT), and take any action necessary. **(1st**
179 **Reading)**

180 Daniel Nichols of the Main Street Advisory Board came forth and provided a brief history to the Council
181 concerning these proposed amendments. Mayor Pruitt indicated that he personally attended the Main
182 Street Advisory Board meeting at which these proposed amendments were discussed. He shared that
183 he has some concerns about some of these proposed regulations. He went on to share his concerns in
184 greater detail. He generally does not feel like the city should be interfering to this degree with the
185 signage that businesses want to install at their downtown buildings. Councilman Daniels pointed out

186 that some signage preferences are a matter of personal preference and/or opinion. Also, he agrees
187 with the mayor that sometimes a city may be in danger of overstepping its bounds by overregulating.
188

189 At one point, Mayor Pruitt pointed out that the draft verbiage that calls for neon signs to be approved
190 by the Main St. Advisory Board is not viable since that particular board is only advisory in nature. So,
191 the city's Planning & Zoning Commission may be a better option since it is regulatory in nature (and
192 perhaps the City Council could serve as the appeal authority).
193

194 Councilmember Hohenshelt generally expressed that if the vast majority of business owners are in favor
195 of these sorts of regulations, then that is one thing; however, if more than half of them are not okay
196 with these regulations, then that may be a different story.
197

198 Councilmember Fowler moved to table this discussion item. Councilmember Hohenshelt seconded the
199 motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).
200

201 Mr. Crowley, City Manager, generally sought guidance regarding what type of additional information
202 or steps are needed in order to revisit this topic at a later date. Councilman Hohenshelt wanted to be
203 sure that anyone who may be impacted by these changes has been notified and invited to attend the
204 meeting the next time this is discussed with Council. Crowley suggested that staff send another notice
205 to all those property owners and businesses that were originally notified, remind them of the proposed
206 regulation changes and invite them to the council meeting when it will be discussed. That way, they
207 have an opportunity to either submit their comments in writing or attend the meeting in person if they
208 so desire. Council generally seemed agreeable to this idea. No further discussion took place at this time.
209

210 **2.** Discuss and consider authorizing the City Manager to issue a letter of support to TXDOT
211 regarding temporarily postponing implementation of shared outside lanes on John King Blvd.
212 until substantial improvements of the roadway are made, and take any action necessary.

213 City Manager Rick Crowley provided brief background information concerning this agenda item.
214 Following his comments, Councilmember Hohenshelt moved to authorize the City Manager to sign the
215 letter and send it to TXDOT. Councilmember Johannesen seconded the motion, which passed by a vote
216 of 6 ayes with 1 absence (Trowbridge).
217

218 **3.** Discuss and consider (re)appointments to the city's Airport Advisory Board, Animal Advisory
219 Board, Architectural Review Board, ART Review Commission, Historic Preservation Advisory
220 Board, Main Street Advisory Board, and Park Board and take any action necessary.

221 Mayor Pro Tem Macalik moved to reappoint David Sweet and Kathleen Morrow and newly appoint (in
222 place of Jane Braddock) Amber Crimmings to the city's ART Review Team. Councilmember Fowler
223 seconded the motion, which passed by a vote of 6 ayes with 1 absence (Trowbridge).
224

225 Johannesen moved to reappoint Larry Denny and newly appoint Jamie Rice to the city's Park Board.
226 Councilman Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absence.
227

228 Councilman Daniels moved to reappoint to the city's Architectural Review Board, Ashlei Neill, Robert
229 Miller and Julien Meyrat. Mayor Pro Tem Macalik seconded the motion, which passed by a vote of 6
230 ayes with 1 absence.

231
232 **Councilman Fowler moved to reappoint Ken Dickson to Animal Advisory Board. Councilmember**
233 **Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 absence.**

234
235 **Mayor Pruitt readdressed Public Hearing Item #2 at this juncture.**
236

237 **XII. EXECUTIVE SESSION**

238 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE**
239 **FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:**

- 240 **1.** Discussion regarding legal issues pertaining to a Facilities Agreement pursuant to Section
241 §551.071 (Attorney/Client Consultation).
242 **2.** Discussion regarding appointments to and interviews for city regulatory boards, commissions,
243 and committees - specifically the Planning & Zoning Commission and Board of Adjustments -
244 pursuant to Section 551.074 (Personnel Matters)
245 **3.** Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,
246 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)
247 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

248 **XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

249 **Council did not reconvene in Executive Session following the close of the public meeting agenda. See**
250 **action taken at the beginning of the 6:00 p.m. meeting as noted above.**

251
252 **XIV. ADJOURNMENT**

253 **Mr. Crowley reminded the Council that the budget work session is slated for Tues., Aug. 27 at Municipal**
254 **Court. Also, Mayor Pruitt indicated that TXDOT will be holding a public meeting concerning John King**
255 **Boulevard on September 19 at Liberty Hall at the County Courthouse.**

256 **Mayor Pruitt then adjourned the meeting at 7:18 p.m.**
257

258 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 3rd**
259 **DAY OF SEPTEMBER, 2019.**

260
261 **Jim Pruitt, Mayor**

262 **ATTEST:**
263
264 _____
265 **Kristy Cole, City Secretary**

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MINUTES Budget Work Session

ROCKWALL CITY COUNCIL SPECIAL MEETING

Tuesday, August 27, 2019 - 8:00 a.m.

Municipal Court Building - 2860 SH-66 Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 8:04 a.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik and Council Members Patrick Trowbridge, John Hohenshelt, Trace Johannesen, Bennie Daniels and Kevin Fowler. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, departmental directors, the public information officer and city secretary.

II. OPEN FORUM / PUBLIC COMMENTS

At 9:32 a.m., Mayor Pruitt opened Open Forum, asking if anyone would like to speak at this time. Paul Johnson, a city police employee, came forth, indicating that he is the current Vice President of the Rockwall Police Officer's Association. He thanked the city council for the market adjustment raises. He pointed out that the data that HR collects pertaining to the market is not reflective of what those other municipalities will actually be adopting come October 1st of each year, so, essentially, our staff's salaries are already behind other, competitor cities.

Nick Grant
1569 Old E. Quail Run Road
Rockwall, TX

Mr. Grant came forth and asked for more information about plans for SH-205 where it exists going out of the city limits and in other areas along its route. Mayor Pruitt indicated that the city won't be bulldozing homes along the roadway near downtown like what TXDOT may have been proposing to do; however, the city will need to be innovative regarding how it will deal with traffic in that area in the future. Mr. Crowley shared that the \$44 million bond election related to John King Boulevard was put forth to voters in a way that indicated the future roadway would be utilized as a SH-205 bypass. He went on to further explain the history of the roadway construction as it relates to TXDOT standards when it was first built and afterwards. No action was taken as a result of the dialogue exchanged with Mr. Grant.

There being no one else wishing to come forth and speak, Mayor Pruitt closed Open Forum at 9:41 a.m.

III. HOLD WORK SESSION TO DISCUSS AND CONSIDER THE PROPOSED FISCAL YEAR 2020 CITY OF ROCKWALL MUNICIPAL BUDGET

Mr. Crowley began the budget discussions, indicating that the proposed budget was prepared based on the effective tax rate of 38.7991 cents per \$100 of valuation. This will essentially result in a decrease of the tax rate itself. Staff has been able to begin transferring water / wastewater funds over to the General Fund to "pay it back," essentially. New state legislation will result in an estimated loss of about \$175k in franchise-related fees that will no longer be collected by the city. The sales tax rate increase is estimated at about 5.44%, as compared to an increase of 3% projected by the current fiscal year budget. In addition,

42 there will be added police and fire personnel as well as a four-person parks maintenance crew and water
43 operations staff. There will be a market pay rate adjustment of 3% for non-sworn personnel and a 4% for
44 some public safety positions to address market deficiencies and ensure internal equity in pay.

45

46 At 8:50 a.m., Pruitt asked if those present would like to hold Open Forum now or later in the meeting. A
47 (then) unnamed gentlemen present in the audience expressed a desire to hold it after the budget
48 discussions have taken place.

49

50 General discussion ensued pertaining to the budget, expenditures, and ‘wants’ versus ‘needs,’ including
51 police department seized funds; use of funds for sidewalks (and associated citywide policy); the potential
52 for an additional pickle ball court or two in the future; and possible additional parking at the Harry Myers
53 Community Center/Pickle Ball Court/Park area. Discussions also took place regarding future, additional
54 neighborhood parks and The Harbor ‘beach park.’ Councilman Trowbridge indicated a desire for staff to
55 evaluate how our city’s departmental and General Fund budgets compare to other, comparable, nearby
56 cities (i.e. what percentage of our overall budget goes to Parks and Parks Maintenance and how does our
57 percentage compare to that of other, similar cities nearby?).

58

59 Mayor Pruitt called for a break after Open Forum and recessed the public meeting (9:41 a.m.). He
60 reconvened the meeting at 9:59 a.m.

61

62 IV. DISCUSS WATER / SEWER SERVICE AREA

63 Mr. Crowley discussed with the Council two residential developments north and south of SH-276 by the
64 Rockwall Tech Park, indicating that they have a combined total of about 950 lots. He went on to discuss
65 the future infrastructure needs of the city as related to these developments and future development
66 elsewhere in the city. He talked about the potential of working with Fate, Wylie and Lavon to discuss the
67 feasibility of joining together for a possible new sewer treatment plant sometime in the future, which may
68 be the most financially viable thing to do. Discussions touched on a large, regional plant versus a ‘package
69 plant,’ which is much smaller, and that may be a consideration too.

70 Mrs. Smith, Assistant City Manager/Finance Director, discussed with the Council the city’s current water
71 service area and the fact that the City of Rockwall has traditionally only serviced properties that are located
72 within our own city limits. She explained that, in the past, when annexations have occurred, the City
73 negotiates with those water supply corporations to buy the right to serve properties that have newly been
74 brought into the city. However, recent state legislation that limits a city’s ability to annex may pose a
75 limiting factor in the future. She mentioned that Mt. Zion Water Supply Corporation may want the City of
76 Rockwall to, over time, take over their system, indicating that our rates are about half of what Mt. Zion’s
77 current rates. Discussion took place regarding analyzing what the “cost of delivery” is to the City. Brief
78 comments were made concerning other water corporations, such as Blackland, too. Council expressed
79 that it is generally not opposed to the idea of the City of Rockwall potentially servicing water customers
80 outside of our city limits / ETJ.

81 V. DISCUSS BEST PRACTICES FOR NETWORK SECURITY

82 Denny Lassetter, IT Director, came forth and discussed network security, including ransomware threats
83 that have been impacting computer networks of both private businesses and government entities. He
84 went on to share some of the ‘best practices’ that are utilized in order to protect our own municipality’s
85 network from these sorts of hackers. He also provided numerous recommendations for how individual

86 network and e-mail users may proactively work to protect the network too. Furthermore, he
87 recommended that the same password never be utilized over multiple devices and accounts and that
88 software always be kept up-to-date on mobile, tablet and desktop devices.

89

90 **VI. DISCUSS FUTURE LEGISLATIVE PLANNING**

91 Mr. Crowley discussed this item with the Council. He briefed them on the role that the TX Municipal League
92 (TML) has generally played on behalf of cities at the state legislature. In general, TML has taken the
93 approach that if a piece of proposed legislation will support / enhance 'local control,' then TML has rallied
94 for the bills, and if the proposed legislation generally aims to take away local control, it has taken a stance
95 against said legislation. Mr. Crowley expressed that he would like to know if the Council is generally okay
96 with him proactively working with other cities to encourage that they and TML begin to more solely focus
97 on pieces of proposed legislation that truly, truly matter to cities. The Council was generally agreeable to
98 Mr. Crowley doing so.

99

100 **VII. DISCUSS FIREWORKS PLANNING**

101 Mr. Crowley reminded the Council that Mr. Scott Self had recently spoken at a council meeting regarding
102 the idea of having 5 lower level fireworks shows for this coming July 4th holiday – with 4 being over Lake
103 Ray Hubbard / on the lake, and one being at Harry Myers Park (the typical location for the city sponsored
104 fireworks show). Mr. Self wanted the city to financially participate to some extent, and he planned to
105 recruit a lot of volunteers to train them and assist with 'pulling off' all of the proposed shows. Mr. Crowley
106 indicated that staff recently met with Mr. Self, and the general gist of the conversation resulted in several
107 'unanswered' questions and/or several things for which no good, sound answers exist (i.e. from how far
108 away might the 'lower level' fireworks be able to be seen? ; where would people park and/or congregate
109 to watch said shows? ; will they be parking along IH-30 and/or in neighborhoods, some of which are gated,
110 where residents may not appreciate them congregating to watch the fireworks shows? ; is it smart to
111 change the "big show" at Harry Myers to a "lower level" show the very first year? , etc.). Mr. Crowley went
112 on to share that his recommendation is that the city continue to pursue discussions with Mr. Self about
113 the four, other lower level shows over the lake, that staff study (thru GIS mapping and analysis) how far
114 away they will be able to be seen, and that the 'big show' at Harry Myers Park remain a 'big show,' at least
115 for this first, upcoming year (and perhaps beyond). Council generally agreed with Mr. Crowley. It was also
116 clarified that everything about the 4th celebration at Harry Meyers will remain unchanged (i.e. there will
117 still be bands playing that day too).

118 **VIII. ADJOURNMENT**

119 Mayor Pruitt adjourned the meeting at 11:44 a.m.

120

121 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 3rd DAY**
122 **OF SEPTEMBER, 2019.**

123

124

Jim Pruitt, Mayor

125 **ATTEST:**

126

127

128 _____
Kristy Cole, City Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 19-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE CODE OF ORDINANCES IN CHAPTER 10. "BUILDINGS AND BUILDING REGULATIONS;" ARTILE II. "ADMINISTRATION AND ENFORCEMENT;" DIVISION 2. "BUILDING AND STANDARDS COMMISSION" TO APPOINT THE DUTIES OF THE CITY'S BUILDING AND STANDARDS COMMISSION TO THE CITY'S BOARD OF ADJUSTMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas ("City Council") took action on January 20, 2004 through adoption of Ordinance 04-05 to establish the Building and Standards Commission to enforce the Property Maintenance Code; and

WHEREAS, the Building and Standards Commission has met on only a few occasions since its creation. Therefore, the City Council believes it would be prudent to consolidate the Building and Standards Commission with the Board of Adjustments, essentially transferring the duties of the Building and Standards Commission to the City's Board of Adjustment; and

WHEREAS, the City Council has determined it to be in the best interest of the City to amend Chapter 10, Article II, Division 2, "Building and Standards Commission" to appoint the duties of the Building and Standards Commission to the Board of Adjustment;

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

SECTION 1. AMENDMENT. That the Code of Ordinances of the City of Rockwall, Texas in Chapter 10, Article II, Division 2, "Building and Standards Commission," specifically Section 10-40 is hereby amended to read as follows:

Sec. 10-40. - Created.

(a) *Organization.* There is hereby created a commission known as the Building and Standards Commission. The rules shall be organized as follows:

- (1) *Composition.* The Building and Standards Commission shall consist of the members of the city's Board of Adjustment, all of whom are appointed by a majority of the city council in accordance with Article II, Sec. 11 of the City's Unified Development Code (UDC).
- (2) *Vacancies.* Vacancies to the Building and Standards Commission shall be filled in accordance with Article II, Sec. 11 of the City's Unified Development Code (UDC).
- (3) *Residency and voter requirements.* Each member of the commission shall be a resident citizen and qualified voter of the city.
- (4) *Terms.* Terms of office shall be the same as the terms for the members of the Board of Adjustment.

(5) *Compensation.* Members shall serve without compensation.

(6) *Removal.* Council may remove a member for cause on a written charge. Before a decision regarding a removal is made, the council must hold a public hearing on the matter if requested by the commission member subject to the removal action.

(b) *Meetings.* The commission shall hold its meetings on the call of the chairperson, or at such other times as the commission may determine. All meetings shall be open to the public.

(c) *Quorum.* All cases to be heard by the commission must be heard by at least four members.

(d) *Chairperson; vice-chairperson.* A chairperson and a vice-chairperson shall be elected by the members of the commission at the first meeting following the annual appointment of the new members.

(e) *Recordkeeping.* The commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

(f) *Voting.* The concurring vote of four members of the commission shall be necessary for the adoption of any motion, the issuance of any order, the making of any recommendation, or the determination of the amount and duration of any civil penalty. Only the members of the commission present shall have voting privileges.

(g) *Promulgation of regulations.* The commission shall adopt rules in accordance with the Property Maintenance Code, Article XII of this chapter and pursuant to V.T.C.A., Local Government Code § 54.032. The rules shall establish procedures for use in hearings, providing ample opportunity for presentation of evidence and testimony by respondents or person opposing charges brought by the municipality or its building officials relating to alleged violation of ordinances, as specified in V.T.C.A., Local Government Code § 54.031 et seq.

(h) *Appeals.* Appeals to the commission may be made by any person aggrieved, or by a municipal officer, department, or board affected by any decision (related to the Property Maintenance Code, article XII of this chapter) of the building official. Such appeal shall be filed with the commission chairperson within 15 days after the original decision is rendered. All papers constituting the record pertaining to such appeal shall accompany the appeal. Formal notice of the appeal shall be issued by the commission chairperson, such notice to specify the grounds upon which the appeal is made. The commission shall set a reasonable time for the hearing of the appeal. Notice of all proceedings before the commission must be given as follows:

- (1) By certified mail, return receipt required to the record owners of the attached property, and such holder of a recorded lien against the affected property, as shown by the records in the office of the county clerk, if the address of the lienholder can be ascertained;
- (2) To all unknown owners, by posting a copy of the notice on the front door of each improvement situated on the affected property, or as close to the front door as practicable; and
- (3) The notice shall be mailed and posted on or before the tenth day before the date of the hearing before the commission and must state the date, time, and place

of the hearing. In addition, the notice must be published in a newspaper of general circulation within the city at least ten days before the hearing.

SECTION 2. That the remainder of Chapter 10, Article II, Division 2, "Building and Standards Commission" in the City's Code of Ordinances shall remain unchanged. The Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance; and

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict with all remaining portions not conflicting being saved from repeal herein; and

SECTION 4. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and

SECTION 5. That it is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code and that advance public notice of the time, place and purpose of said meeting was given; and

SECTION 6. That this ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS THIS 3rd DAY OF SEPTEMBER, 2019.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 08/19/2019

2nd Reading: 09/03/2019

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CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 19-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 38. "SUBDIVISIONS," ARTICLE I. "IN GENERAL," SECTION 38-15 "MISCELLANEOUS REQUIREMENTS" TO ESTABLISH AN ENGINEERING PLAN REVIEW FEE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas ("City Council") deems it to be in the best interest of the City to establish a "plan review fee" associated with engineering related projects.

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

SECTION 1. That the Code of Ordinances of the City of Rockwall shall be amended in Chapter 38. "Subdivisions;" Article I. "In General;" Section 38-15. "Miscellaneous requirements," to add an additional subsection and associated provisions, which shall hereby read as follows:

(s) *Engineering Plan Review Fee.* Any person desiring to submit for engineering construction plan review shall, at the time of said plan being submitted to the engineering department, pay to the city a fee in accordance with the following fee schedule:

First Review Fee	Resubmittal Fee
<ul style="list-style-type: none">• \$100.00 for parcels or tracts of land less than 1-acre.• \$125.00 for parcels or tracts of land between 1 to 5-acres.• \$175.00 for parcels or tracts of land greater than 5-acres.	\$500 (After Third Review)

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict with all remaining portions not conflicting being saved from repeal herein; and

SECTION 3. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and

SECTION 4. That it is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code and that advance public notice of the time, place and purpose of said

meeting was given; and

SECTION 5. That this ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of September, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 08/19/2019

2nd Reading: 09/03/2019

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CITY OF ROCKWALL

ORDINANCE NO. 19-31

SPECIFIC USE PERMIT NO. S-211

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *MINOR AUTO REPAIR GARAGE*, IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 1.1107-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK 1, HORIZON VILLAGE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; 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 Greg Wallace of Mershawn Architects on behalf of the owner for the approval of a Specific Use Permit (SUP) to allow a *minor auto repair garage* in a Commercial (C) District on a 1.1107-acre parcel of land being described as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], and being more specifically 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 (UDC) [*Ordinance No. 04-38*] 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 approval of this ordinance shall supersede all requirements stipulated by *Ordinance No. 05-20*.

SECTION 2. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] 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 a *minor auto repair garage* as stipulated by Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*], on the *Subject Property*; and,

SECTION 3. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 4.4, *Commercial (C) District*, of Section 4, *Commercial Districts*, of Article V, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the following:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *minor auto repair garage* on the *Subject Property* and conformance to these stipulations is required for continued operations:

- 1) The *minor auto repair garage* shall generally conform to the concept plan and building elevations depicted in *Exhibits 'B' and 'C'* of this ordinance;
- 2) Vehicles, equipment, parts, and/or inventory shall not be stored outside overnight.
- 3) All work must be performed within an enclosed building.
- 4) The addition shall match the design and materials of the existing buildings as depicted in *Exhibit 'C'* of this ordinance.
- 5) A ten (10)-foot landscape buffer consisting of ground cover, a built-up berm and/or shrubbery or a combination thereof shall be installed along the entire length of the frontage of the subject property.

3.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

SECTION 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 5. 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 6. 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 7. 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 8. 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 3RD DAY OF SEPTEMBER, 2019.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: August 19, 2019

2nd Reading: September 3, 2019

Exhibit 'A'
Zoning Exhibit

Address: 2581 Horizon Road [FM-3097]

Legal Description: Lot 1, Block 1, Horizon Village Addition

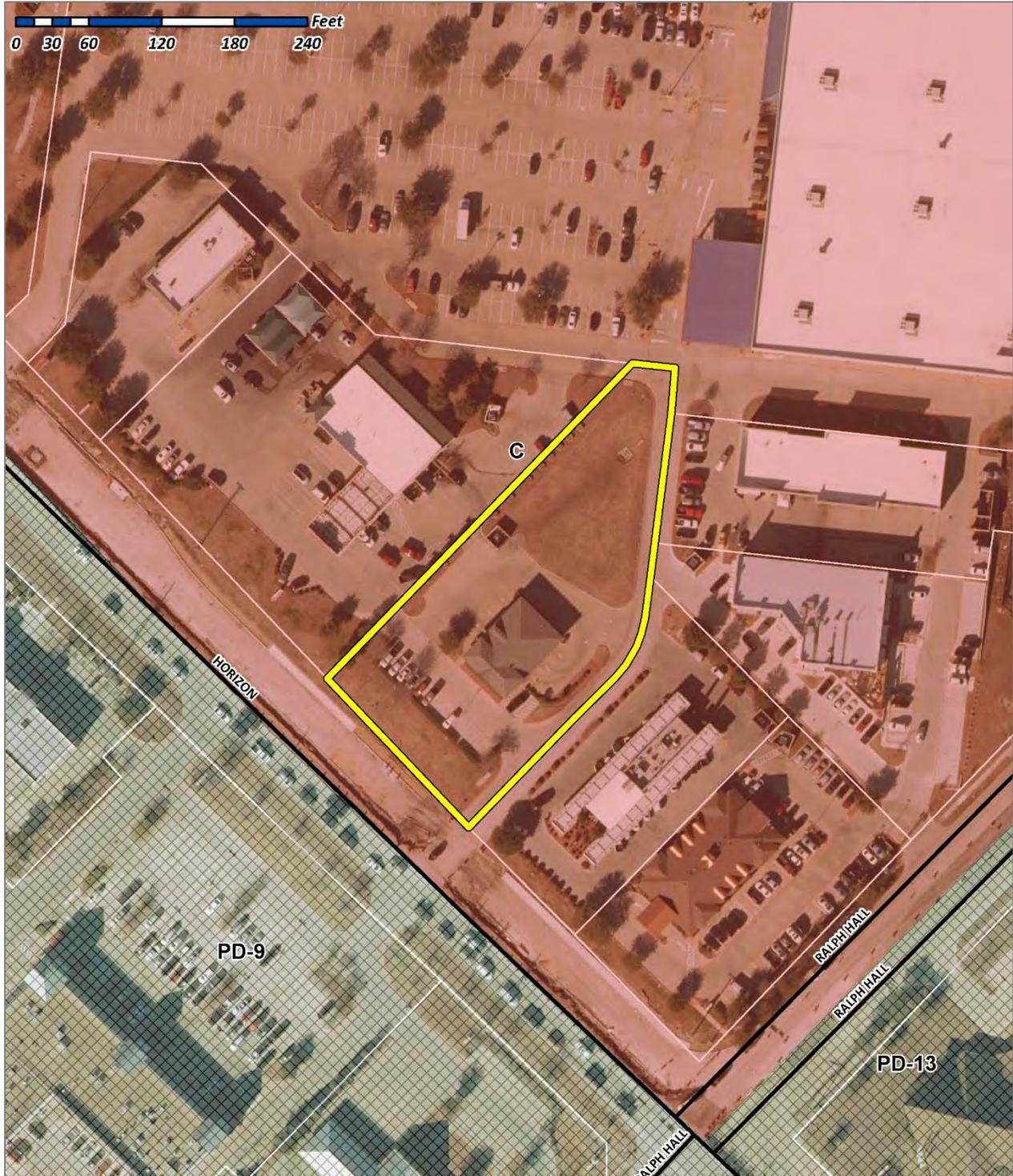


Exhibit 'C':
Conceptual Building Elevations



BENCHMARK CONSTRUCTION INC.

A PROPOSED BUILDING FOR :
 LOCATED AT :
 2222 FM 3097 - HORIZON ROAD
 ROCKWALL, TEXAS

PROJ. NO. 04158	A5 OF SIX
DATE 5/18/05	
DESIGNED BY: B. J. BENTON	SHEET
DRAWN BY: B. J. BENTON	

ROOM FINISH SCHEDULE

NO.	ROOM	FINISH	NO.	ROOM	FINISH
101	RECEPTION	101	101	RECEPTION	101
102	OFFICE	102	102	OFFICE	102
103	CONFERENCE	103	103	CONFERENCE	103
104	RESTROOM	104	104	RESTROOM	104
105	EMPLOYEE	105	105	EMPLOYEE	105

DOOR AND HARDWARE SCHEDULE

NO.	DOOR	HARDWARE	NO.	DOOR	HARDWARE
101	101	101	101	101	101
102	102	102	102	102	102
103	103	103	103	103	103
104	104	104	104	104	104
105	105	105	105	105	105

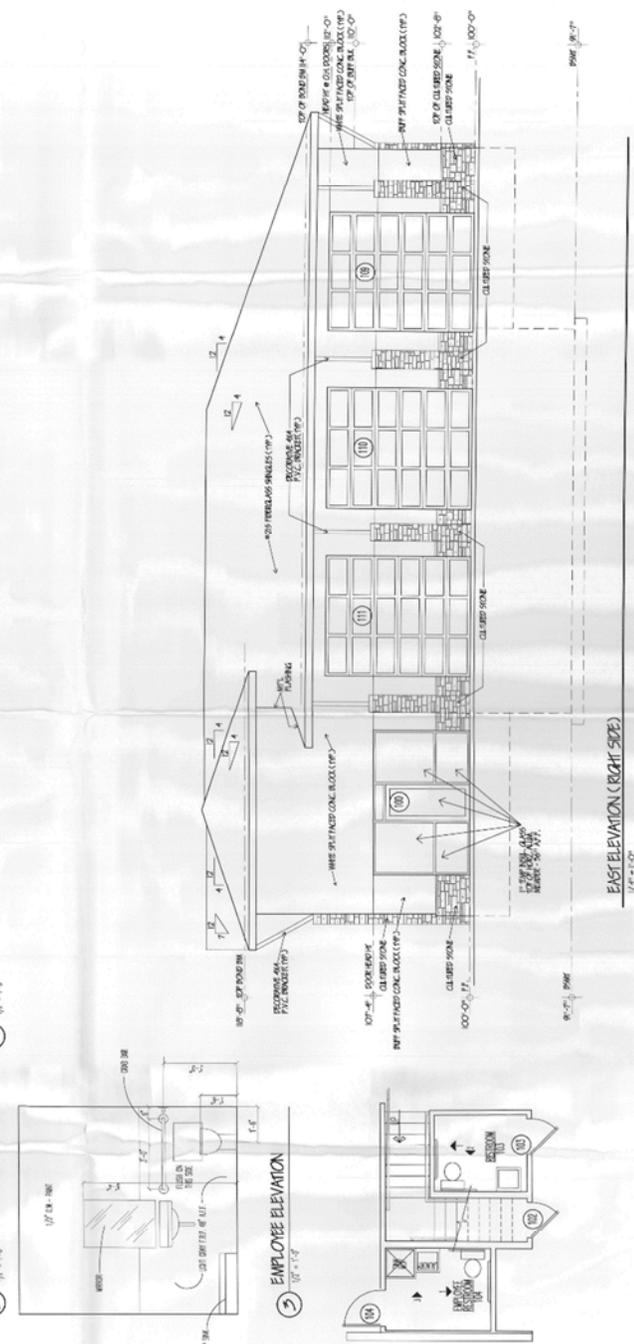
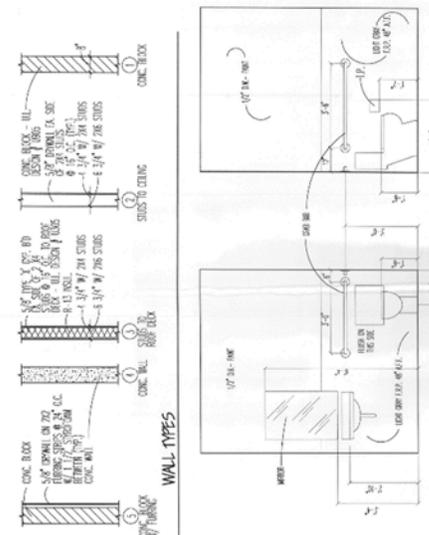


Exhibit 'C': Conceptual Building Elevations



MERSHAWN ARCHITECTS
MEDICAL COMMERCIAL
CHURCHES INSTITUTIONAL
RESIDENTIAL RESTAURANTS

1000 ROCKWALL, TEXAS 75087
TEL: 972-961-5000
FAX: 972-961-5001

EXTERIOR ELEVATIONS

KWIK KAR
ROCKWALL, TEXAS

Sheet: 10" x 14" (1/4" = 1'-0")

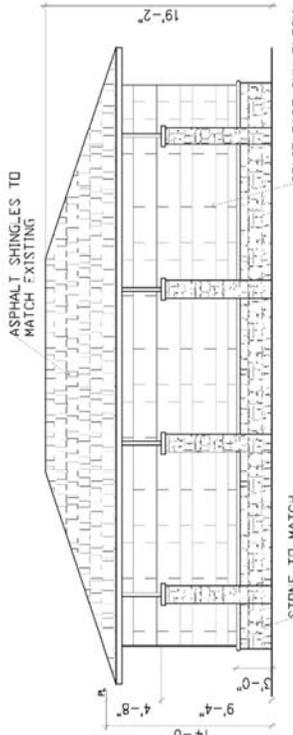
Scale: 1/4" = 1'-0"

DATE: _____

BY: _____

REVISION: _____

A4



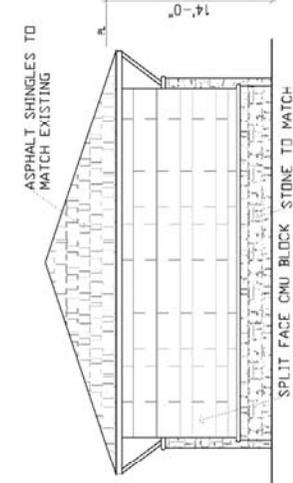
NORTH ELEVATION
100% MASONRY 30% STONE 70% BLOCK

STONE TO MATCH EXISTING

SPLIT FACE CMU BLOCK TO MATCH EXISTING

ASPHALT SHINGLES TO MATCH EXISTING

19'-2"



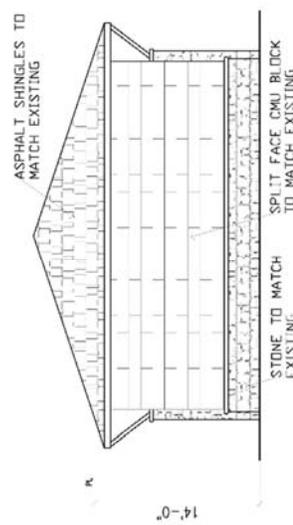
EAST ELEVATION
100% MASONRY 24% STONE 76% BLOCK

SPLIT FACE CMU BLOCK TO MATCH EXISTING

STONE TO MATCH EXISTING

ASPHALT SHINGLES TO MATCH EXISTING

14'-0"



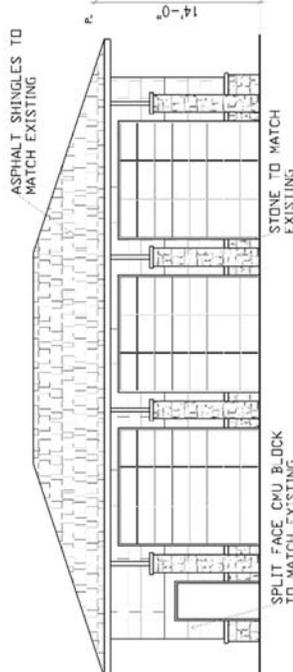
WEST ELEVATION
100% MASONRY 24% STONE 76% BLOCK

STONE TO MATCH EXISTING

SPLIT FACE CMU BLOCK TO MATCH EXISTING

ASPHALT SHINGLES TO MATCH EXISTING

14'-0"



SOUTH ELEVATION
100% MASONRY 38% STONE 62% BLOCK

SPLIT FACE CMU BLOCK TO MATCH EXISTING

STONE TO MATCH EXISTING

ASPHALT SHINGLES TO MATCH EXISTING

14'-0"

GENERAL NOTES:

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
2. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.
3. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONTRACTS FOR ALL MATERIALS AND SERVICES TO BE PROVIDED BY OTHERS.
4. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONTRACTS FOR ALL MATERIALS AND SERVICES TO BE PROVIDED BY OTHERS.
5. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONTRACTS FOR ALL MATERIALS AND SERVICES TO BE PROVIDED BY OTHERS.
6. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONTRACTS FOR ALL MATERIALS AND SERVICES TO BE PROVIDED BY OTHERS.
7. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONTRACTS FOR ALL MATERIALS AND SERVICES TO BE PROVIDED BY OTHERS.
8. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONTRACTS FOR ALL MATERIALS AND SERVICES TO BE PROVIDED BY OTHERS.
9. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONTRACTS FOR ALL MATERIALS AND SERVICES TO BE PROVIDED BY OTHERS.
10. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONTRACTS FOR ALL MATERIALS AND SERVICES TO BE PROVIDED BY OTHERS.

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CITY OF ROCKWALL

ORDINANCE NO. 19-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE II, *AUTHORITY AND ADMINISTRATIVE PROCEDURES*, ARTICLE IV, *PERMISSIBLE USES*, ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*, ARTICLE VIII, *LANDSCAPE STANDARDS*, ARTICLE X, *PLANNED DEVELOPMENT DISTRICT REGULATIONS*, ARTICLE XI, *ZONING RELATED APPLICATIONS*, AND ARTICLE XIII, *DEFINITIONS*, OF THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38], AND ARTICLE XI, *FENCES*, OF CHAPTER 10, *BUILDING AND BUILDING REGULATIONS*, OF THE MUNICIPAL CODE OF ORDINANCES; 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. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Article II, *Authority and Administrative Procedures*; Article IV, *Permissible Uses*; Article V, *District Development Standards*; Article VIII, *Landscape Standards*; Article X, *Planned Development Regulations*; Article XI, *Zoning Related Applications*; and Article XIII, *Definitions*, of the Unified Development Code [*Ordinance No. 04-38*]; and Article XI, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances; 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. 04-38*] and Municipal Code of Ordinances should be amended as follows:

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

SECTION 1. That Article II, *Authority and Administrative Procedures*, of the Unified Development Code [*Ordinance No. 04-38*] 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 Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'B'* of this ordinance.

SECTION 3. That Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'C'* of this ordinance.

SECTION 4. That Article VIII, *Landscape Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'D'* of this ordinance.

SECTION 5. That Article X, *Planned Development Regulations*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended

as specifically described in *Exhibit 'E'* of this ordinance.

SECTION 6. That Article XI, *Zoning Related Applications*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'F'* of this ordinance.

SECTION 7. That Article XIII, *Definitions*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'G'* of this ordinance.

SECTION 8. That Article XI, *Fences*, of Chapter 10, *Building and Building Regulations*, of the Municipal Code of Ordinances of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'H'* of this ordinance.

SECTION 9. 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 10. 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. 04-38*], 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 11. 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 3RD DAY OF SEPTEMBER, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: August 19, 2019

2nd Reading: September 3, 2019

Exhibit 'A'
*Article II, Authority and Administrative Procedures, of the
Unified Development Code*

Additions: **Highlighted**
Deletions: ~~Highlighted, Strikeout~~
Staff Notes: **Highlighted, Red Text**
Links/References: Blue, Underlined

ARTICLE II, DEVELOPMENT REVIEW AUTHORITY AND ADMINISTRATIVE PROCEDURES, UDC

SECTION 1: SEQUENCE OF REVIEW

~~Where an applicant requests a variance from a provision of this [Unified Development Code] in conjunction with an application for amendment of the official zoning map, the variance shall be considered by the Planning and Zoning Commission and City Council at the same time that they consider the request for the zoning change.~~

SECTION 2. - INITIATION OF ADMINISTRATIVE PROCEDURES ~~[MOVED TO SUBSECTION 1.02 OF ARTICLE XI, UDC]~~

~~All platting, zoning and site plan requests to be considered by the Planning and Zoning Commission and/or the City Council, shall be initiated by filing an application with the City. All requests for building permits shall be initiated by the filing of an application with the City. The applications required by this section shall be on forms supplied by the City of Rockwall which shall be available in the offices of the City.~~

SECTION 3. - SUBMITTAL AND ACCEPTANCE ~~[MOVED TO SUBSECTION 1.02 OF ARTICLE XI, UDC]~~

~~No application shall be processed until such application is complete and the fee established in this [Unified Development Code] or ordinances of the City of Rockwall for processing the application has been paid.~~

SECTION 4. - AUTHORITY TO INITIATE A REQUEST ~~[MOVED TO SUBSECTION 1.02 OF ARTICLE XI, UDC]~~

~~All platting, zoning and site plan requests, and/or requests to amend the comprehensive plan or the thoroughfare plan may be initiated by the owner of the affected property or his authorized representative who files the required application and pays the appropriate fee for the request, or the City Council may direct the director of planning to initiate such a request on behalf of the City.~~

~~Amendments to the text of this [Unified Development Code] shall be initiated only by action of the City Council directing the director of planning to initiate such a request on behalf of the City or by the director of planning's own initiative.~~

~~Variations and special exceptions to be considered by the Board of Adjustments (BOA) may be initiated by the owner of the affected property or his authorized representative or any aggrieved party who files the required application and pays the appropriate fee, or by any person aggrieved by the decision of an administrative officer with authority over any matter appealable to the Board of Adjustments (BOA) per section 11.3 [of this Unified Development Code], or by an officer, or appropriate board of the City.~~

SECTION 5. - APPLICATION WITHDRAWAL ~~[MOVED TO SUBSECTION 1.03 OF ARTICLE XI, UDC]~~

~~Any request for withdrawal of an application must be submitted in writing to the director of planning.~~

Exhibit 'A'
Article II, Authority and Administrative Procedures, of the
Unified Development Code

Once an application for a platting, zoning, or site plan request to be considered by the Planning and Zoning Commission and/or City Council, or a variance, special exception or appeal going before the City Council has been published in a newspaper or notifications of public hearing, if any, have been mailed, such request for withdrawal must be placed on the public hearing agenda and acted upon by the applicable body.

Application fees are not refundable except in cases in which the director of planning determines that an application was accepted in error, or the fee paid exceeded the amount due under the provisions of this [Unified Development Code] or the ordinances of the City of Rockwall, in which case the amount of the overpayment may be refunded to the applicant.

SECTION 6: CONDUCT OF PUBLIC HEARINGS

SUBSECTION 6.01: NOTICE OF PUBLIC HEARING [MOVED TO SUBSECTION 2.03 OF ARTICLE XI, UDC]

Written notice of all public hearings on proposed changes in district boundaries shall be sent to all property owners listed on the most current and approved city tax rolls, and to the actual property address if the property owner does not reside at the physical address, for properties within a distance of at least 500 feet from the boundaries of the subject property at least ten days prior to the public hearing date. In addition, written notice shall also be mailed to all known Homeowners Association (HOA) representative(s) within 1,500 feet of the subject property at least ten days prior to the public hearing date. Such notice shall be sent via first class mail and display a stamp on the outside of the envelope with the wording "Zoning Change Requested." In cases that require notices to be sent to a multi-family property written notice shall be sent to the property owner and the leasing office of the housing complex or apartment building.

In addition, notice of such public hearing shall be published one time in a newspaper of general circulation in the City, not less than ten days prior to the date of such hearing, and a four foot by four foot double sided sign giving notice of a proposed zoning change shall be placed on the subject property at least ten days prior to the public hearing.

Notice of hearings on proposed changes in the text of this Unified Development Code shall be accomplished by one publication not less than 15 days prior to the public hearing, in the official newspaper of the City.

(Ord. No. 10-14, § 1, 7-6-2010; Ord. No. 14-18, § 1, 5-5-2014)

SUBSECTION 6.02: PUBLIC HEARING POSTPONEMENT, RECESS, AND CONTINUATIONS [MOVED TO SUBSECTION 2.03 OF ARTICLE XI, UDC]

- A. A public hearing for which notice has been given may be postponed by announcing the postponement at or after the time and place the hearing is scheduled to begin.
- B. A public hearing may be recessed and continued any time after the hearing has commenced.
- C. If a postponement or continuance of a public hearing is to a specific date and time no later than 30 days from the first or most recent hearing, the announcement of the postponement or continuance at the public hearing in which the application has been postponed or continued shall be sufficient notice and no additional notice is required.
- D. Postponed or continued public hearing shall be presumed to be held in the same location, unless a different location for the hearing is announced at the time of the postponement or continuance.
- E. In the event that any request or amendment is being considered, whether or not a public hearing is involved, and it is continued at the request of the applicant more than one time, an additional fee shall be required to cover the reasonable costs to the City, including the cost of any additional advertising cost and the cost of the City's consultants due to the postponement.
- F. If the applicant is not present at a meeting where the request is being considered and the request cannot be considered, then an additional fee, as described in 6.2E above, shall also be required.

(Ord. No. 18-02, § 1, 1-2-2018)

SUBSECTION 6.03: CONDUCT OF PUBLIC HEARING [MOVED TO SUBSECTION 2.03 OF ARTICLE XI, UDC]

Subject to the presiding officer's inherent authority to conduct meetings, the public hearing shall generally be conducted as follows:

Exhibit 'A'
*Article II, Authority and Administrative Procedures, of the
Unified Development Code*

- A. Report by the City representative;
- B. Open public hearing;
- C. Presentation by the applicant;
- D. Testimony and questions by the public;
- E. Rebuttal by the applicant;
- F. Closure of the public hearing.

**~~SECTION 7: PLANNING AND ZONING COMMISSION AUTHORITY~~ [MOVED TO
SUBSECTION 3.04]**

~~SUBSECTION 7.01: APPROVAL AUTHORITY~~

The Planning and Zoning Commission shall make decisions, or make recommendations to the City Council, on the following matters:

- ~~(A) Decisions on site plans, building elevations, lighting plans, landscape plans and tree preservation plans as may be required.~~
- ~~(B) Recommendations to City Council on plats as required by the subdivision ordinance, chapter 38 of part II, Code of Ordinances.~~
- ~~(C) Recommendations to City Council on replats, when such public hearing is required by the provisions of V.T.C.A., Local Government Code Chapter 212.~~
- ~~(D) Recommendations to City Council regarding text amendments to this Unified Development Code.~~
- ~~(E) Recommendations to City Council regarding zoning changes and map amendments, including reclassification of the zoning designations on land, specific use permits, and planned developments.~~
- ~~(F) Decisions regarding variances and special exceptions to this Unified Development Code.~~
- ~~(G) Recommendations to City Council regarding amendments to the comprehensive plan.~~
- ~~(H) Recommendations to City Council regarding amendments to the master thoroughfare plan.~~
- ~~(I) Recommendations to City Council regarding amendments to a master open space plan.~~

~~(Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)~~

~~SUBSECTION 7.02: RECOMMENDATION AUTHORITY~~ [MOVED TO SUBSECTION 2.04 OF ARTICLE XI, UDC]

Upon closure of the public hearing, and when required to make a recommendation to the City Council, the Planning and Zoning Commission may recommend:

- ~~(A) That the request or amendment be approved or enacted; or~~
- ~~(B) That the request or amendment be approved or enacted as modified to a more restrictive classification or subject to appropriate conditions as permitted by law; or~~
- ~~(C) That the request or amendment be denied.~~

~~(Ord. No. 18-24, § 1, 5-7-2018)~~

~~SECTION 8: CITY COUNCIL AUTHORITY~~ [MOVED TO SECTION 2]

~~SUBSECTION 8.01: AUTHORITY~~

The City Council shall hold a meeting, conduct a public hearing—if required by this Unified Development Code—and make determinations on the following matters:

- ~~A. Text amendments to this Unified Development Code.~~

Exhibit 'A'
*Article II, Authority and Administrative Procedures, of the
Unified Development Code*

- B. Zoning changes and map amendments, including reclassification of the zoning designations on land, specific use permits, and planned developments.
- C. Appeals related to the Planning and Zoning Commission's decision on special exceptions, variances, or waivers related to site plans for development.
- D. Amendments to the comprehensive plan.
- E. Amendments to the master thoroughfare plan.
- F. Amendments to the master open space plan.
- G. Variances, special exceptions and appeals as set out in this Unified Development Code.

(Ord. No. 06-14, 4-17-2006; Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)

SUBSECTION 8.02: JOINT PUBLIC HEARINGS [MOVED TO SUBSECTION 2.05 OF ARTICLE XI, UDC]

The City Council may hold a public hearing, after publishing the required notice, jointly and with any public hearing required to be held by the Planning and Zoning Commission, but the City Council shall not take action until it has received a final report from the Planning and Zoning Commission.

(Ord. No. 18-24, § 1, 5-7-2018)

SUBSECTION 8.03: CITY COUNCIL APPROVAL OR DENIAL [MOVED TO SUBSECTION 2.07 OF ARTICLE XI, UDC]

The council may take the following actions concerning the matters outlined in section 8.1:

- A. Approval of an item. The City Council may approve the request or amendment either as requested, or in the form of a more restrictive district, and subject to such appropriate conditions as are allowed by law. Such approval of any request for a text amendment to this Unified Development Code or a zoning change and map amendment shall be granted only if the City Council determines that the request or amendment is consistent with the comprehensive plan and the purposes of this Unified Development Code. In the event the request or amendment concerns a text amendment to this Unified Development Code or a zoning change and map amendment, the City Council shall enact an ordinance amending this Unified Development Code or amending the official zoning map, whichever is applicable.
- B. Denial of an item. The City Council may deny a request or amendment with prejudice. If a request or amendment is denied with prejudice, a new application may be submitted for the same lot or tract of land, or any portion thereof, within one year only if the new request is for a more restrictive or less intense use or development. For applications pertaining to a change of zoning and map amendment, a new proposal may not be submitted unless it is more restrictive or less intense than the previously denied proposal for any tract of land, or any portion thereof, for a period of one year from the denial date. If a request or amendment is denied by the City Council without an indication of "with" or "without" prejudice, then the action shall be considered to be "denied with prejudice."
- C. Denial without prejudice. The City Council may deny the request or amendment without prejudice, in which case an application for the same request may be filed at the applicant's discretion.
- D. Reapplication due to changed conditions. A request or amendment, which has been previously rejected with prejudice by the City Council, may be resubmitted within one year only if there is an actual change in conditions relating to the tract or parcel of land or the property surrounding it. In this event, the applicant must submit to the director of planning and zoning, in writing, a request describing such changed conditions. The director of planning and zoning shall investigate the claim and report to the Planning and Zoning Commission whether or not such change of conditions exist. Upon hearing this report, the Planning and Zoning Commission shall either grant or deny the request to refile the request or amendment.

(Ord. No. 18-24, § 1, 5-7-2018)

SUBSECTION 8.04: PROTEST OF PROPOSED CHANGE IN ZONING [MOVED TO SUBSECTION 2.03 OF ARTICLE XI, UDC]

Property owners adjacent to and within a radius of 200 feet of a property for which a change in zoning is being considered have the right to file a written protest against the request. The land area of this 200-foot radius includes streets, alleys and other public right-of-way.

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Whenever such written protest is signed by the owners of 20 percent or more of the area of the lots or land included in such zoning change, or of the lots or land immediately adjoining the same and within the above mentioned 200-foot radius, or if such change is recommended for denial by the Planning and Zoning Commission, such change in zoning shall require a favorable vote of three-fourths of all eligible members of the City Council.

For purposes of determining representation on this written protest, the written protest of any one owner of land owned by two or more persons shall be presumed to be the protest of all owners.

(Ord. No. 06-14, 4-17-2006; Ord. No. 18-24, § 1, 5-7-2018)

~~Sec. 8.5. – Criteria for granting special exceptions. [MOVED TO SUBSECTION 9 OF ARTICLE XI, UDC]~~

~~The City Council may make special exceptions to the standards in this Unified Development Code that are consistent with the general purpose and intent of the Unified Development Code. The Planning and Zoning Commission shall make recommendations on special exceptions.~~

~~Special exceptions are subject to appropriate conditions and safeguards to ensure that the special exceptions are consistent with the general purpose and intent of this Unified Development Code and the City's comprehensive plan.~~

~~The City Council, pursuant to the powers conferred upon it by state law, the ordinances of the City and this article may grant special exceptions to the provisions of this Unified Development Code upon finding that:~~

- ~~A. Such special exception will not substantially or permanently injure the appropriate use of adjacent property in the same district;~~
 - ~~B. Such special exception will not adversely affect the health, safety or general welfare of the public;~~
 - ~~C. Such special exception will not be contrary to the public interest;~~
 - ~~D. Such special exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the exception is sought is located, except as provided elsewhere in this Unified Development Code;~~
 - ~~E. Such special exception will be in harmony with the spirit and purpose of this Unified Development Code;~~
 - ~~F. Such special exception will not alter the essential character of the district in which the property is located for which the exception is sought;~~
 - ~~G. Such special exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located; and~~
- ~~Such special exception is within the spirit and intent of the City's comprehensive plan and other policies.~~

(Ord. No. 18-24, § 1, 5-7-2018)

**SECTION 19: BOARDS, COMMISSIONS, AND ADMISTRATIVE STAFF AGENCIES—
APPOINTMENT, TERM, AND PROCEDURES**

All meetings of any Board or Commission shall be open to the public. Each Board or Commission shall keep accurate minutes of each meeting, which shall be forwarded to the City Secretary within ten (10) days following each meeting. Such Board or Commission shall keep an accurate record of the names of the members who are present and absent from their meetings. When public hearings are necessary or required, notice of the public hearings and the conduct of the public hearing same will be in compliance with the requirements of all federal, state and local laws. the Local Government Code and this [Unified Development Code].

Each Board or Commission may establish its own attendance rules, regulations, and method of enforcement unless in conflict with state law, or this Article. Each member of a Board or Commission shall be at least 18 years of age.

SECTION 2: CITY COUNCIL

Exhibit 'A'
*Article II, Authority and Administrative Procedures, of the
Unified Development Code*

SUBSECTION 2.01: AUTHORITY

The City Council shall hold a meeting, conduct a public hearing -- *if required by this Unified Development Code* -- and make determinations on the following matters:

- (A) Text amendments to this Unified Development Code.
- (B) Zoning changes and map amendments including the reclassification of zoning designations on land, Specific Use Permits (SUP), and Planned Development Districts.
- (C) Appeals related to the Planning and Zoning Commission's decision on special exceptions, variances, or waivers related to site plans for development.
- (D) Amendments to the Comprehensive Plan.
- (E) Amendments to the Master Thoroughfare Plan.
- (F) Amendments to the Master Open Space Plan Master Plans.

(Ord. No. 06-14, 4-17-2006; Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)

[MOVED FROM SECTION 8]

SECTION 310: PLANNING AND ZONING COMMISSION

SUBSECTION 310.01: CREATION AND MEMBERSHIP

- (A) *Membership.* The members of the Planning and Zoning Commission shall be appointed for a term of three (3) years on a rotating basis and removable for cause by the City Council. The terms of office shall expire on the last day of July or until their successor has been appointed. Any member of the Planning and Zoning Commission may be reappointed by the City Council upon completion of a full term.
- (B) *Residency.* Each member of the Planning and Zoning Commission shall be a resident of the City of Rockwall at the time of his appointment. A member of the Planning and Zoning Commission ceasing to reside in the City during his term of office shall immediately forfeit the office.
- (C) *Removal.* Any member of the Planning and Zoning Commission may be removed from office for any cause deemed by the City Council to be sufficient for removal of the member. If a vacancy should exist in the **Planning and Zoning** Commission membership due to removal from office, resignation, death, refusal or inability to serve, the City Council shall appoint a new member to fill the vacancy for the unexpired term.

(Ord. No. 10-04, § 1, 2-1-2010; Ord. No. 10-14, § 2, 7-6-2010)

SUBSECTION 310.02: POWERS AND DUTIES

The Planning and Zoning Commission shall have the following powers and duties:

- (A) To advise the City Council and make recommendations concerning adoption of, or amendments to, zoning regulations and the zoning map;
- (B) To advise the council and make recommendations concerning adoption of, or amendments to the City's Comprehensive Plan, **Master** Thoroughfare Plan, and **Parks and Recreation Master Plan open space plan** and implementation thereof;
- (C) To oversee the City's regulations governing the platting and recording of subdivisions, including matters pertaining to the dedication of public facilities, and to advise the council on matters pertaining to public improvements, traffic, utility extensions and the provision of public facilities and services, in order to implement the City's Comprehensive Plan;
- (D) To undertake such actions as are necessary to exercise its delegated powers, as indicated by adopted ordinance;
- (E) To approve certain matters relating to platting and recording of subdivisions as dictated by the City's ordinances and **the Unified Development Code (UDC) this [Unified Development Code];**
- (F) To select a Planning and Zoning Commission Chair;

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- (G) To call public hearings to initiate zoning changes; and
- (H) Other duties as may be prescribed by ordinance or state law.

SUBSECTION 340.03: PROCEDURES

- (A) *Attendance.* If a **Planning and Zoning** Commissioner has three **(3)** consecutive absences that are not excused by the Planning and Zoning Commission, or is absent from more than 25% **percent** of the meetings, he or she may be removed from the **Planning and Zoning** Commission; however, if absent from 50% **percent** of the meetings in any calendar year, the member will automatically be removed from the Planning and Zoning Commission.
- (B) *Officers.* Pursuant to the Charter § 9.01, the Planning and Zoning Commission shall elect a chair and vice-chair at the first meeting in August for a term of one **(1)** year. The vice-chair is to preside in the absence of the chair. Both the chair and the vice-chair shall vote on every item unless prohibited by law. The **zoning administrator** **Director of Planning and Zoning** shall be secretary of the Planning and Zoning Commission.
- (C) *Meetings.*
 - (1) *Open to the Public.* All meetings of the Planning and Zoning Commission shall be open to the public. The **Planning and Zoning** Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep record of its examinations and other official actions, all of which shall be filed in the office of the commission and shall be a public record. The **zoning administrator** **Director of Planning and Zoning** of the City of Rockwall shall be the custodian and possessor of the records and minutes of the Planning and Zoning Commission.
 - (2) *Calling of Meetings.* Meetings of the Planning and Zoning Commission may be held as often as necessary to conduct the business coming before the **Planning and Zoning** Commission at the call of the chair and at such other times as the commission may determine.
 - (3) *Quorum.* Any four **(4)** members shall constitute a quorum for the transaction of the business. The affirmative vote of a majority of those attending any meeting at which there is a quorum present shall be necessary to pass any motion, recommendation or resolution of the Planning and Zoning Commission.

(Ord. No. 10-14, § 3, 7-6-2010)

SUBSECTION 3.04: APPROVAL AUTHORITY

The **Planning and Zoning Commission** shall make decisions, or make recommendations to the City Council, on the following matters:

- (J) **Decisions on Site Plans, Building Elevations, Photometric Plans, Landscape Plans, Tree Preservation Plans (i.e. Tree Mitigation Plans and Tree Removal Plans), and Open Space Master Plans as may be required.**
- (K) **Recommendations to City Council on all plats (e.g. master plats, preliminary plats, replats, finals plats, etc.) as required by Chapter 38, Subdivisions, of the Municipal Code of Ordinances.**
- (L) **Recommendations to City Council regarding text amendments to the Unified Development Code.**
- (M) **Recommendations to City Council regarding zoning changes and map amendments, including reclassification of the zoning designations on land, Specific Use Permits (SUP), and Planned Development Districts.**
- (N) **Decisions regarding variances and special exceptions to this Unified Development Code.**
- (O) **Recommendations to City Council regarding amendments to the Comprehensive Plan.**
- (P) **Recommendations to City Council regarding amendments to the Master Thoroughfare Plan.**
- (Q) **Recommendations to City Council regarding amendments to the Parks and Recreation Master Plan.**

(Ord. No. 18-24, § 1, 5-7-2018; Ord. No. 18-47, § 1, 11-19-2018)

[MOVED FROM SECTION 7]

SECTION 411: BOARD OF ADJUSTMENTS (BOA)

Exhibit 'A'
*Article II, Authority and Administrative Procedures, of the
Unified Development Code*

SUBSECTION 411.01: ORGANIZATION

- (A) *Membership.* The Board of Adjustments (BOA) is created in accordance with the provisions of article 1011g of the Revised Civil Statutes of Texas [V.T.C.A., *Local Government Code* § 211.008]. The Board of Adjustments (BOA) shall consist of five (5) members who are residents and taxpayers of the City, each to be appointed by the City Council for two (2) years and removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made.
- (B) *Alternate Members.* In addition, The City Council shall provide for the appointment of four (4) alternate members of the Board of Adjustments (BOA) who shall serve in the absence of one (1) or more of the regular members. Alternate members, when appointed, shall serve for the same period as the regular members, which is for a term of two (2) years, and any vacancy shall be filled in the same manner and they shall be subject to removal the same as the regular members.
- (C) *Chief Building Official Zoning Administrator.* The Chief Building Official zoning administrator, or his authorized representative, shall be an ex-officio member of the zoning Board of Adjustments (BOA) without power of vote and as an ex-officio member of such board shall act as secretary of the zoning Board of Adjustments (BOA) and shall set up and maintain a separate file for each application for appeal, special exception and variance received and shall record therein the names and addresses of all persons, firms and corporations to whom notices are mailed, including the date of mailing and further keep a record of all notices published as required herein. All records and files herein provided for shall be permanent and official files and records of the City.

Charter reference— Board of Adjustments (BOA), § 9.06.

State Law reference— Board of Adjustments (BOA), V.T.C.A., Local Government Code § 211.008.

SUBSECTION 411.02: PROCEDURES

- (A) *Adopting Procedural Rules.* The Board of Adjustments (BOA), by majority vote, shall adopt such procedural rules as are necessary to execute its duties.
- (B) *Election of Officers.* The Board of Adjustments (BOA) shall annually select one (1) of its members to be the chair, and the vice chair to act in the absence of the chair.
- (C) *Quorum.* All cases before the Board of Adjustments (BOA) must be heard by at least four (4) members.
- (D) *Calling Meetings.* Meetings of the Board of Adjustments (BOA) shall be held at the call of the chair, and at such other times as the Board of Adjustments (BOA) may determine. Such chair, or in his absence the acting chair, shall administer oaths and compel attendance of witnesses.
- (E) *Meetings Open to the Public.* All meetings of the Board of Adjustments (BOA) shall be open to the public.
- (F) *Keeping of Minutes.* The Board of Adjustments (BOA) shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its other official actions, all of which shall be filed in the office of the Board of Adjustments (BOA) and shall be a public record.

The secretary of the Board of Adjustments (BOA) shall forthwith notify in writing the City Council, the Planning and Zoning Commission and the City's Chief Building Official of each decision, interpretation, special exception and variance granted under the provisions of the Unified Development Code ~~this Unified Development Code.~~

- (G) *Attendance.* If a member has three consecutive absences that are not excused by the Board of Adjustments (BOA), or is absent from more than 25% percent of the meetings, he may be removed from the Board of Adjustments (BOA); however, if absent from 50% percent of the meetings in any calendar year, the member will automatically be removed from the Board of Adjustments (BOA).

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(Ord. No. 10-14, § 4, 7-6-2010)

SUBSECTION 411.03: JURISDICTION

(A) When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board of Adjustments (BOA) may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards, authorize the following special exceptions to the regulations herein established:

- (1) *Appeal of an Administrative Decision.* Consider an appeal from any person aggrieved by a decision of any administrative officer with authority over any matter regulated by ~~the this~~ Unified Development Code or by any officer, department, board or division of the City affected by any decision of the administrative officer. Such appeal shall be received within 15 calendar days after the decision has been rendered by the administrative officer, by filing with the officer whose decision is being appealed and with the Board of Adjustments (BOA), a notice of appeal specifying the grounds of the appeal and the City's required fee.
- (2) *Appeal of a Code Decision.* Consider an appeal from any person aggrieved by orders, decisions or determinations made by the building official, fire official or city engineer relative to the application and interpretation of the 2015 International Residential Code, International Building Code, International Plumbing Code, International Mechanical Code, International Energy Conservation Code, International Fuel Gas Code, International Fire Code, International Existing Building Code, and 2014 National Electrical Code ~~and City of Rockwall Standards of Design and Construction (Engineering Standards).~~

The officer from whom the appeal is taken shall forthwith transmit to the Board of Adjustments (BOA), all papers constituting the record from which the action appealed was taken. An appeal shall stay all proceedings of the action which has been appealed, unless the officer from whom the appeal is taken, certifies to the Board of Adjustments (BOA) that a stay would, in the officer's opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed unless there is a restraining order granted by the Board of Adjustments (BOA) or by a court of competent jurisdiction on application, and notice is given to the officer whose decision is the subject of appeal.

- (B) *Odd Shaped Parcels.* Permit such modifications of the height, yard, area, coverage and parking regulations as may be necessary to secure appropriate development of a parcel of land which differs from other parcels in the district by being of such restricted area, shape, or slope that it cannot be appropriately developed without such modification.
- (C) *Non-Conforming Use.* Permit the expansion or enlargement of a building occupied by a non-conforming use on the lot or tract occupied by such building, provided such reconstruction does not prevent the return of such property to a conforming use. Upon review of the facts, the Board of Adjustments (BOA) may establish a specific period of time for the occupancy to revert to a conforming use.
- (D) *Change of Non-Conforming Use.* To authorize a change of use from one non-conforming use to another nonconforming use, provided that such change is to a use of the same or more restricted classification. In the event that a non-conforming use is changed to a nonconforming use of a higher or more restrictive classification, the building or structure containing such nonconforming use shall not later be reverted to the former lower or less restricted classification. The Board of Adjustments (BOA) may establish a specific period of time for the conversion of the occupancy to a conforming use.
- (E) *Discontinuance of a Non-Conforming Use.* Require the discontinuance of nonconforming areas of land or structures under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of ~~the Unified Development Code this [Unified Development Code].~~
 - (1) All actions to discontinue a nonconforming use of land or structure shall be taken with due regard for the property rights of the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated nonconforming use and the conservation and preservation of property.

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- (2) The Board of Adjustments (BOA) shall from time to time on its own motion or upon cause presented by interested property owners inquire into the existence, continuance or maintenance of any nonconforming use within the City.
- (F) *Structure for a Legal Non-Conforming Use.* Permit the construction, reconstruction, enlargement or addition of a structure occupied by or for a use, normally ancillary to a single-family residential use, when such single-family residential use or structure, is legally nonconforming; provided, however, such construction, reconstruction, enlargement or addition does not prevent the return of such property to a conforming use.
- (G) *Non-Conforming Structure.* To authorize the reconstruction and occupancy of a nonconforming structure, or a structure containing a nonconforming use, where such structure has been damaged by fire or other causes to the extent of more than 50% percent, but less than the total, of the replacement cost of the structure on the date of the damage. Such action by the Board of Adjustments (BOA) shall have due regard for the property rights of the person or person affected, and shall be considered in regard to the public welfare, character of the area surrounding such structure, and the conservation, preservation and protection of property.
- (H) *Expansion of a Non-Conforming Structure.* To authorize the enlargement, expansion or repair of a nonconforming structure in excess of 50% percent of its current value. In such instance, the current value shall be established at the time of application for a hearing before the Board of Adjustments (BOA). If such expansion or enlargement is approved by the Board of Adjustments (BOA), all provisions of the district in which such structure is located shall apply to the new construction on the lot or parcel.
- (I) *Occupation of an Abandoned Non-Conforming Structure.* To authorize the occupancy of an abandoned nonconforming structure. Such action by the Board of Adjustments (BOA) shall have due regard for the property rights of the person or persons affected, and shall be considered in regard to the public welfare and safety, character or the area surrounding such structure, and the conservation, preservation and protection of property.
- (J) *Violation of Other Ordinances.* The Board of Adjustments (BOA) is not authorized to permit or approve any request that would be in violation of any other ordinances or city regulations that would prohibit such improvement or construction to be made.

(Ord. No. 18-13, § 2, 3-5-2018)

SUBSECTION 411.04: CRITERIA FOR GRANTING VARIANCES

The City's Board of Adjustments (BOA), pursuant to the powers conferred upon it by state law, the ordinances of the City, and this article may grant variances to the provisions of the Unified Development Code this [Unified Development Code] upon finding that:

- (A) Such variance will not substantially or permanently injure the appropriate use of adjacent property in the same district;
- (B) Such variance will not adversely affect the health, safety or general welfare of the public;
- (C) Such variance will not be contrary to the public interest;
- (D) Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located, ~~except as provided in section 12.3 [of this Unified Development Code];~~
- (E) Such variance will be in harmony with the spirit and purpose of the Unified Development Code this [Unified Development Code];
- (F) Such variance will not alter the essential character of the district in which is located the property for which the variance is sought;
- (G) Such variance will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;
- (K) Due to special conditions, a literal enforcement of the Unified Development Code this [Unified Development Code] would result in unnecessary hardship;
- (H) The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including, but not limited to, the area, shape or slope, and the unique circumstances were not

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created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located;

- (I) The variance or exception is not a self-created hardship; and
- (J) The variance is clearly identified as a variance to the City's standards on the concept plan, site plan or text of the Unified Development Code.

(Ord. No. 10-14, § 5, 7-6-2010)

SUBSECTION 411.05: ACTIONS OF THE BOARD

- (A) In exercising its powers, the Board of Adjustments (BOA), may, in conformity with the provisions of the Local Government Code, revise or reform, wholly or partly, or may modify the order, requirement, decisions, or determination appealed from, and shall have all the powers of the officer from whom the appeal is taken including the power to impose reasonable conditions to be complied with by the applicant.
- (B) The concurring vote of four (4) members of the Board of Adjustments (BOA) shall be necessary to revise any order, requirements, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under the Unified Development Code ~~this [Unified Development Code]~~ or to affect any variance in ~~the Unified Development Code this [Unified Development Code]~~.
- (C) Any special exceptions authorized by the Board of Adjustments (BOA), either under the provisions of ~~the Unified Development Code this [Unified Development Code]~~ or under the authority granted to the Board of Adjustments (BOA) under the statutes of the state, shall authorize the issuance of a building permit or a Certificate of Occupancy (CO) or other relief as the case may be for a period of 90-days from the date of the favorable action on the part of the Board of Adjustments (BOA), unless the Board of Adjustments (BOA) in its minutes shall, at the same time, grant a longer period.
- (D) If a building permit or Certificate of Occupancy (CO) has not been applied for or issued within a 90-day period or as the Board of Adjustments (BOA) may specifically grant, the special exceptions shall be deemed waived; and all rights hereunder terminated. The Board of Adjustments (BOA) may grant one or more extensions to this time period upon the applicant's request and if due cause is shown.
- (E) Such termination and waiver shall be without prejudice to a subsequent appeal to the Board of Adjustments (BOA) in accordance with the rules, and regulations regarding appeals.

SUBSECTION 411.06: APPEALS ON SAME MATTER

No appeal to the Board of Adjustments (BOA) shall be allowed concerning the same matter prior to the expiration of six months from a ruling of the Board of Adjustments (BOA) on any appeal to such body unless other rulings on the same or similar subject matter have, within such six-month period, been altered or changed by ruling of the Board of Adjustments (BOA), in which case such change of circumstances shall permit the allowance of an appeal, but shall in no way have force in law to compel the Board of Adjustments (BOA), after a hearing, to grant such subsequent appeal, but such appeal shall be considered on its merits as in all other cases.

SUBSECTION 411.07: EFFECTIVE DATE

A decision on a variance shall be effective upon approval by the Board of Adjustments (BOA).

SUBSECTION 411.08: APPEAL FROM BOARD

Any person aggrieved by any decision of the Board of Adjustments (BOA) or any officer, department, or board of the municipality pursuant to this section, may present to a court of competent jurisdiction, a petition, duly verified, setting forth that such decision is illegal, in whole or in part, and specifying the grounds of such illegality.

Such petition shall be presented to the court within ten days after the filing of the decision complained of in the office of the City secretary and not thereafter.

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No appeal from a Board of Adjustments (BOA) decision under its jurisdiction, as set out in **the this** Unified Development Code, shall be heard by the City Council.

(Ord. No. 10-14, § 6, 7-6-2010)

SECTION 512: HISTORIC PRESERVATION ADVISORY BOARD

SUBSECTION 512.01: ORGANIZATION

(A) *Membership.* There is hereby created a Historic Preservation Advisory Board (HPAB) which shall serve as an advisory body to the City Council. Such board shall consist of seven members to be appointed by the City Council.

(B) *Term of Office; Qualifications.* The members shall be appointed for a term of two **(2)** years with staggered terms and shall be removable by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term, the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed. The membership shall include:

- (1) An architect, planner or representative of a design profession;
- (2) A member of the Rockwall County Historical Foundation;
- (3) A general contractor;
- (4) An owner of property within a historic district;
- (5) Three citizens of Rockwall interested in historic preservation.

All board members, regardless of background, shall have a known and demonstrated interest, competence of knowledge of historic preservation within the City. All members must be residents of Rockwall County.

(C) *Duties.* The duties of the **Historic Preservation Advisory Board (HPAB)** are as follows:

- (1) Provide professional recommendations to the City Council and Planning and Zoning Commission as required, regarding site plans, building alternatives, and building plans proposed within the City Historic Overlay **(HOV)** District ~~(HO)~~. The **Historic Preservation Advisory Board (HPAB)** shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission or City Council. The **Historic Preservation Advisory Board (HPAB)** shall prepare a written assessment of the proposed project regarding compliance with approved guidelines for development within the district, and its applicability in preserving and enhancing the history and culture of the district.
- (2) Research, document and maintain in the official files of the City detailed information regarding the original construction and architecture of the district.
- (3) Develop and maintain guidelines regarding development and redevelopment within the district including architectural design, materials selections, building styles and other pertinent design considerations. The proposed guidelines shall be submitted to the Planning and Zoning Commission and City Council for approval.
- (4) Adopt rules and procedures as necessary to provide for the orderly conduct of board meetings.
- (5) Recommend the boundaries of historic districts.
- (6) Increase public awareness of the value of historic, cultural, and architectural preservation by encouraging and participating in public education programs developed by the historic preservation office.
- (7) Provide recommendations to the Planning and Zoning Commission and City Council concerning the historic preservation impact of proposed, announced or commenced actions by federal, state or local authorities that affect streets, alleys, publicly-maintained utilities and any other public spaces, areas, improvements, other features or zoning within, around or through any district.
- (8) Make recommendations to the City for the employment of staff and professional consultants as necessary to carry out the duties of the HPAB.
- (9) Review and take action on the designation of landmarks and the delineation of districts, which shall be ratified by the City Council.

Exhibit 'A'
*Article II, Authority and Administrative Procedures, of the
Unified Development Code*

- (10) Recommend and confer recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers.
 - (11) Review and recommend to City Council and other applicable city boards and commissions all proposed changes to the **Unified Development Code (UDC) zoning ordinance**, building code, general plan or other adopted policies of the City than may affect the purpose of the article.
 - (12) Conduct public hearings and provide comment on buildings, objects, sites, structures, and districts for nomination to the National Register of Historic Places to the Texas Historic Commission. Such recommendations shall be guided by the criteria established in the National Historic Preservation Act of 1966, as amended.
 - (13) Implement and maintain a system of survey or inventory of significant historic, architectural, and cultural landmarks and all properties located within designated districts located in the City. Such information shall be maintained securely, made accessible to the public and should be updated at least every ten years.
 - (14) Monitor and report to the Texas Historical Commission all actions affecting any recorded Texas historic landmark, state archaeological landmark, national register property and any locally designated landmark, as deemed necessary.
 - (15) Create sub-committees from among its membership and delegate to these committees' responsibilities to carry out the purposes of this article.
 - (16) Maintain written meeting minutes which are recorded by staff and demonstrate all actions taken by the HPAB and the reasons for taking such actions.
 - (17) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs.
 - (18) Review and take action on all certificates of appropriateness applications for compliance with adopted design guidelines pursuant to this article.
 - (19) Review and take action on all appeals on action taken by the HPO regarding the administrative review of certificates of appropriateness applications for compliance with adopted design guidelines pursuant to this article.
 - (20) Develop, prepare and adopt specific design guidelines which shall be ratified by the City Council, for use in the review of all certificates of appropriateness applications.
 - (21) Prepare and submit annually to the City Council a report summarizing budget costs, goals and objectives and work completed during the previous year, as well as anticipated budgetary requests.
 - (22) Provide recommendations to the City concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and districts within the City.
 - (23) Recommend to City Council the acquisition of endangered landmarks by demolition where its preservation is essential to the purpose of this article and where private preservation is not feasible.
 - (24) Propose incentive program(s) to City Council for local property owners of historic landmarks or within local districts.
 - (25) Review and take action on all city preservation-related incentive program applications involving work on landmarks and districts for compliance with adopted design guidelines pursuant to this article.
 - (26) Accept on behalf of the City government donations of preservation easements and development rights as well as any other gift of value for the purpose of historic preservation, subject to the approval of City Council.
- (D) *Officers.* The **Historic Preservation Advisory Board (HPAB)** shall elect a chair and vice chair at the first meeting in August or at the first meeting thereafter for a term of one **(1)** year. The Historic Preservation Officer shall be secretary of the **Historic Preservation Advisory Board (HPAB)** and an ex-officio member.
- (E) *Voting; meetings.* Each member in attendance shall have a vote on plans submitted to the **Historic Preservation Advisory Board (HPAB)** with that vote reported to the **Planning and Zoning Commission**. Any member professionally or financially involved in matters pending before the **Historic Preservation Advisory Board (HPAB)** shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration. Meetings of the **Historic Preservation Advisory Board (HPAB)** shall be called as needed by the historic preservation officer.
- (F) *Attendance.* If a member has three consecutive absences that are not excused by the Historic Preservation Advisory Board **(HPAB)**, or is absent from more than **25% percent** of the meetings, he or she may be removed from the **Historic Preservation Advisory Board (HPAB)**; however, if absent from **50% percent** of the meetings in any calendar year, the member will automatically be removed from the historic preservation board.

(Ord. No. 10-14, § 7, 7-6-2010; Ord. No. 12-25, § 1, 10-1-2012)

Exhibit 'A'
*Article II, Authority and Administrative Procedures, of the
Unified Development Code*

SUBSECTION 542.02: DESIGNATION OF LANDMARKS IN THE CITY

(A) The **Historic Preservation Advisory Board (HPAB)** may recommend to the Planning and Zoning Commission and the City Council that certain properties be “landmark districts” and that specific areas be designated as “historic districts” as provided for in **Subsection 6.2 of Article V, District Development Standards** section 6.2 of this Unified Development Code.

(Ord. No. 12-25, § 1, 10-1-2012)

SUBSECTION 542.03: CERTIFICATES OF APPROPRIATENESS (COA)

For requirements concerning Certificates of Appropriateness (COA) see **Section 6, Certificates of Appropriateness (COA), of Article XI, Development Applications and Review Procedures.**

~~(A) Applicability. Any person carrying out any work that requires a building permit for exterior alteration, restoration, reconstruction, new construction, moving or demolition of a property within a historic district visible must first obtain a certificate of appropriateness from the historic preservation advisory board as provided for in article V, section 6.2 of this Unified Development Code.~~

~~(B) Criteria for approval of a certificate of appropriateness. The board shall follow the design guidelines as adopted by the City Council in its consideration of all applications for a certificate of appropriateness. These standards shall be made available to the property owners of historic landmarks or within historic districts. The historic preservation officer shall coordinate with the chief building official, and other appropriate city departments, all certificate of appropriateness applications.~~

(Ord. No. 12-25, § 1, 10-1-2012)

SECTION 613: ARCHITECTURAL REVIEW BOARD

SUBSECTION 613.01: CREATED

There is hereby created an Architectural **Review** Board (ARB) of review which shall serve as an advisory body to the Planning and Zoning Commission. Such board shall consist of seven members to be appointed by the City Council after recommendation of the Planning and Zoning Commission.

SUBSECTION 613.02: TERM OF OFFICE; QUALIFICATIONS

- (A) Term. The members shall be appointed for a term of two years with staggered terms and shall be removable for cause by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed.
- (B) Qualifications. At least one member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest.
- (C) Attendance. If a member has three consecutive absences that are not excused by the architectural review board, or is absent from more than 25% percent of the meetings, he may be removed from the **Architectural Review Board (ARB)**; however, if absent from 50% percent of the meetings in any calendar year, the member will automatically be removed from the architectural review board.

(Ord. No. 14-52, § 1, 12-1-2014)

SUBSECTION 613.03: DUTIES

Exhibit 'A'
*Article II, Authority and Administrative Procedures, of the
Unified Development Code*

The purpose of the **Architectural Review Board (ARB)** is to provide professional recommendations to the Planning and Zoning Commission and the director of planning regarding site plans and building elevations submitted within any zoning district as may be required. Meetings of the **Architectural Review Board (ARB)** shall be called as needed. The **Architectural Review Board (ARB)** shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission. The review shall evaluate compatibility with existing topography, scenic corridors and landscaping, and with the goals and objectives established in the applicable Overlay District and/or Planned Development District, the comprehensive plan and applicable provisions of the urban design guidelines. The **Architectural Review Board (ARB)** shall make recommendations on design changes based on its professional experience and knowledge. The Planning and Zoning Commission shall consider the **Architectural Review Board's (ARB's)** recommendations in its deliberation of the proposed development. The commission may include recommended changes in the proposed building elevations and site plan based upon the recommendations of the **Architectural Review Board (ARB)** in its recommendation to the City Council, if applicable.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 643.04: OFFICERS

The **Architectural Review Board (ARB)** shall elect a chair and vice chair at the first meeting in August or at the first meeting thereafter for a term of one year. The ~~zoning administrator~~ **Director of Planning and Zoning** shall be secretary of the **Architectural Review Board (ARB)** and an ex officio member.

(Ord. No. 10-14, § 8, 7-6-2010)

SUBSECTION 643.05: VOTING

Each member in attendance shall have a vote on plans submitted to the **Architectural Review Board (ARB)** with that vote being reported to the **Planning and Zoning Commission**. Any member professionally or financially involved in matters pending before the **Architectural Review Board (ARB)** shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration.

SECTION 744: DIRECTOR OF PLANNING/~~ZONING ADMINISTRATOR~~

SUBSECTION 744.01: QUALIFICATIONS

- (A) The Director of Planning **and Zoning** must be a member in good standing of AICP, AIA or PE.
- (B) The Director of Planning **and Zoning** or his/her designee shall serve as the *Zoning Administrator*.

SUBSECTION 744.02: POWERS AND DUTIES

- (A) The Director of Planning **and Zoning** shall have the following powers and duties:
 - (1) To make recommendations and provide assistance to the City Council and Planning and Zoning Commission concerning exercise of their responsibilities under ~~the Unified Development Code~~ **this [Unified Development Code]**;
 - (2) To develop and recommend to the Planning and Zoning Commission, and the City Council, a Comprehensive Plan for the City or any amendments to the plan and to propose actions to implement the plan;
 - (3) To coordinate all planning relating to the City's Comprehensive Plan;
 - (4) To submit recommendations to the Planning and Zoning Commission and **City** Council on request for zoning changes, variances and exceptions;
 - (5) To render such administrative decisions as are required of the Director of Planning **and Zoning** by ~~the Unified Development Code~~ **this [Unified Development Code]**;
 - (6) To perform such other duties as may be prescribed by ordinance or directed by the City Council or Planning and Zoning Commission.

Exhibit 'A'
*Article II, Authority and Administrative Procedures, of the
Unified Development Code*

SECTION 845: HISTORIC PRESERVATION OFFICER

SUBSECTION 845.01: APPOINTMENT

The City Manager shall appoint a qualified staff person, to serve as Historic Preservation Officer (HPO). This officer shall administer the historic preservation provisions of this the Unified Development Code and advise the Historic Preservation Advisory Board (HPAB) on matters submitted to it.

(Ord. No. 12-25, § 1, 10-1-2012)

SUBSECTION 845.02: POWERS AND DUTIES

In addition to serving as a representative to the Historic Preservation Advisory Board (HPAB), the Historic Preservation Officer (HPO) shall:

- (A) Coordinate the City's preservation activities with those of state and federal agencies and with local, state, and national non-profit preservation organizations.
- (B) Administer this the Unified Development Code (UDC) and advise the HPAB on matters submitted to it.
- (C) To maintain and hold open for public inspection all documents and records pertaining to the provisions of this article.
- (D) Receive and review all applications pursuant to this article to ensure their completeness.
- (E) Review and take action on all Certificates of Appropriateness (COA) applications subject to administrative review pursuant to this Article.
- (F) Review and forward with any recommendations all applications for certificates of appropriateness subject to review by the HPAB pursuant to this article.
- (G) Ensure proper posting and noticing of all HPAB meetings, schedule applications for HPAB review, provide packets to its members prior to the meetings, record meeting minutes and facilitate all HPAB meetings.
- (H) Review and help coordinate the City's preservation and urban design activities with those of local, state and federal agencies and with local, state, and national preservation organizations in the private sector.

(Ord. No. 12-25, § 1, 10-1-2012)

SECTION 946: CHIEF BUILDING OFFICIAL

SUBSECTION 946.01: QUALIFICATIONS

The Chief Building Official must:

- (A) Be a licensed architect or engineer in good standing; or
- (B) Have a bachelor's degree in urban planning, or related field; supplemented by a minimum six (6) years in a supervisory/management capacity in the field with a municipal or other governmental organization, to include development and implementation of budgetary functions; or an equivalent combination of education, training, and experience which includes the following knowledge, skills, and abilities:
 - (1) Comprehensive knowledge of modern principles and practices of community development administration.
 - (2) Thorough knowledge of the federal, state, and local ordinances, laws and regulations relating to departmental activities.
 - (3) Thorough knowledge of principles of effective administration, to include planning, directing, evaluating, and coordinating.

SUBSECTION 946.02: POWERS AND DUTIES

Exhibit 'A'
*Article II, Authority and Administrative Procedures, of the
Unified Development Code*

The Chief Building Official shall have the following powers and duties:

- (1) To issue permits in accordance with the Unified Development Code this [Unified Development Code];
- (2) To issue Certificates of Occupancy (CO) in accordance with the Unified Development Code this [Unified Development Code];
- (3) To enforce the provisions of the Unified Development Code this [Unified Development Code];
- (4) Such other powers and duties as may be lawfully delegated.

The City Council may designate the City Engineer or Director of Planning and Zoning to perform the duties of the Chief Building Official.

~~SECTION 17. — PROCEDURE IN PLANNING AND ZONING CASES — ADDITIONAL INFORMATION SUBMITTED
[MOVED TO SUBSECTION 2.03(D) OF ARTICLE XI, UDC]~~

~~New matters of evidence not present to the Planning and Zoning Commission shall not be heard or considered by the council in its public hearings related to amendments to the Unified Development Code and maps to the City.~~

~~In the event new evidence develops between the date of the hearing by the Planning and Zoning Commission and the hearing of the council on any zoning change, or if for any other valid reason a person wishes to present evidence to the council which had not been presented to the Planning and Zoning Commission, the council shall refer the case back to the Planning and Zoning Commission for further hearings to consider the new evidence.~~

~~Nothing contained herein shall be construed to prohibit anyone from speaking in the public hearing related to changes in zoning.~~

~~(Ord. No. 10-14, § 9, 7-6-2010)~~

~~SECTION 18: COMPUTATION OF TIME~~

~~Unless otherwise specifically provided, the time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, a Sunday or a legal holiday as observed by the City of Rockwall, that day shall be excluded. Whenever a person has the right, or is required to perform some act within the prescribed period after the service of a notice or other paper upon him, and the notice or paper is served by mail, three calendar days shall be added to the prescribed time unless otherwise specifically provided.~~

~~SECTION 19: FEES [MOVED TO SECTION 10 OF ARTICLE XI, UDC]~~

~~Fees for all applications and appeals referred to in this [Unified Development Code] shall be established by the City Council.~~

~~However, the Planning and Zoning Commission, with the concurrence and approval of the City Council, shall determine and set forth a fee schedule for recovering the administrative cost of processing zoning requests and the public hearings called for by this [Unified Development Code]. Such fee shall be paid by the applicant and shall not be designed for restricting an applicant's ability to seek a hearing. In addition, it may not be designed to generate revenue for the City other than recovery of actual administrative costs. Immediately upon receipt of the application and fee, the zoning administrator shall note the date of filing, and make a permanent record.~~

Exhibit 'B'
Article IV, Permissible Uses, of the
Unified Development Code

Additions: **Highlighted**
Deletions: **Highlighted, Strikeout**
Staff Notes: **Highlighted, Red Text**
Links/References: [Blue, Underlined](#)

ARTICLE IV, PERMISSIBLE USES, UDC

SECTION 1: LAND USE SCHEDULE

SUBSECTION 1.01: USE OF LAND AND BUILDINGS

Buildings, structures, and land uses shall be in conformance with the permitted uses depicted in [Subsection 1.02, Land Use Schedule](#), and in compliance with [Subsection 2.03, Conditional Land Use Standards](#). The following is the legend for the [Land Use Schedule](#) contained in [Subsection 1.02](#):

	Land Use NOT Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

~~Buildings, structures and land shall be used only in accordance with the uses permitted in the following "land use schedule," subject to all other applicable requirements of this [Unified Development Code], including article V, Zoning District Development Standards.~~

- ~~(A) The symbol "P" shall mean that the use is permitted as a principal use in that zoning district by right.~~
- ~~(B) The symbol "S" shall mean that the principal use is permitted in that zoning district only after first obtaining a "specific use permit" as set forth in this article.~~
- ~~(C) The symbol "A" shall mean that this use is specifically permitted as an accessory use to a main use in the district. This does not exclude other land uses which are generally considered ancillary to the primary use.~~
- ~~(D) The symbol "+" shall mean that this use is conditional and has special standards or requirements listed in this section, which it must meet in order to be allowed.~~
- ~~(E) A blank square shall mean that the use is not allowed in that zoning district as a principal use.~~

[Table 1. Land Use Tables \(December 12, 2010\)](#)

~~(Ord. No. 06-01, 1-3-2006; Ord. No. 06-14, 4-17-2006; Ord. No. 07-06, 2-5-2007; Ord. No. 07-18, 6-4-2007; Ord. No. 07-41, 10-15-2007; Ord. No. 08-05, 1-22-2008; Ord. No. 08-56, 10-20-2008; Ord. No. 10-14, § 12, 7-6-2010; Ord. No. 10-32, § 1, 12-6-2010; Ord. No. 11-13, § 1, 4-13-2011; Ord. No. 11-29, § 1, 7-5-2011; Ord. No. 11-39, § 1, 9-6-2011; Ord. No. 11-47, § 1, 12-5-2011; Ord. No. 14-52, § 1, 12-1-2014; Ord. No. 15-23, § 1, 8-3-2015; Ord. No. 18-04, § 1, 1-2-2018; Ord. No. 18-26, § 1, 6-14-2018; Ord. No. 18-27, § 1, 6-4-2018; Ord. No. 18-47, § 3, 11-19-2018; Ord. No. 19-12, § 1, 3-4-2019)~~

SUBSECTION 1.02: LAND USE SCHEDULE

Exhibit 'B'
*Article IV, Permissible Uses, of the
Unified Development Code*

LAND USE SCHEDULE

LEGEND:

	Land Use NOT Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, Definitions]	CONDITIONAL USE REFERENCE Reference Article IV, Permissible Uses	RESIDENTIAL DISTRICTS											MIXED USE DISTRICTS	NON-RESIDENTIAL DISTRICTS COMMERCIAL/INDUSTRIAL					OVERLAY DISTRICTS						
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District	
AGRICULTURAL-RURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)																								
Agricultural Uses on Unplatted Un-Platted Land	1		P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P					
Animal Boarding/Kennel with Outside Pens	2	1	S	S	S	S																				
Animal Boarding/Kennel without Outside Pens	2	2	P	S	S	S										S	S	P	P	P	P					
Animal Clinic for Small Animals, no without Outdoor Pens	3	3	S													S	P	P	P	P	S					
Animal Hospital, or Clinic	4		S													S	S	P	P	P						
Animal Production or Husbandry	5		S																							
Animal Shelter or Loafing Shed	6		S																	P	P					
Barn or Agricultural Accessory Building	7	4	S																							
Crop Production	8		P																							
Commercial Horse Corral or Stable (Commercial)	9	5	P	S	S	S																				
Private Horse Corral or Stable (Private)	10	6	P	P	P	P	S																			
Urban Agriculture - Community Garden	11	7	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S					
Urban Agriculture - Urban Farm	12	8	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S					
Wholesale Nursery for Growing of Plants, No (i.e. without Retail Sale On-Site)	13		S	S	S	S																				
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)																								
Residential Accessory Building or Structure	1	1		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P					
Bed and Breakfast Operation	2	2	S	S	S	S				S				S	P	S										
Caretakers Quarters/Domestic or Security Unit	3													P			P	P	P	P	P					
Convent, or Monastery, or Temple	4		P											P			P	P								
Duplex	5	3											P	P												

LAND USE SCHEDULE

LEGEND:

	Land Use NOT Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, Definitions]	CONDITIONAL USE REFERENCE Reference Article IV, Permissible Uses]	RESIDENTIAL DISTRICTS											MIXED USE DISTRICTS	NON-RESIDENTIAL DISTRICTS COMMERCIAL/INDUSTRIAL					OVERLAY DISTRICTS								
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District		Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District		
Commercial Parking Garage	(6)															A			A	A	A	A	A	A				
Residential Garage	(7)	(4) & (5)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A				
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	A	A	A	A	A	A	A	S	S	S	S	P														
Home Occupation	(9)	(7)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P											
Limited-Service Hotel	(10)															S			S	S		S						
Full-Service Hotel, full-service	(11)	(8)														S			S	S		S						
Residence Hotel, residence	(12)															S			S	S		S						
Motel	(13)															S			S	S		S						
Multi-Family Development or Structure	(14)	(9)												P														
Portable Building	(15)	(10)		P	P	P	P		P	P	P	P	P															
Residential Care Facility														P			S	S	S	S								
Residential Infill in an Established Subdivision	(16)	(11)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S											
Single-family on less than the minimum size lot +			S																									
Single-Family Attached Structure	(17)	(12)												P	P	P												
Single-Family Detached Structure	(18)	(13)	P	P	P	P	P	P	P	P	P	P	P	P	P													
Single-Family Zero Lot Line Structure	(19)	(14)												P	P	P												
Private Swimming Pool, private	(20)		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A											
Private Tennis Court, private	(21)		A	S	S	S	S	S	S	S	S	S	S	S	S			S										
Townhouse	(22)	(15)														P	P	P										
Urban Residential	(23)	(16)														S	P											
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES			2.02(C)	2.03(C)																								
Assisted Living Facility	(1)	(1)														P	S	S	S	S	S		S					

LAND USE SCHEDULE

LEGEND:

	Land Use NOT Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article XIII, Definitions]	CONDITIONAL USE REFERENCE Reference Article IV, Permissible Uses]	RESIDENTIAL DISTRICTS											MIXED USE DISTRICTS	NON-RESIDENTIAL DISTRICTS COMMERCIAL/INDUSTRIAL					OVERLAY DISTRICTS					
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Blood Plasma Donor Center	2																	P	P	P	P	P			
Cemetery/Mausoleum	3		S															P	P	P	P	P			
Church/House of Worship	4	2	S	S	S	S	S	S	S	S	S	S	P	S			P	PS	PS	P	PS	P			
College, University, or Seminary	5													P				S	P	P	P				
Convalescent Care Facility/Nursing Home	6													S	S	P	P	P	P	P	S				
Congregate Care Facility/Elderly Housing	7	3												P	S	S	S	S			S				
Crematorium	8																				S	P			
Daycare with Seven (7) or More Children	9	4	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	S	S			
Emergency Ground Ambulance Services ground	10																	P	P	P	P	P			
Group or Community Home	11	5	P	P	P	P	P	P	P	P	P	P	P			P	P	P							
Government Facility	12													S				P	P	P	P	P			
Halfway House	13	6													S										
Hospice	14												S				P	P	P	P	S	S			
Hospital	15																	P	P	P	P	S			
Public Library, Art Gallery or Museum (public)	16													P	P	P	P	P	P	P	P	P			
Mortuary or Funeral Chapel (stand-alone)	17																	P	P	P	P				
Local Post Office, local service	18													P		P	P	P	P	P	P				
Regional Post Office, regional	19																			P	P	P			
Prison/Custodial Institution	20																			P	P	P			
Public or Private Primary School, primary	21	7	S	S	S	S	S	S	S	S	S	S	S	S	S		P	P	P	P	P				
Public or Private Secondary School, secondary	22	8	S	S	S	S	S	S	S	S	S	S	S	S	S		P	P	P	P	P				
Public or Private School Temporary Education Building for a Public or Private School	23	9	S	S	S	S	S	S	S	S	S	S	S				S	S	S	S					

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Rescue Mission or Shelter for the Homeless	24																	S	P	P					
Social Service Provider (Except Rescue Mission or Homeless Shelter)	25																S		P	P	P				
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)																							
Financial Institution with Drive-Through	11	11														S	P	P	P	P	P				
Financial Institution without Drive-Through	11													P		P	P	P	P	P	P				
Office, general														P	P	P	P	P	P	P	P				
Office Building less than 5,000 SF	2													P	P	P	P	P	P	P	P				
Office Building 5,000 SF or More Greater	2													P	S	S	P	P	P	P	P				
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)																							
Temporary Carnival, Circus, or Amusement Ride, temporary	1	1												S		S	P	P	P	P	P				
Indoor Commercial Amusement/Recreation (inside)	2	2												S		S	P	P	P	P	P				
Outdoor Commercial Amusement/Recreation (outside)	3	3														S	S	P	S	P					
Public or Private Community or Recreation Club as an Accessory Use, public or private (accessory)	4		S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P				
Private Country Club, private	5		S	S	S	S	S	S	S	S	S	S	S			S	S	S	P	P	P				
Golf Driving Range	6															S	S	S	P	P	P				
Temporary Fundraising Events by Non-Profit, indoor or outdoor, temporary	7	4	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
Indoor Gun Club with Skeet or Target Range (indoor)	8	5														S	P	P	P	P					
Outdoor Gun Club with Skeet or Target Range (outdoor)	8		S																		S				
Health Club or Gym	9												A	P		S	P	P	P	P	P				
Private Club, Lodge or Fraternal Organization	10	6												P	S	S	P	P	P	P	S				
Private Sports Arena, Stadium, and/or Track	11																S	P	P	P					
Public Park or Playground	12		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				

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Sexually Oriented Businesses [Art. XI; CH. 12; Municipal Code] Uses as defined in chapter 12, article XI of Code of Ordinances +	13	7																	S	S				
Tennis Courts (i.e. Not Accessory to a Public or Private Country Club)	14		S	S	S	S	S	S	S	S	S	S			S	S	S	P	P	P				
Theater	15												P		S	P	P	P	P					
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)																						
Antique/Collectible Store	1												S		S	P	P	P						
Astrologer, Hypnotist, or Psychic Art and Science	2												S	P	P	P	P	P						
Banquet Facility/Event Hall	3												S			P	P	P						
Portable Beverage Service Facility, portable	4	1											S	S	S	S	S	S	S	P				
Brew Pub	5												P		P	P	P	P	P	P				
Business School	6												P		P	P	P	P	P					
Catering Service	7												A		S	P	P	P	P					
Temporary Christmas Tree Sales Lot and/or Similar Uses, temporary	8	2											S		S	P	P	P	P	P				
Copy Center	9												P		P	P	P	P	P	P				
Craft/Micro Brewery, Distillery and/or Winery	10	3											S		S	S		P	P					
Incidental Display, incidental	11	4											P		P	P	P	P	P					
Food Trucks/Trailers	12	5											P	S	S	P	P	P	P	P				
Garden Supply/Plant Nursery	13														S	P	P	P	P					
General Personal Service	14	6											P		P	P	P	P	S					
General Retail Store	15												P	S	P	P	P	P	S	S				
Hair Salon and/or Manicurist	16												P	S	P	P	P	P	S					
Laundry, dropoff/pickup Laundromat with Dropoff/Pickup Services	17												P		P	P	P	P	P					

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Laundry, self-service Self Service Laundromat	(18)													P		P	P	P	P	P	P				
Massage Therapist	(19)													P	P	P	P	P	P						
Private Museum or Art Gallery (private)	(20)													P	P	S	P	P		P					
Night Club, Discotheque, or Dance Hall	(21)													S			S	P	P	S	S				
Pawn Shop	(22)																S	S	P	P					
Permanent Cosmetics	(23)	(7)												A	A	A	A	A	A	A					
Pet Shop	(24)																P	P	P	P					
Private Club														P		P	P	P	P	P	P				
Temporary Real Estate Sales Office, on-site, temporary	(25)		P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P			
Rental Store without Outside Storage and/or Display	(26)	(8)															S	P	P	P	P				
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	(27)	(9)															S	S	S	S	S	S			
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	(28)													P	S	P	P	P	P	P	P				
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	(27)	(10)															S	S	P	P	P	P			
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	(28)													P		S	P	P	P	P	P				
Retail Store with Gasoline Product Sales that has Limited to Two (2) or less Dispensers and (i.e. a Maximum of Four (4) Vehicles)	(29)																S	P	P	P	P	P	S	S	
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	(29)																S	P	P	P	P	P	S	S	
Secondhand Dealer	(30)													S			P	P	P	P	P				
Studio—Art, Photography, or Music Studio	(31)													P	P	P	P	P	P	P					
Tailor, Clothing, and/or Apparel Shop	(32)													P		P	P	P	P						

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Tattoo and/or Body Piercing	33																		P						
Taxidermist Shop	34																		P	P					
Winery +			\$										\$		\$	\$			P	P					
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)																							
Bail Bond Service	1																S	P	P	P					
Building and Landscape Material with out Outside Storage	2	1																		P	P				
Building and Landscape Material with Limited Outside Storage	2	2															P	P	P	P					
Building Maintenance, Service, and Sales with Outside Storage	3	3																		P	P				
Building Maintenance, Service, and Sales without Outside Storage	3																P	P	P	P					
Commercial Cleaners, commercial	4																	S	P	P					
Commercial Uses other than Listed																			P	P	P				
Custom and Craft Work	5																		P	P	P				
Electrical, Watch, Clock, Jewelry and/or Similar Repair	6												P		S	P	P	P	P	P					
Feed Store or Ranch Supply	7																		P	S	P				
Food Processing																		\$	P	P					
Furniture or Cabinet Repair																			P	P					
Furniture Upholstery/Refinishing and Resale	8	4															S	P	P						
Gunsmith Repair and Sales	9																		P	P					
Rental, Sales and Service of Heavy Machinery and Equipment (rental, sales and service)	10																		P	S	P				
Locksmith	11												P			P	P	P	P	P					
Machine Shop	12																		P	P	P				
Medical or Scientific Research Lab	13																		P	P	P				

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Manufactured Home Sales	14																	S		P				
Research and Technology or Light Assembly	15																S	P	P	P				
Shoe and Boot Repair and Sales	16												P	S	P	P	P	P						
Trade School	17												S			S	P	P	P	P				
Temporary On-Site Construction Office	18		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)																						
Major Auto Repair Garage, major	1	1																P	S P	P				
Minor Auto repair garage, minor	2	2											S			S	S	P	S P	P				
Automobile Rental	3																S	P	S	P				
New or Used Boat and Trailer Dealership (new and used)	4	3															S	P	S	P	X	X		
Full Service Car Wash and Auto Detail	5	4														S	S	P	P	P	S	S		
Self Service Car Wash, self-service	5	4														S	P	P	P	P	S	S		
New and/or Used Indoor Motor Vehicle Dealership/Showroom, new and/or used	6	5															S	S	S	S				
New Motor Vehicle Dealership, new (for Cars and Light Trucks)	7	6															S	P	S	P				
Used Motor Vehicle Dealership, used (for Cars and Light Trucks)	7	7															A	A	A	A				
Commercial Parking, commercial	8												S				P	P	P	P				
Non-Commercial Parking Lot, noncommercial	9												A		S	P	P	P	P	P				
Recreational Vehicle (RV) Sales and Service	10																S	P	S	P				
Service Station	11	8													S	P	P	P	P	P				
Towing and Impound Yard	12	9															S	S	P					
Towing Service, no without Storage	13	10																P	P	P				
Truck Rental	14																	P	S	P				

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Truck Stop with fuel-Gasoline Sales and Accessory Services	15	11																	S	S	P			
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(l)	2.03(l)																						
Asphalt or Concrete Batch Plant	1	1	S																	S	S			
Temporary Asphalt or Concrete Batch Plant, temporary	2	2	P	P	P	P	P	P	P	P	P	P	P						P	P	P			
Bottle Works for Milk or Soft Drinks	3																				P	P		
Brewery or Distillery	4	3																			P	P		
Carpet and Rug Cleaning	5																		S	P	P			
Environmentally Hazardous Materials	6	4																	S	S	P			
Food Processing with (No Animal Slaughtering)	7																		S	P	P			
Light Assembly and Fabrication	8																			P	P	P		
Heavy Manufacturing, heavy	9																		S	S	P			
Light Manufacturing, light	10																			P	P	P		
Metal Plating or Electroplating, electro plating	11																				S	P		
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	12	5	S	S	S	S	S	S	S	S	S	S	S					S	S	S	S	S		
Monument Works, stone and metal																			S			P		
Printing and Publishing	13																			P	P	P		
Salvage or Reclamation of Products (Indoors)	14																		S	P	P			
Salvage or Reclamation of Products (Outdoors)	15																			S	P			
Sheet Metal Shop	16																			P	P	P		
Tool, Dye, Gauge and/or Machine Shop	17																				P			
Welding Repair	18																			P	P	P		
Winery	19	6	S																		P	P		

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WHOLESALE, DISTRIBUTION AND STORAGE LAND USES	2.02(J)	2.03(J)																							
Cold Storage Plant	1																		P	P	P				
Heavy Construction/Trade Yard	2																	S	P	P					
Landfill, sanitary	3		S																						
Mini-Warehouse	4	1															S	P	P	P					
Outside Storage and/or Outside Display	5	2																P	P	P			S		
Recycling Collection Center	6																	S	P	P					
Warehouse/Distribution Center	7																		P	P	P				
Wholesale Showroom Facility	8																S	P	P	P					
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)																							
Airport, Heliport or Landing Field	1																		S	S	S				
Antenna, as an Accessory	2	1	P	S	S	S	S	S	S	S	S	S	S	P		P	P	P	P	P	P				
Commercial Antenna, commercial	3	2												S	S		S	S	S	S	P				
Antenna, for an Amateur Radio	4	3	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	P	P	P	P	P			
Antenna Dish	5	4	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	P	P	P	P	P			
Commercial Freestanding Antenna, commercial, freestanding	6	5	S														S	S	S	P	P				
Mounted Commercial Antenna, commercial, mounted	7	6												S			S	S	S	P	P				
Bus Charter Service and Service Facility	8																		P	P	P				
Helipad	9																S	S	S	S	S				
Utilities (Non-Municipally Owned or Controlled), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	10		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S				
Municipally Owned or Controlled Facilities, Utilities and Uses	11		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
Private Streets	12			S	S	S	S	S	S	S	S	S	S			S	S	S	S	S	S				

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Radio Broadcasting	13													S			P	P	P	P	P				
Railroad Yard or Shop	14		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			
Recording Studio	15													S			S	P	P	P	P				
Satellite Dish	16		AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP			
Solar Energy Collector Panels and Systems	17	7	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP			
Transit Passenger Facility	18													S	S	S	S	S	S	S	S				
Trucking Company	19																		P	P	P				
TV Broadcasting and Other Communication Service	20													S			S	S	P	P	P				
Utilities Holding a Franchise from the City of Rockwall	21		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P			
Utility Installation Other than Listed	22		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S				
Utility/Transmission Lines	23		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S				
Wireless Communication Tower	24		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S				

Exhibit 'B'
Article IV, Permissible Uses, of the
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SECTION 2: CONDITIONAL LAND USE STANDARDS AND DEFINITIONS

SUBSECTION 2.01: CONDITIONS

SUBSECTION 2.01: DETERMINATION OF LAND USES

Land uses shall be permitted in a zoning district as indicated in [Section 1, Land Use Schedule](#), provided the land use meets the below conditional land use standards and the land use definitions established for such use. Should a new land use -- not listed in [Section 1, Land Use Schedule](#) -- request to be established in the City, the Director of Planning and Zoning or his/her designee shall determine the closest or most appropriate land use based on the following land use definitions and conditional land use standards. If the Director of Planning and Zoning is unable to classify a land use based on the land uses listed in [Section 1, Land Use Schedule](#), then the Director of Planning and Zoning shall defer the decision to the City Council to either [1] direct staff to amend the code to incorporate the new land use, or [2] deny the request to establish the unlisted land use.

~~The following uses shall be allowed provided the use meets the definition and the standards established of such use.~~

SUBSECTION 2.01.01: RURAL AND ANIMAL RELATED

SUBSECTION 2.02: LAND USE DEFINITIONS

For land use definitions see [Section 2.02, Land Use Definitions, of Article XIII, Definitions.](#)

SUBSECTION 2.03: CONDITIONAL LAND USE STANDARDS

(A) Agricultural and Animal Related Land Uses

(1) Animal Boarding/Kennel with Outside Pens.

- (a) Animals shall be permitted to be in outside pens or kennels.
- (b) The outside pens or kennels shall be behind the primary structure and shall be screened from view of adjacent properties, public right-of-way, and parks and open space.

(2) Animal Boarding/Kennel without Outside Pens.

- (a) Animals shall not be permitted to be in outside pens or kennels.

(3) Animal Clinic for Small Animals without Outdoor Pens.

- (a) All *Animal Clinics for Small Animals* that incorporate a kennel shall be limited to short-term boarding.
- (b) Boarding/kennel land uses should be accessory or incidental to the primary land uses (*i.e. animal clinic*).

~~Animal clinic for small animals, no outdoor pens.~~

~~(1) A place where animals or pets are given medical or surgical treatment and are cared for during the time of~~

~~(2) such treatment.~~

~~(3) Use as a kennel shall be limited to short time boarding and shall be only incidental to such clinic use.~~

(4) Barn or Agricultural Accessory Building.

- (a) A *Barn or Agricultural Accessory Building* shall be ~~is~~ a minimum of 2,000 SF and a maximum of 4,999 SF in total size (*i.e. under roof*).

~~(2) A Barn or Agricultural Accessory Building is exempt from the masonry requirements stipulated by Section 7.04, Residential District Development Standards.~~

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- (b) The *Barn or Agricultural Accessory Building* shall be located behind the front façade of the primary structure, and be subject to the same building setbacks as the primary structure.

~~Barn or agricultural accessory building. A barn or agricultural accessory building is a building that is located on a property that is a minimum of ten acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.~~

~~Horse corral or stable (commercial).~~

(5) *Commercial Horse Corral or Stable.*

- (a) This use requires a minimum of ten (10) acres to be established.
- (b) ~~The Ground ground~~ accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans and animals;~~;~~ and
- (c) Fences or pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the animal.

~~Horse corral or stable (private).~~

(6) *Private Horse Corral or Stable.*

- (a) All ~~private horse corrals or stables~~ *Private Horse Corrals or Stables* shall comply with the standards specified in ~~section Subsection 3.01, Farm Animals and Horses,~~ in this [article].

~~Urban agriculture.~~

~~Urban agriculture is an industry located within or on the fringe of a town, a city or metro area, which grows and raises, processes and distributes a diversity of food and non-food products, using largely human and natural resources, products and services found in and around the urban area, and in turn supplying human and material resources, products and services largely to the urban area.~~

~~“Urban agriculture” uses do not include landscaping or gardening that is incidental to a residential use or business if plants or their products are not sold. Further, “urban agriculture” shall not include crop production and/or agricultural uses on unplatted land as allowed by table 1, land use tables, of article IV of the Unified Development Code, provided plants or their products are not sold onsite.~~

(7) *Community Garden.* ~~“Community garden” means a use in which an area of land is managed and maintained by a group of individuals to grow and harvest food and/or horticultural products for personal or group consumption or for sale or donation. A community garden area may be divided into separated garden plots for cultivation by one or more individuals, or may be farmed collectively by members of the group. A community garden may include common areas (e.g., hand tool storage sheds) maintained and used by the group.~~

- (a) *Community Gardens* are permitted in the Agricultural (AG) District *by-right*, however, a Specific Use Permit (SUP) shall be required for any on-site retail sales.
- (b) *Community Gardens* are permitted in all other zoning districts by Specific Use Permit (SUP) only, and are subject to the additional following conditions:
- (1) The *Community Garden* must comply with the lot and building standards for ~~its~~ the zoning district in which the subject property is located.
- (2) Any structure(s) for a *Community Garden* shall be reviewed as part of the Specific Use Permit (SUP), including the size, building materials and intended use.
- (3) All chemicals and fuels shall be stored in an enclosed, locked structure when the site is unattended.

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- (4) Sales and donation of **only** whole, uncut, fresh food and/or horticultural products grown in the *Community Garden* may occur on-site ~~on otherwise vacant property~~, but may not occur on residentially zoned **or used** property ~~that is developed or occupied for residential use~~.
 - (5) Retail sales and all other public use of the *Community Garden* shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.
 - (6) One temporary sign advertising only food or horticultural products grown on-site may be displayed during sales **hours**. The sign must be on-site, non-illuminated, and must not exceed six **(6)** square feet in area or three **(3)** feet in height.
 - (7) ~~Management plan~~. The applicant shall provide a ~~proposed~~ *Community Garden Management Plan* that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include, ~~without limitation~~: **[1]** a site plan, **[2]** a description of the type of equipment necessary for all operations of the *Community Garden*, **[3]** the anticipated frequency and duration of use of any equipment used on-site, **[4]** a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, **[5]** the anticipated frequency and duration of the application of chemicals or pesticides, and **[6]** a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the *Engineering Standards of Design and Construction* manual.
 - ~~(a) A site plan;~~
 - ~~(b) Description of the type of equipment necessary on intended for use in each season and the frequency and duration of anticipated use;~~
 - ~~(c) Disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for;~~
 - ~~(d) Disclosure of whether the operation of the community garden would involve land-disturbing activity that would otherwise require drainage approval as per the City of Rockwall Engineering Design Standards.~~
- (8) *Urban Farm*. ~~An urban farm means a use in which plants are grown for sale of the plants or their products, and in which the plants or their products are sold at the lot where they are grown or off site, or both, and in which no other items are sold. Examples may include flower and vegetable raising, orchards and vineyards.~~
- (a) *Urban Farms* are permitted in the Agricultural **(AG)** District *by-right*, however, a Specific Use Permit **(SUP)** shall be required for any on-site retail sales.
 - (b) *Urban Farms* are permitted in all other zoning districts by Specific Use Permit **(SUP)** only, and are subject to the additional following conditions:
 - (1) A site area of not less than one **(1)** acre and not more than five **(5)** acres is required, unless otherwise approved by City Council.
 - (2) ~~Mechanical equipment~~. Only mechanical equipment designed for ~~residential household~~ use may be used.
 - (3) ~~Sales~~. Retail sales and all other public use of the *Urban Farm* shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.
 - (4) ~~Deliveries~~. Commercial deliveries and pickups are limited to one **(1)** per day. On-site sales are not considered commercial pickups.
 - (5) ~~Signs~~. One identification sign ~~is permitted~~, not exceeding 144 square inches in area ~~is permitted~~.
 - (6) Any structure(s) for urban farms in residential districts shall be reviewed as part of the SUP, including size, building materials and intended use.
 - (7) ~~Management plan~~. The applicant shall provide a ~~proposed~~ *Urban Farm Management Plan* that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include, ~~without limitation~~: **[1]** a site plan, **[2]** a description of the type of equipment necessary for all operations of the *Community Garden*, **[3]** the anticipated frequency and duration of use of any equipment used on-site, **[4]** a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, **[5]** the anticipated frequency and duration of the application of chemicals or pesticides, and **[6]** a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the *Engineering Standards of Design and Construction* manual.

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- ~~(a) A site plan;~~
- ~~(b) Description of the type of equipment necessary or intended for use in each season and the frequency and duration of anticipated use;~~
- ~~(c) Disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for;~~
- ~~(d) Disclosure of whether the operation of the farm would involve land-disturbing activity that would otherwise require drainage approval as per the City of Rockwall Engineering Design Standards.~~

(c) *Urban Farms* are permitted in non-residential zoning districts by Specific Use Permit (SUP) only and are subject to the additional following conditions:

- (1) A minimum site area of one (1) acre is required.
- (2) ~~Sales.~~ Retail sales and all other public use of the *Urban Farm* shall begin no earlier than 7:00 AM and must end by 7:00 PM every day of the week.
- (3) Any structure(s) for a *Community Garden* shall be reviewed as part of the Specific Use Permit (SUP), including the size, building materials and intended use.
- (4) ~~Management plan.~~ The applicant shall provide a proposed *Urban Farm Management Plan* that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include, without limitation: [1] a site plan, [2] a description of the type of equipment necessary for all operations of the *Community Garden*, [3] the anticipated frequency and duration of use of any equipment used on-site, [4] a disclosure statement of any intent to spray or otherwise apply chemicals or pesticides, [5] the anticipated frequency and duration of the application of chemicals or pesticides, and [6] a disclosure statement of any land-disturbing activity that could otherwise require drainage improvements per the *Engineering Standards of Design and Construction* manual.

- ~~(a) A site plan;~~
- ~~(b) Description of the type of equipment necessary on intended for use in each season and the frequency and duration of anticipated use;~~
- ~~(c) Disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for;~~
- ~~(d) Disclosure of whether the operation of the farm would involve land-disturbing activity that would otherwise require drainage approval as per the City of Rockwall Engineering Design Standards.~~

(B) Residential and Lodging Land Uses

(1) Residential Accessory Building or Structure.

- (a) See Subsection 7.04, Accessory Structure Development Standards, of Article V, District Development Standards.

~~Accessory Building (Accessory to Residential Use). See Section 7.04, Accessory Structure Development Standards.~~

(2) Bed and Breakfast.

- (a) ~~The Bed and Breakfast land use is permitted Permitted in the Historic Overlay District Old Town Rockwall (OTR) Historic District by-right, and in SF-7 by specific use permit, and must be located on an owner-occupied single-family lot.~~
- (b) ~~A Bed and Breakfast may only be established on an owner-occupied, single-family lot.~~
- (c) ~~In addition to the single-family parking requirements, one (1) parking space per bedroom shall be provided. One parking space per bedroom to be rented shall be provided above the single family parking requirement~~
- (d) ~~No signage and/or outside advertising shall be allowed permitted for a Bed and Breakfast on the lot unless located in a non-residential zoning district or as permitted by a Specific Use Permit (SUP)an SUP.~~
- (e) ~~A permanent wired smoke alarm system meeting all city codes shall be installed. A Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.~~

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- (f) ~~A Bed and Breakfast shall be subject to an annual inspection by the Fire Department. The premises shall pass a fire code inspection before opening and on an annual basis thereafter.~~
- (g) All applicable hotel/motel taxes shall be paid.
- (h) The maximum length of a guests stay is shall be limited to 14 consecutive days in any 30-day period.
- (i) ~~A Specific Use Permit (SUP) for a Bed and Breakfast Any bed and breakfast specific use permit (SUP) shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) after an initial six-month period and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance in the permit.~~

~~Carport (Residential). See Section 7.04, Accessory Structure Development Standards.~~

(3) Duplex.

- (a) ~~Limited to two families.~~ Duplexes shall be limited to two (2) dwelling units (i.e. two [2] families) per lot or parcel of land.
- (b) See the standards for the Two-Family (2F) District Subsection 7.01, Residential District Development Standards, of Article V, District Development Standards.
- ~~(2) The dwelling must be permanently attached to a concrete foundation.~~
- ~~(3) The primary roof pitch must be at least three in 12 inches.~~
- ~~(4) At least 80 percent of the exterior materials, excluding doors and windows, must be comprised of brick, stone or cast stone. Additional materials like concrete board such as Hardy Board, and stucco or synthetic stucco such as Synergy or Drivet, may be permitted as specified in article V, section 3.1, General Residential Standards, to comprise a portion of the entire exterior wall.~~

(4) Attached Garage.

- (a) See Section 7.04, Accessory Structure Development Standards, of Article V, District Development Standards.

(5) Detached Garage.

- (a) See Section 7.04, Accessory Structure Development Standards, of Article V, District Development Standards.

(6) Guest Quarters/Secondary Living Unit.

- (a) *Guest Quarters* or *Secondary Living Units* may be allowed on a property in a residential zoning district provided that it is ancillary to a single-family home.
- (b) The area of such quarters shall not exceed 30 percent of the area of the main structure.
- (c) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the subdivision ordinance.
- (d) *Guest Quarters* or *Secondary Living Units* not meeting the requirements stated above shall require a Specific Use Permit (SUP).

(7) Home Occupation.

- (a) ~~Incidental to Primary Use.~~ The Home Occupation use must clearly be incidental and secondary to the primary use of the property as a residence.
- (b) ~~Employees.~~ No person(s) outside the family may be employed in the Home Occupation use.
- (c) ~~Exterior Indication.~~ There shall be no exterior display, signage, exterior storage of materials, and/or no other exterior indication of the Home Occupation use or variation from the residential character of the principal building.
- (d) ~~Traffic.~~ No traffic shall be generated by such Home Occupation than would normally be expected in the neighborhood.
- (e) ~~Nuisance.~~ No nuisance, offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be generated.
- (f) ~~Excluded Uses.~~ A Home Occupation may not be interpreted to include ~~the following:~~ facilities for the repair of motor vehicles, repair of small motors, or a daycare center.

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(8) Full-Service Hotel.

- (a) The minimum room count for a *Full-Service Hotel* shall be 250-rooms.
- (b) Each guestroom shall have a minimum square footage of 380 SF.
- (c) A *Full-Service Hotel* shall have a full-service restaurant and kitchen that provides service to the general public.
- (d) A *Full-Service Hotel* shall have staff that is present 24-hours a day, seven (7) days a week.
- (e) A *Full-Service Hotel* shall have the following minimum amenities: [1] a minimum 10,000 SF meeting or conference room, and [2] a swimming pool with a minimum area of 1,000 SF.

(9) Multi-Family Structure or Development.

- (a) See Subsection 7.02, Multi-Family District Development Standards, of Article V, District Development Standards.

(10) Portable Building.

- (a) See Subsection 7.04, Accessory Structure Development Standards, of Article V, District Development Standards.

~~(1) On residentially zoned properties:~~

- ~~(1) One portable building shall be allowed as an accessory to a residential use on the same lot except for multi-family districts, which shall not contain portable buildings.~~
- ~~(2) Such building shall not exceed 120 feet in floor area or ten feet in height. In 2F, such building shall be limited to 100 square feet in area.~~

~~Single family dwelling (attached, detached, zero lot line):~~

- ~~(1) The dwelling must be permanently attached to a concrete foundation.~~
- ~~(2) The primary roof pitch must be at least three in 12 inches.~~
- ~~(3) At least 80 percent of the exterior materials, excluding doors and windows, must be comprised of brick, stone or cast stone. Additional materials like concrete board such as Hardy Board, and stucco or synthetic stucco such as Synergy or Drivet, may be permitted as specified in article V, section 3.1, General Residential Standards, to comprise a portion of the entire exterior wall.~~

(11) Residential Infill in or Adjacent to an Established Subdivision.

- (a) For the purposes of this Article, an *Established Subdivision* shall be defined as a subdivision that consists of five (5) or more lots, that is 90% or more developed, and that has been in existence for more than ten (10) years.
- (b) All proposed residential infill housing that is located within an *Established Subdivision* or a lot or tract of land that is located with 500-feet of an *Established Subdivision* shall be required to apply for a Specific Use Permit (SUP).
- (c) As part of the Specific Use Permit (SUP) request the applicant shall be required to submit a residential plot plan or site plan, landscape plans, and building elevations of the proposed home.
- (d) In reviewing the proposed Specific Use Permit (SUP), the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing in the *Established Subdivision*.
- (e) All housing proposed under this section shall be constructed to be architecturally and visually similar or complimentary to the existing housing in the *Established Subdivision*.

(12) Single-Family Attached Structure.

- (a) See Section 3, Residential Districts, of Article V, District Development Standards.
- (b) See Subsection 7.01, Residential District Development Standards, of Article V, District Development Standards.

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(13) Single-Family Detached Structure.

- (a) See Section 3, Residential Districts, of Article V, District Development Standards.
- (b) See Subsection 7.01, Residential District Development Standards, of Article V, District Development Standards.

(14) Single-Family Zero Lot Line Structure.

- (a) A five (5) foot maintenance easement is required on the non-zero-lot-line side of the structure.
- (b) See Section 3, Residential Districts, of Article V, District Development Standards.
- (c) See Subsection 7.01, Residential District Development Standards, of Article V, District Development Standards.

(15) Townhouse.

- (a) See Section 3, Residential Districts, of Article V, District Development Standards.
- (b) See the standards for the Two-Family (2F) District Subsection 7.01, Residential District Development Standards, of Article V, District Development Standards.

(16) Urban Residential.

- (a) *Urban Residential* includes residential development ~~which~~ that at least partly face streets, public sidewalks, or common open space, ~~and~~/or which are located above retail, office or service uses.
- (b) Ground floor urban residential should have direct access to a sidewalk via a stoop or landing, and a majority of parking should be located in a structure.

(C) Institutional and Community Service Land Uses

(1) Assisted Living Facility.

- ~~(1) A facility licensed under V.T.C.A., Health and Safety Code, ch. 247, that furnishes in one or more buildings, food and shelter to persons who are unrelated to the proprietor of the establishment, and also provides personal care services as defined by state law.~~
- (a) ~~For purposes of this [Unified Development Code], "assisted living facility" shall~~ These facilities shall include establishments that accommodate seven (7) or more residents. For facilities with six (6) or fewer residents see *Group or Community Home* ~~below in~~ Subsection 2.04(11).

(2) Church/House of Worship.

- ~~(1) A building used for nonprofit purposes by a recognized and legally established sect solely for the purpose of worship.~~
- (a) Significant accessory uses such as schools, coffee houses, daycare centers, bingo parlors and halls may only be allowed in a zoning district that allows such uses.

(3) Congregate Care Facility/Elderly Housing.

- (a) A *Congregate Care Facility/Elderly Housing* facility may have up to two (2) units for on-site managers, which contain full kitchen facilities.
- (b) Full-time medical or nursing care shall not be provided by the facility; however, medical and nursing care may be privately arranged for individual residents on a part-time or temporary basis (*e.g. visiting nurse or home health care*).
- (c) These facilities shall incorporate special safety, accessibility and convenience features that may include but are not limited to emergency call systems, grab bars and handrails, and/or special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs.

~~In addition, a congregate care facility may have up to two units for onsite managers which contain full kitchen facilities. Full time medical or nursing care is not typically provided by the facility, but may be privately arranged for by individual~~

Exhibit 'C'
*Article V, District Development Standards, of the
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Deletions: **Highlighted, Strikeout**
Staff Notes: **Highlighted, Red Text**
Links/References: Blue, Underlined

ARTICLE V, DISTRICT DEVELOPMENT STANDARDS, UDC

SECTION 1: GENERAL STANDARDS

SUBSECTION 1.01: OPEN SPACE

- (A) *Purpose.* The City of Rockwall is a rural and recreation-oriented community with open space that ties into a regional framework of open space, trails, and corridors. Open space corridors link all major areas of the city using primarily floodplain and drainage areas. Since open space and recreational amenities are vital to the City's commercial and residential developments, all projects must provide open space in accordance with the City's *Comprehensive Plan* and the *Parks, Recreation, and Open Space Master Plan*.
- (B) *Requirements.* All projects in the city must reserve, dedicate and/or develop public and private open spaces consistent with the requirements of the following sections:
- (a) *Residential.* Subsection C, Open Space, of Section 3.01, General Residential District Standards
 - (b) *Commercial.* Subsection D, Open Space Guidelines, of Section 4.01, General Commercial District Standards
 - (c) *Industrial.* Subsection D, Open Space Guidelines, of Section 5.01, General Industrial District Standards

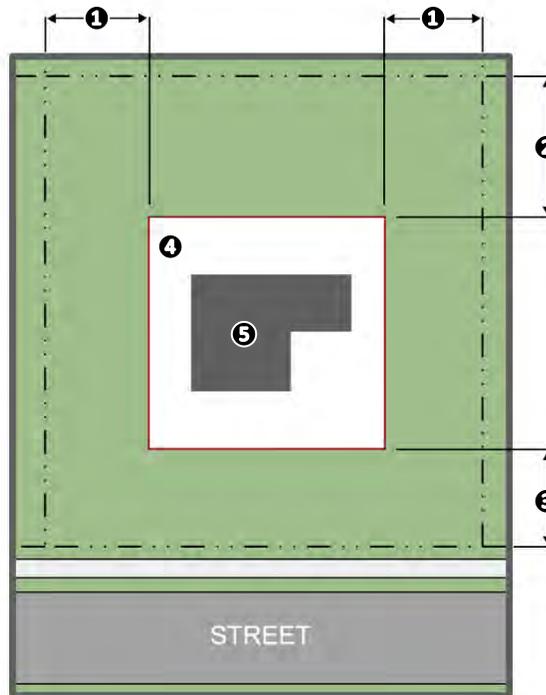
SUBSECTION 1.02: SITE PLANS

All development in the City of Rockwall -- *with the exception of single lot single-family and duplex developments* -- shall require the approval of a site plan in accordance with the requirements of Article XI, Development Applications and Review Procedures.

SUBSECTION 1.03: LOT CONFIGURATIONS

- (A) *Lots with a Single Street Frontage.* Where lots have a single street frontage, the required setbacks should generally adhere to the following diagram:

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- ❶: Required Side Yard Setback
- ❷: Required Rear Yard Setback
- ❸: Required Front Yard Setback
- ❹: Buildable Area
- ❺: Building Coverage

(B) *Lots with Multiple Street Frontages.* Where lots have multiple street frontages on one (1) or more streets, the required setbacks should generally adhere to the following diagram:

Exhibit 'C'
 Article V, District Development Standards, of the
 Unified Development Code

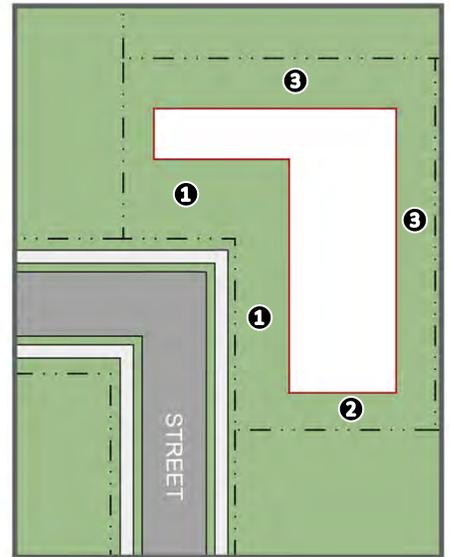
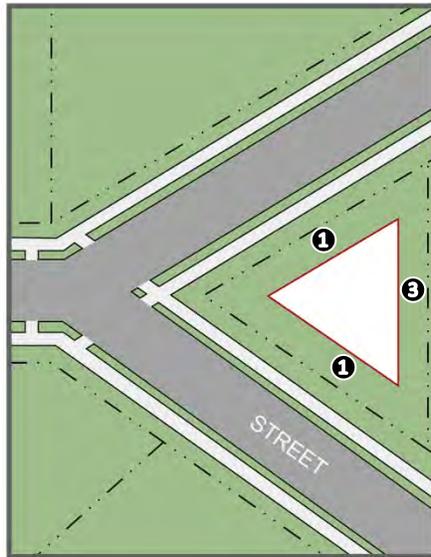
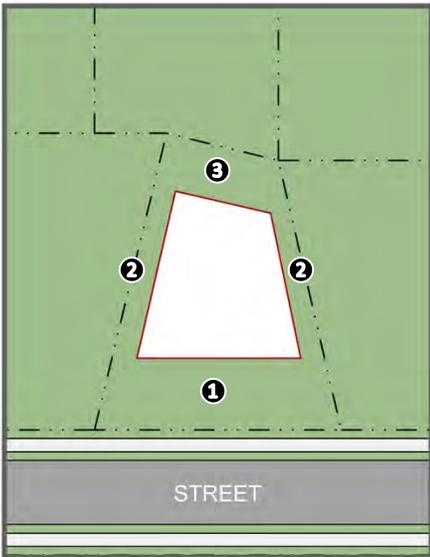
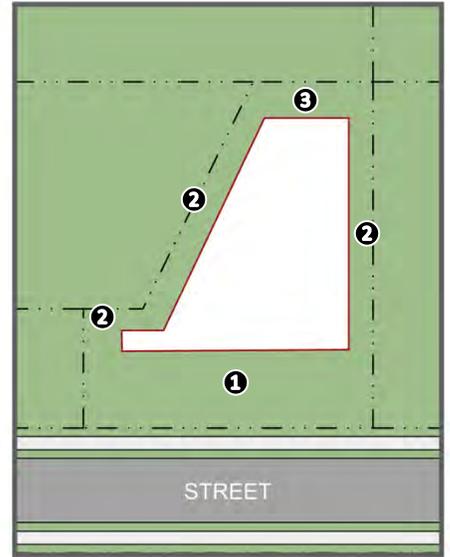
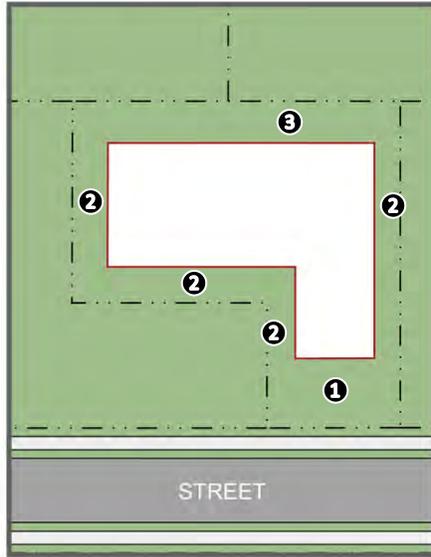
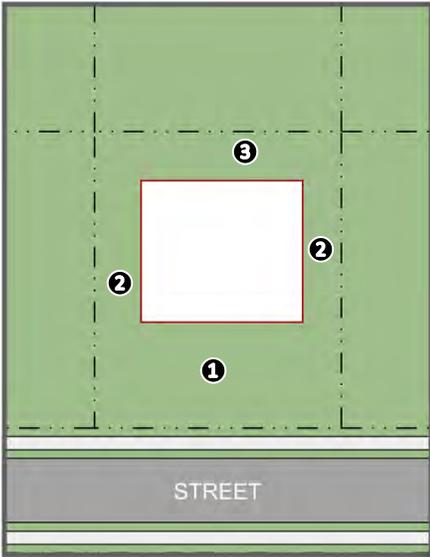
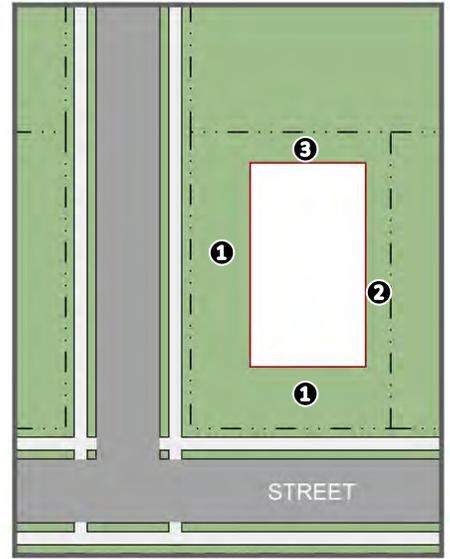
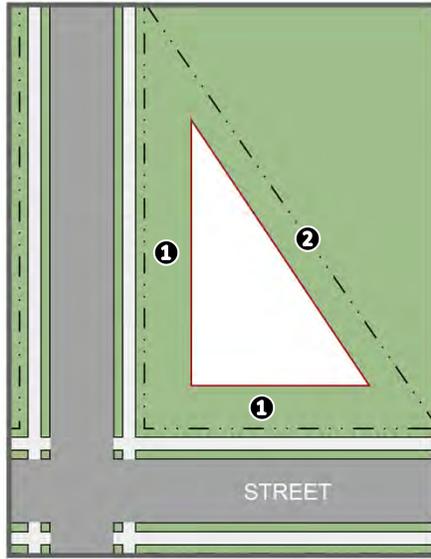
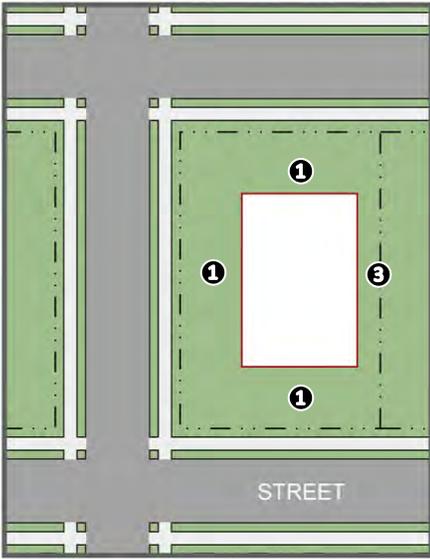


Exhibit 'C'
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SUBSECTION 1.04: CALCULATION OF DENSITY

The calculation of the allowable density for residential developments shall be based on the gross site area including right-of-way, floodplain, open space and public/private parks that will be dedicated to the city or preserved and maintained by some other mechanism. Despite this calculation requirement, other provisions of this Unified Development Code may limit the actual density allowed on any given property.

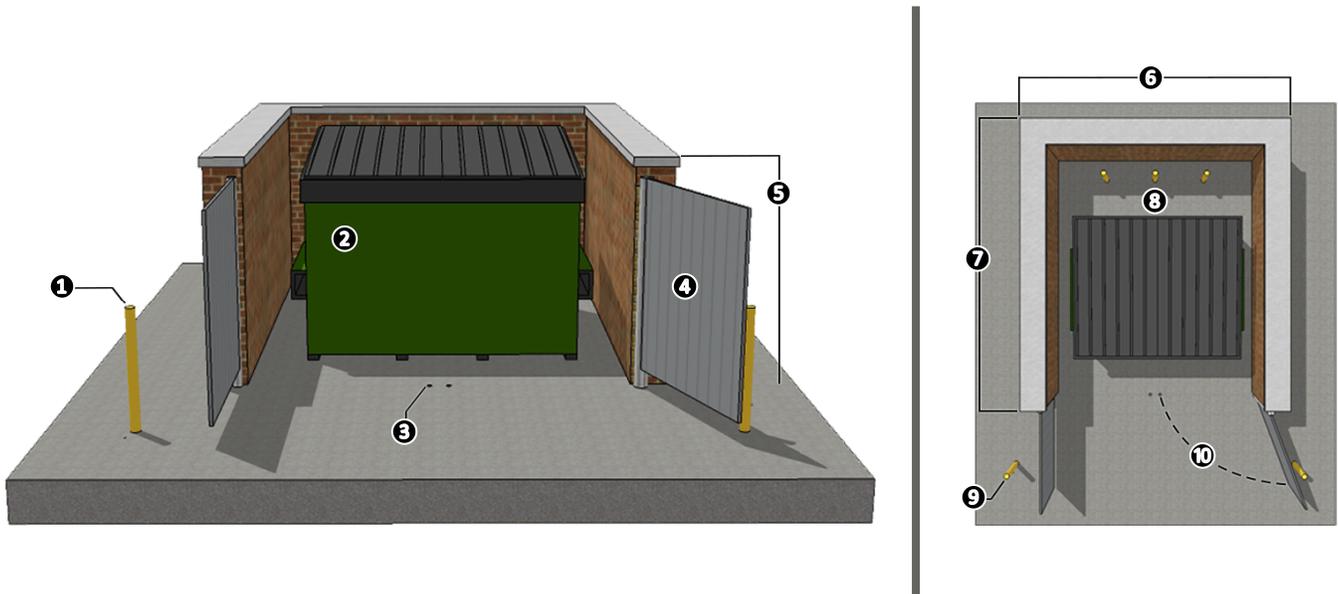
SUBSECTION 1.05: SCREENING STANDARDS

All development shall adhere to the following screening standards:

- (1) *Loading Docks.* Off-street loading docks must be screened from all public streets, ~~and~~ any residential zoning district or residentially used property, ~~and any parks and open space~~ that abuts or is directly across a public street or alley from the subject property. The screening must be at least six (6) feet in height and ~~may shall~~ be provided by using a masonry wall (*excluding tilt wall or concrete masonry units [CMU] unless integral to the buildings design and otherwise approved by the Planning and Zoning Commission*) and *Canopy Trees* on 20-foot centers, ~~and/or berms and plantings~~. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with [Subsection 5.02, Landscape Screening Standards, of Article VIII, Landscape Standards.](#)

- (2) *Trash/Recycling Enclosures.* Trash/Recycling enclosures shall be four (4) sided. These receptacles shall be screened by a minimum six (6) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. ~~The opaque, self-latching gate shall not be constructed utilizing wood fencing materials.~~ If the primary building does not use masonry materials, a masonry material that is complimentary in color and scale shall be utilized. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building. All trash/recycling enclosures shall be constructed in conformance to the diagram below, unless otherwise approved/required by the City and/or its contractor for trash services.

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- | | |
|--|--|
| <ul style="list-style-type: none"> ❶: Concrete Filled Steel Protected Pole ❷: Standard End Loading Container ❸: Deep Recesses for Gate Cane Bolts [If Necessary] ❹: Opaque Screening Gate ❺: Six (6) Feet in Height [Eight (8) Feet in Overlay Districts] | <ul style="list-style-type: none"> ❻: Ten (10) Feet in Width ❼: 12-Foot in Length ❸: Three (3) Concrete Filled Steel Protected Poles ❹: Concrete Filled Steel Protected Pole ❿: 120 Degree Swing on Opaque Screening Gate |
|--|--|

- (3) *Utility Equipment and Air Condition Units.* Pad or roof mounted utility equipment and air conditioning units shall be screened from the view from of any adjacent public streets or property properties. Roof mounted utility equipment and air conditioning units shall be screened using a parapet wall that completely impairs the visibility of the equipment, and is constructed on all sides of the building. Ground mounted Utility equipment and air conditioning units shall be screened utilizing plantings, berms, walls matching the main structure, or an architectural feature that is integral to the building's design.
- (4) *Aboveground Storage Tanks.* Aboveground storage tanks shall be screened utilizing plantings, berms, or walls matching the main structure. Screening plans for above ground storage tanks shall generally conform to the diagram below (i.e. incorporate primary screening -- screening wall -- and secondary screening) and be approved by the Planning and Zoning Commission in conjunction with a site plan.

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(5) **Outside Storage.** Outside storage of materials or vehicles shall be screened from all public streets, any residential zoning district or residentially used property, and parks and open space that abuts or is directly across a public street or alley from the subject property. The screening must be at least one (1) foot taller than the material or vehicles being stored and shall be achieved using a masonry wall (excluding tilt wall or concrete masonry units [CMU] unless otherwise approved by the Planning and Zoning Commission) and Canopy Trees on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with [Subsection 5.02, Landscape Screening Standards, of Article VIII, Landscape Standards.](#)

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(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.06: RESIDENTIAL ADJACENCY STANDARDS

Subsection 1.06, *Residential Adjacency Standards*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 1.07: FENCES

All fences within the City shall conform to ~~Article XI, Fences, of Chapter 10, Building and Building Regulations~~, of the Municipal Code of Ordinances, unless otherwise required by this Unified Development Code.

(Ord. No. 10-14, § 30, 7-6-2010)

SUBSECTION 1.078: PROJECTIONS INTO REQUIRED YARD OR COURT

(A) Every part of a required yard within a building setback shall be unobstructed and open from its lowest point to the sky, except for the ordinary projections of sills, belt courses, cornices, chimneys, buttresses, ornamental features and eaves; provided, however, that none of the above projections shall extend into a court more than six (6) inches nor into a required yard by more than 30-inches; and provided existing open porches extending into the required yard shall not be enclosed.

An open fire escape may project into a required yard by not more than half the width of the setback, but not more than four (4) feet from the building. Fire escapes, solid floored balconies and enclosed outside stairways may project into a rear yard by a maximum of four (4) feet.

(B) Where a lot abuts a right-of-way line has been established for the future widening or opening of a street or highway, then the depth or width of a yard shall be measured from such right-of-way line to the required building setback.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.089: PUBLIC RIGHT-OF-WAY VISIBILITY

(A) *Street/drive intersection visibility obstruction triangles.* A landscape plan showing the plan of the street on both sides of each proposed drive/street to the proposed development with the grades, curb elevations, proposed street/drive locations, and all items (both natural and manmade) within the visibility triangles as prescribed below shall be provided with all site plans, if they are not on engineering plans that are submitted at the same time. this plan shall show no horizontal or vertical restrictions (either existing or future) within the areas defined below.

(B) *Obstruction/interference triangles defined.* No fence, wall screen, billboard, sign face, tree or shrub foliage, berm, or any other item, either manmade or natural, shall be erected, planted, or maintained in such a position or place so as to obstruct or interfere within the following minimum standards; however, on non-residentially zoned lots, a single pole for mounting a sign may be placed within this area provided the pole does not exceed 12-inches in diameter, and provided every portion of the sign has a minimum height clearance of nine (9) feet:

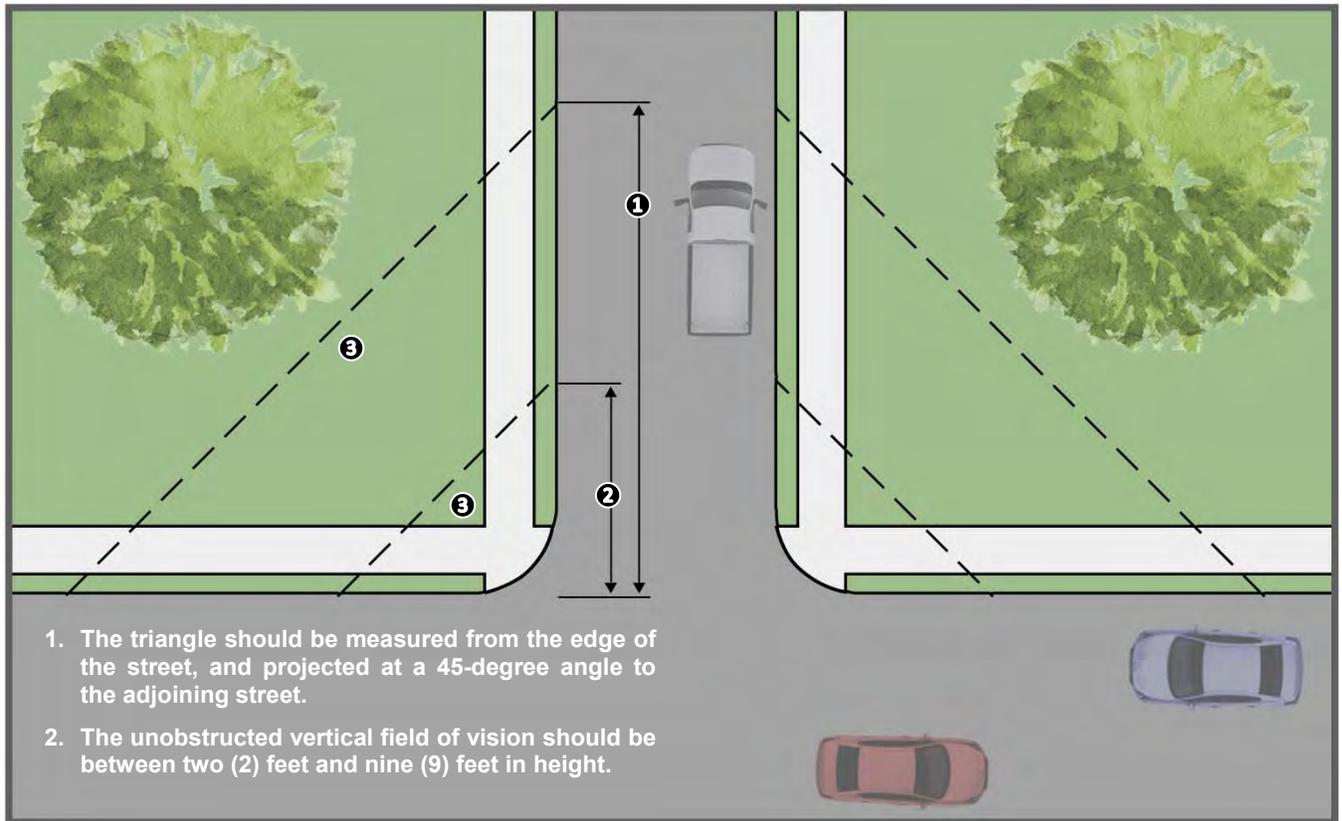
(1) *Visibility Triangles.* Vision at all intersections which intersect at or near right angles shall be clear at elevations between 24-inches and nine (9) feet above the top of the curb elevation, within a

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triangular area formed by extending the two (2) curblines from their point of intersection, for the following minimum distances for the applicable intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines from their point of intersection for a distance as prescribed below, and connecting these points with an imaginary line, thereby making a triangle as shown below.

- (2) *Intersection of two (2) public streets.* The minimum required distance from the curb shall be 30-feet and the minimum distance from the property line on streets without a curb shall be 20-feet.
 - (3) *Intersection of a public street and an alley.* The minimum required distance measured from the property line shall be 15-feet, or 25-feet from street curb.
 - (4) *Intersection of private drive and public street.* The minimum required distance from the curb shall be 15-feet and the minimum distance from the property line on streets without a curb shall be ten (10) feet.
- (C) *Sight distance requirements.* The city hereby adopts the standards for both vertical and horizontal sight distance requirements set forth in the latest edition of AASHTO green book “a policy on geometric design of highways and streets” for the construction of both public street intersections and private drive intersections, unless otherwise approved by the city engineer. If, in the opinion of the city engineer, a proposed street or drive intersection does not meet these standards, additional engineering information exhibiting how the standards have been addressed may be required for submission and approval by the city's engineer.

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- ❶: 30-Foot for Arterials and Collectors and 20-Foot for Residential Distance from Intersection for Streets
- ❷: 10-Foot Distance from Intersection for Alleyways
- ❸: Visibility Triangles

SECTION 2: AGRICULTURAL DISTRICTS

SUBSECTION 2.01: AGRICULTURAL (AG) DISTRICT

(A) *Purpose.* The Agricultural (AG) District is a zoning designation used for land that is reserved for the anticipated future growth of the city. This district is intended to be used for raw land or land with agricultural land uses, and is intended to be held in these conditions as long as practical and reasonable to promote the orderly growth of the community. This zoning designation is suitable for areas where development is premature due to lack of utilities, capacity, or service. The Agricultural (AG) District is also used to protect areas that are unsuitable for development due to physical constraints or safety issues (*e.g. topography, floodplain, ecologically sensitive areas, etc.*), or to protect green belts, natural areas and/or open space that might otherwise be developed.

(B) *Permitted Uses.* All land uses permitted within the Agricultural (AG) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).

(C) *Area Requirements.* All development within an Agricultural (AG) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SECTION 3: RESIDENTIAL DISTRICTS

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SUBSECTION 3.01: GENERAL RESIDENTIAL DISTRICT STANDARDS

All residential development shall conform to the following standards:

(A) **Construction Standards-Materials.**

- (1) **Roof Pitch.** All residential structures shall be constructed with a minimum 3:12 roof pitch.
- (2) **Concrete Foundation.** All residential structures shall be permanently attached to an engineered concrete foundation.

~~(A) **Materials and Masonry Composition.** All buildings with a building footprint of 120 square feet or greater that are over ten (10) feet in height shall consist of a minimum of 80% *Primary Materials* and/or a maximum of 20% *Secondary Materials* — excluding doors and windows — as defined below.~~

~~a. **Primary Materials.** *Primary Materials* shall include stone, brick, and cementitious materials. Specific requirements for *Primary Materials* are as follows:~~

- ~~1. **Cementitious Materials.** The use of cementitious materials (e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee) shall be limited to 60% of the building's exterior façade.~~
- ~~2. **Chimneys.** All new homes shall be required to incorporate a masonry chimney (i.e. brick and stone only).~~

~~b. **Secondary Materials.** *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above.~~

~~(B) **Exceptions.** Exceptions to the material requirements — including exceptions for buildings for farm animals — may be permitted on a case by case basis by the Planning and Zoning Commission upon submission and approval of material samples and building elevations of the structure. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements).~~

(B) **Accessory Structures.**

(1) **Accessory Structure Standards.** All accessory structures shall conform to the related standards listed within [Subsection 7.04, Accessory Structure Development Standards](#).

(C) **Open Space.** On all new subdivisions, ten (10) lots or greater, that are not infill projects (i.e. projects going into an established area as determined by the Director of Planning and Zoning or his/her designee) the following open space requirements shall be applied:

- (1) Unless otherwise provided by this Unified Development Code, a minimum of 20% of the gross land area within a residential subdivision that is five (5) acres or greater shall be devoted to open space. Where floodplain exists in a proposed subdivision, the floodplain may be used to meet the 20% requirement at a rate of one-half (½) acre for every one (1) acre of floodplain dedicated to open space. Open space requirements for subdivisions may be satisfied by public open space/parkland,

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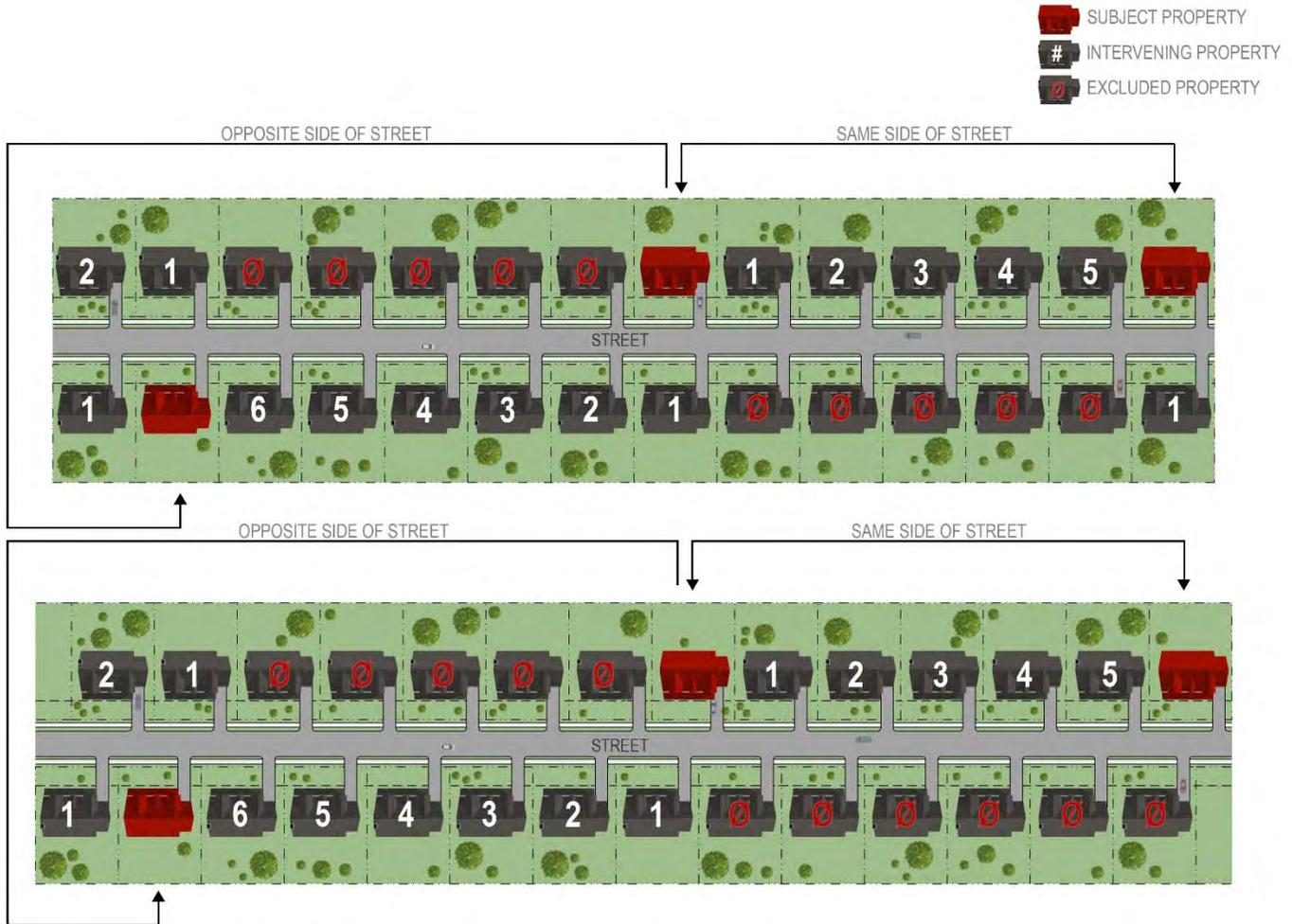
or by a combination of public and private open space. Public open space/parkland shall be dedicated to the city, and shall be approved by the Parks and Recreation Board and the City Council during the platting process. Open space requirements specified in this subsection are in addition to requirements for site landscaping and buffering.

(2) To encourage the provision of open space, the minimum lot sizes in a residential subdivision may be reduced by up to 20% in order to preserve additional public and/or private open space, provided that the lots being reduced face onto a single loaded street (*i.e. a street with open space and/or a public park on one side of the street and lots on the other side of the street*). This requirement shall be approved by the City Council at the time of preliminary plat, final plat, or site plan whichever comes first.

(D) *Anti-Monotony*. The front **building elevations** of a home shall not repeat along any block face without at least ~~four (4)~~ **five (5)** intervening homes of differing appearance on the same side of the street and ~~two (2)~~ **six (6)** intervening homes of differing appearance on the opposite side of the street (*see Examples 1 & 2 below*). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least ~~two (2)~~ **five (5)** intervening homes of differing appearance. Identical ~~brick blends~~ **building material blends and colors** may not occur on adjacent (*side-by-side*) properties. Homes are considered to differ in appearance if any ~~three (3)~~ **two (2)** of the following elements are different:

- (a) The number of stories of the home.
- (b) The garage location/orientation on the home.
- (c) The roof type and layout of the home.
- (d) The articulation of the front façade of the home.

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(E) Fencing. All residential fencing shall be subject to the requirements stipulated by [Section 8, Fence Standards, of Article VIII, Landscape and Fence Standards.](#)

- (a) Solid fencing shall be cedar standard fencing material that is a minimum ½ inch in thickness or more. Spruce fencing is prohibited. All cedar pickets shall be placed on the *public side* (i.e. facing out) facing a street or alleyway. All posts and framing shall be placed on the *private side* (i.e. facing towards the home) of the fence. Other types of solid fencing (e.g. vinyl) may be considered on a case-by-case basis by the Planning and Zoning Commission at the time of preliminary plat, final plat, or site plan whichever comes first.
- (b) Tubular steel or wrought iron type fencing shall be allowed.
- (c) Tubular steel or wrought iron type fencing shall be required on all lots located adjacent to perimeter roadways, open spaces, greenbelts and/or parks.
- (d) Split rail fencing shall be allowed on lots containing 20,000 SF or more.
- (e) Fencing on corner lots constructed adjacent to the street shall provide masonry columns at 45-foot off-center spacing that begins at the rear property line corner and terminates at least 15-foot behind the front yard building setback line. A maximum six (6) foot tall, solid board-on-board, panel cedar fencing or wrought iron type fencing shall be allowed between the masonry columns along the side and/or rear yard adjacent to a street.

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~~1. On corner lots that have rear lot lines adjacent to alleyways or other rear lot lines, fences may be constructed along the side yard adjacent to the street, subject to a minimum five (5) foot setback from the right of way. The property owner shall maintain that portion of the property outside of the fence.~~

~~2. On corner lots that have rear lot lines adjacent to a side lot line of an adjoining lot(s), only tubular steel or wrought iron type fences not exceeding 42 inches in height may be constructed beyond the building line. Fences constructed on or behind the building line shall comply with the material requirements detailed above.~~

~~(f) All common areas and perimeter fencing shall be maintained by a Homeowners Association (HOA) as specified in the City's subdivision regulations. Perimeter fencing shall be constructed of six (6) foot tall tubular steel or wrought iron type fencing with masonry columns and entry features. The Planning and Zoning Commission may consider alternative perimeter screening such as earthen berms with landscaping at the time of preliminary plat, final plat, or site plan whichever comes first.~~

SUBSECTION 3.02: SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT

(A) *Purpose.* The Single-Family Estate 1.5 (SFE-1.5) District is the proper zoning classification for rural, estate lots that are a minimum of 1½-acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses.* All land uses permitted within the Single-Family Estate 1.5 (SFE-1.5) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).

(C) *Area Requirements.* All development within a Single-Family Estate 1.5 (SFE-1.5) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.03: SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT

(A) *Purpose.* The Single-Family Estate 2.0 (SFE-2.0) District is the proper zoning classification for rural, estate lots that are a minimum of two (2) acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses.* All land uses permitted within the Single-Family Estate 2.0 (SFE-2.0) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).

(C) *Area Requirements.* All development within a Single-Family Estate 2.0 (SFE-2.0) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.04: SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT

(A) *Purpose.* The Single-Family Estate 4.0 (SFE-4.0) District is the proper zoning classification for rural, estate lots that are a minimum of four (4) acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential

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development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage. Developers wishing to restrict their subdivision to a lot size greater than four (4) acres shall be required to use restrictive covenants.

- (B) *Permitted Uses.* All land uses permitted within the Single-Family Estate 4.0 (SFE-4.0) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Single-Family Estate 4.0 (SFE-4.0) District shall conform to the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.05: SINGLE-FAMILY 1 (SF-1) DISTRICT

- (A) *Purpose.* The Single-Family 1 (SF-1) District is the proper zoning classification for larger, single-family lots that are a minimum of one (1) acre in size or clustered developments that have a gross density of one (1) dwelling unit per acre. Cluster developments should conserve open space, floodplains, tree groupings, natural slopes and wildlife habitats to achieve the desired density. The Single-Family 1 (SF-1) District is also intended to be used for developments that incorporate public/private parks, denominational and private schools, and churches that are essential in creating the basic neighborhood unit. These developments are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas, where they will serve as a logical transition to an estate or rural area. These developments should provide access to public roadways, water, wastewater, and drainage.
- (B) *Permitted Uses.* All land uses permitted within the Single-Family 1 (SF-1) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Single-Family 1 (SF-1) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.06: SINGLE-FAMILY 16 (SF-16) DISTRICT

- (A) *Purpose.* The Single-Family 16 (SF-16) District is the proper zoning classification for larger lot, single-family developments. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.
- (B) *Permitted Uses.* All land uses permitted within the Single-Family 16 (SF-16) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Single-Family 16 (SF-16) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.07: SINGLE-FAMILY 10 (SF-10) DISTRICT

- (A) *Purpose.* The Single-Family 10 (SF-10) District is the proper zoning classification for the majority of the City's existing single-family residential development, and is the appropriate zoning classification for

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single-family developments with medium sized lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

- (B) *Permitted Uses.* All land uses permitted within the Single-Family 10 (SF-10) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)
- (C) *Area Requirements.* All development within a Single-Family 10 (SF-10) District shall conform to [Subsection 3.01, General Residential District Standards,](#) and the related standards listed within [Subsection 7.01, Residential District Development Standards.](#)

SUBSECTION 3.08: SINGLE-FAMILY 8.4 (SF-8.4) DISTRICT

- (A) *Purpose.* The Single-Family 8.4 (SF-8.4) District is the proper zoning classification for areas of undeveloped land remaining in the City deemed appropriate for medium sized, single-family lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.
- (B) *Permitted Uses.* All land uses permitted within the Single-Family 8.4 (SF-8.4) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)
- (C) *Area Requirements.* All development within a Single-Family 8.4 (SF-8.4) District shall conform to [Subsection 3.01, General Residential District Standards,](#) and the related standards listed within [Subsection 7.01, Residential District Development Standards.](#)

SUBSECTION 3.09: SINGLE-FAMILY 7 (SF-7) DISTRICT

- (A) *Purpose.* The Single-Family 7 (SF-7) District is the proper zoning classification for single-family developments with smaller lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas adjacent to low intensity non-residential land uses, in and around the Old Town Rockwall (OTR) Historic District, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.
- (B) *Permitted Uses.* All land uses permitted within the Single-Family 7 (SF-7) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)
- (C) *Area Requirements.* All development within a Single-Family 7 (SF-7) District shall conform to [Subsection 3.01, General Residential District Standards,](#) and the related standards listed within [Subsection 7.01, Residential District Development Standards.](#)

SUBSECTION 3.10: ZERO LOT LINE (ZL-5) DISTRICT

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- (A) *Purpose.* The Zero Lot Line (ZL-5) District is the proper zoning classification for medium-density residential developments that are on separate lots (*i.e. single-family*), and are typically owner occupied. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, adjacent to low intensity non-residential land uses, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, and drainage due to their density.
- (B) *Permitted Uses.* All land uses permitted within the Zero Lot Line (ZL-5) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Zero Lot Line (ZL-5) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.11: TWO-FAMILY (2F) DISTRICT

- (A) *Purpose.* The Two-Family (2F) District is the proper zoning classification for medium-density, duplex developments (*i.e. two [2] dwelling units per lot*). This zoning district accommodates low to medium-density developments and allows public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, but may be located directly adjacent to low intensity non-residential land uses. These areas are also located where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, drainage, open space and fire protection due to their density.
- (B) *Permitted Uses.* All land uses permitted within the Two-Family (2F) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Two-Family (2F) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.12: MULTI-FAMILY 14 (MF-14) DISTRICT

- (A) *Purpose.* The Multi-Family 14 (MF-14) District is the proper zoning classification for higher density developments. This zoning district should be located within 1,200-feet of retail and other services, and should not contain more than 500-units within one (1) mile of another multi-family development. These standards are intended to create a strong market for multi-family units, and provide for the ongoing reinvestment in these types developments while helping to ensure that inappropriate concentrations of higher density residential developments are not created. The downtown area shall be exempted from the spacing requirements.

The Multi-Family 14 (MF-14) District allows high density developments that are extremely amenitized, and that necessitate additional requirements for public roadways, water, wastewater, drainage, open space and fire protection. These types of developments should not run traffic through single-family neighborhoods, and should be located close to an arterial or collector street that is capable of carrying the additional traffic.

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- (B) *Permitted Uses.* All land uses permitted within the Multi-Family 14 (MF-14) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)
- (C) *Area Requirements.* All development within a Multi-Family 14 (MF-14) District shall conform to [Subsection 4.01, General Commercial District Standards,](#) and the related standards listed within [Subsection 7.02, Multi-Family District Development Standards.](#)

SECTION 4: COMMERCIAL DISTRICTS

SUBSECTION 4.01: GENERAL COMMERCIAL DISTRICT STANDARDS

All commercial development shall conform to the following standards:

(A) *Construction ~~Standards~~ Materials.*

(1) *Roof Design Standards.* All structures shall have the option of being constructed with either a pitched (*minimum of a 6:12 roof pitch*), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.

~~(1) *Materials and Masonry Composition.* Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials* — excluding doors and windows — as defined below.~~

~~(a) *Primary Materials.* *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face* — *light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:~~

~~(1) *Stone.* A minimum of 20% stone (*i.e. natural or synthetic/cultured*) is required on all building façades.~~

~~(2) *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade.~~

~~(3) *Accent Brick and Stone.* Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of the primary brick or stone materials used on each building elevation.~~

~~(b) *Secondary Materials.* *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*), cast stone, or other materials identified by the Director of Planning and Zoning or his/her designee.~~

~~(2) *Exceptions.* Exceptions to the material requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission upon recommendation from the Architectural Review Board (ARB). The submission and approval of material samples and building elevations of the structure shall be required. If the Planning and Zoning Commission denies an exception request,~~

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the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements).

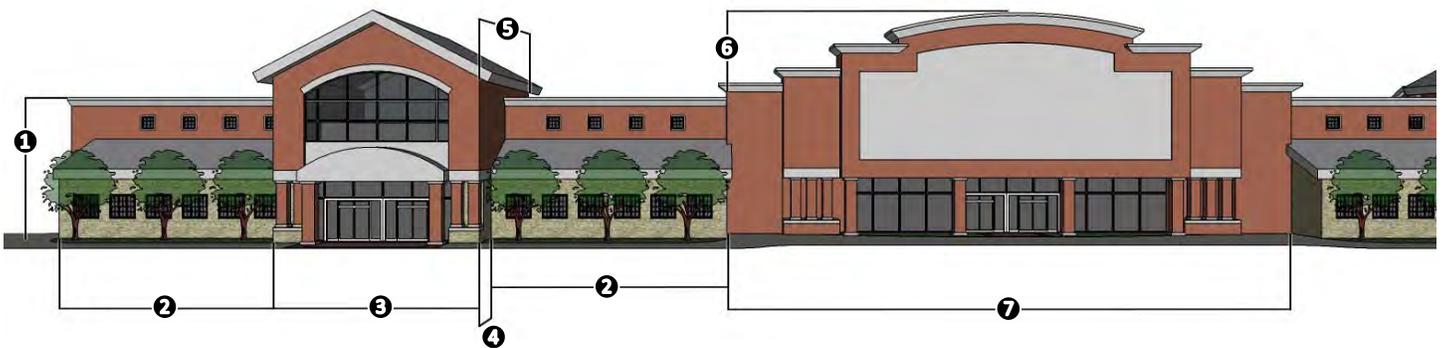
(B) *Maximum Building Height.*

(1) *Setback Exceptions for Building Height in Commercial Districts.* All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by [Subsection 7.03, Non-Residential District Development Standards](#); however, the following features may be constructed 12-feet higher than the maximum height requirement if they [1] are not more than 33% of the total roof area, and [2] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof:

- (a) Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
- (b) Flag Poles.
- (c) Solar Collectors and/or Similar Equipment, Fixtures, and Devices.

(C) *Building Articulation.*

(1) *Primary Building Façades.* A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the following standards for articulation on primary building façades:

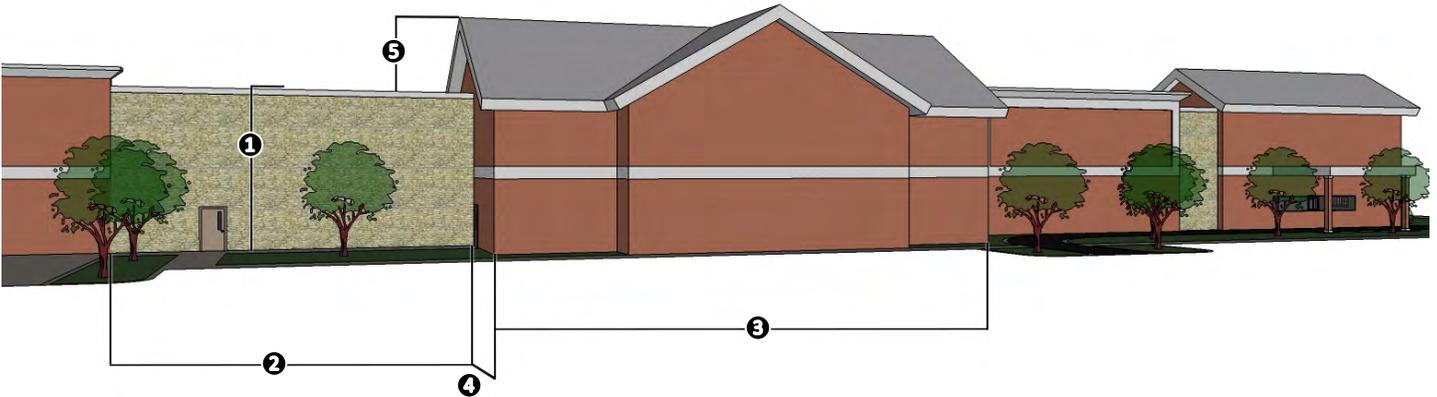


- 1**: Wall Height. The wall height shall be measured from grade to the top of the wall.
- 2**: Wall Length. The maximum wall length shall not exceed three (3) times the wall height (i.e. $3 \times \mathbf{1} \geq \mathbf{2}$).
- 3**: Secondary Entryway/Architectural Element Length. The minimum length of the secondary entryway or projecting architectural element shall be 25% of the wall length (i.e. $25\% \times \mathbf{2} \leq \mathbf{3}$).
- 4**: Wall Projection. The minimum wall projection for a primary and/or secondary entryway/architectural element shall be 25% of the wall height (i.e. $25\% \times \mathbf{1} \leq \mathbf{4}$).
- 5**: Primary and/or Secondary Entryway/Architectural Element Width. The minimum width of the primary and/or secondary entryway/architectural element shall extend for twice the required wall projection (i.e. $2 \times \mathbf{4} \geq \mathbf{5}$).
- 6**: Projection Height. The primary and secondary entryways/architectural element shall extend a minimum of 25% of the wall height above the top of the wall (i.e. $25\% \times \mathbf{1} \leq \mathbf{6}$).
- 7**: Primary Entryway/Architectural Element Length. The primary entryway/architectural element shall

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meet all of the same projections as the secondary entryway/architectural element, but shall extend for a minimum of twice the length of the secondary element (*i.e.* $2 \times \textcircled{3} \geq \textcircled{7}$).

- (2) *Secondary Building Façade.* A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the following standards for articulation on secondary building façades:



- 1:** Wall Height. The wall height shall be measured from grade to the top of the wall.
- 2:** Wall Length. The maximum wall length shall not exceed three (3) times the wall height (*i.e.* $3 \times \textcircled{1} \geq \textcircled{2}$).
- 3:** Secondary Entryway/Architectural Element Length. The minimum length of the secondary entryway or projecting architectural element shall be 15% of the wall length (*i.e.* $15\% \times \textcircled{2} \leq \textcircled{3}$).
- 4:** Secondary Entryway/Architectural Element Width. The minimum wall projection for a secondary entryway/architectural element shall be 15% of the wall height (*i.e.* $15\% \times \textcircled{1} \leq \textcircled{4}$).
- 5:** Projection Height. The secondary entryway/architectural element shall extend a minimum of 15% of the wall height above the top of the wall (*i.e.* $15\% \times \textcircled{1} \leq \textcircled{5}$).

~~(3) *Exceptions.* Exceptions to the building articulation requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB). In determining if an exception to the building articulation requirements is appropriate, the Planning and Zoning Commission should determine if the proposed request is [1] in conformance with the spirit and intent of the building articulation requirements, and [2] if granting the exception will substantially weaken the City's ability to enforce the general purpose of the building articulation requirements in the future. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements*).~~

- (D) *Open Space Guidelines.* Commercial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (*unless necessary*). This should be achieved by making commercial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape

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buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.

(E) *Commercial Buildings 25,000 SF or Greater.*

(1) *Applicability.* These criteria shall apply to new retail/commercial building construction in all commercial zoning districts. This criteria shall not be applied to the use, re-use, modification or consolidation of existing retail and/or commercial space developed on or before April 2, 2001, or to the expansion of retail space in existence on or before April 2, 2001, that is being expanded by less than ten (10%) percent of the existing floor area.

~~(2) *Exterior Building Materials.* The area of all exterior facades shall consist of 90% brick, stone, cast stone, custom Concrete Masonry Units (CMUs) (i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited), stucco or a combination of these materials. Each facade shall not contain more than 75% of any single material.~~

~~3(2) *Loading Docks.* Loading docks shall not be oriented towards a residential zoning district or residentially used property. Where loading areas are located parallel to a residential zoning district or residentially used property, they must be screened by an architecturally integrated masonry screening wall that is a minimum 14-foot in height and that runs the entire length of the loading space. As an alternative, the Planning and Zoning Commission may approve the use of a berm in conjunction with landscape screening standards detailed in [Subsection 5.02, Landscape Screening, of Article VIII, Landscape and Fence Standards](#), if it is determined that this screening method will [1] provide a suitable substitute to a masonry wall, and [2] if the screening method will completely screen the proposed loading docks.~~

~~4(3) *On-Site Circulation Guidelines.*~~

- ~~(a) On-site circulation standards should try to minimize the conflict between pedestrians and vehicles by placing driveways and service areas in locations that reduce the chance of interrupting on-site vehicle movement.~~
- ~~(b) Buildings should be placed in a manner that screens the drive-through lane and creates pedestrian pathways and spaces.~~
- ~~(c) In order to maintain on-site circulation, each drive-through lane is to be separate from pump islands and from routes necessary for entering and exiting the property.~~

~~5(4) *Residential Adjacency Standards.* Where the property immediately abuts a residential zoning district or residentially used property -- unless separated by an M4D (major collector, four [4] lane, divided roadway) or larger thoroughfare -- a minimum ~~ten (10)~~ 25-foot wide landscaped buffer must be installed for buildings with a building footprint of 25,000 SF to 49,999 SF in area, a minimum of a ~~45~~ 50-foot wide landscaped buffer for buildings with a building footprint of 50,000 SF or greater to ~~79,999 SF in area, and a minimum 30-foot wide landscaped buffer for buildings with a building footprint of 80,000 SF and greater in area.~~ This shall be in place of addition to the buffer screening required by [Subsection 5.02, Landscape Screening Standards, of Article VIII, Landscape and Fence Standards](#), the landscape regulations of the City of Rockwall for all aforementioned building sizes. The landscaped buffer must include a combination of berms, and evergreen shrubs, and a mix of evergreen and deciduous trees (minimum four [4] inch caliper) placed at a minimum 25-foot on-center in addition to the requirements of [Subsection 5.02, Landscape Screening Standards, of Article VIII, Landscape and Fence Standards](#). Planting may be grouped if approved by the Planning and Zoning Commission.~~

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6(5) Outside Storage. Open storage areas shall be connected to the building and screened with a wall that is constructed of the same building materials as the remainder of the primary structure.

5(6) Adaptive Reuse Standards. For those buildings over 80,000 SF in area, the applicant must demonstrate that the building can be subdivided in a reasonable manner by submitting a plan indicating potential entrances and exits and loading areas for multiple tenants. This plan will need to be submitted at the time of site plan.

(E) Exceptions. The Planning and Zoning Commission may consider exceptions to the *General Commercial District Standards* pending a recommendation from the Architectural Review Board (ARB), and in accordance with [Section 9.01, Exceptions to the General Standards, of Article XI, Development Applications and Review Procedures.](#)

(Ord. No. 14-52, § 1, 12-1-2014)

SUBSECTION 4.02: RESIDENTIAL-OFFICE (RO) DISTRICT

(A) *Purpose.* The Residential-Office (RO) District is a zoning district intended to recognize the existence of older residential areas of the city, where larger houses have been or can be converted from single-family and multi-family residences to low-intensity office uses in order to extend the economic life of these structures, and to allow the owners to justify the expenditures for repairs and modernization. The intent of this district is to allow for low intensity office development providing professional, medical and other office services and limited retail businesses to residents in adjacent neighborhoods. The Residential-Office (RO) District shall have principle access to major or secondary thoroughfares, and may serve as an area of transition between residential and high-intensity, non-residential uses or busy arterial thoroughfares.

(B) *Permitted Uses.* All land uses permitted within the Residential-Office (RO) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)

(C) *Area Requirements.* All development within a Residential-Office (RO) District shall conform to [Subsection 4.01, General Commercial District Standards,](#) and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards.](#)

SUBSECTION 4.03: NEIGHBORHOOD SERVICES (NS) DISTRICT

(A) *Purpose.* The Neighborhood Services (NS) District is a zoning district intended to provide limited retail land uses near neighborhoods for the purpose of supplying the *day-to-day* retail and personal service needs of residents. The Neighborhood Services (NS) District is typically located at limited corner locations on arterials in existing developments, and is intended to serve small service areas. The average site is from one-half (½) acre to a maximum of two (2) acres. Since these sites are typically small and surrounded by residential development they can appear to be spot zones; however, the Comprehensive Plan acknowledges the need to create neighborhood units, which involve the need for limited retail and service uses in close proximity to neighborhoods. These convenience centers should be constructed to a residential scale, and be visually and dimensionally compatible to adjacent residential developments. The Neighborhood Services (NS) District should not contain uses that create excessive amounts of traffic, noise, litter or that would not be conducive to residential adjacency. Due to the residential adjacency of this zoning district, increased landscaping and buffering requirements are necessary.

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- (B) *Permitted Uses.* All land uses permitted within the Neighborhood Services (NS) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)
- (C) *Area Requirements.* All development within a Neighborhood Services (NS) District shall conform to [Subsection 4.01, General Commercial District Standards,](#) and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards.](#)

SUBSECTION 4.04: GENERAL RETAIL (GR) DISTRICT

- (A) *Purpose.* The General Retail (GR) District is a zoning district intended to provide limited retail and service uses for one (1) or more neighborhoods. The land uses specified in this district include most types of retail and office activity, and are typically located on/at the intersections of major thoroughfares. This district does *not* include strip commercial/retail centers, large shopping centers, wholesaling operations, lumberyards, contractor yards, and/or warehouses with high volumes of commercial truck traffic. The General Retail (GR) District is not a major commercial/retail district, and should try to avoid intensive commercial land uses that carry large volumes of retail traffic. The noise, traffic, litter, late night hours, and other influences that could be harmful to residential areas require adequate buffering and screening from residential areas. Traffic from land uses in this district should not pass through residential areas, except on arterial or major collectors. There are restrictions on access to prevent traffic congestion or an adverse effect on major thoroughfares adjacent to residential areas. Areas should not be zoned General Retail (GR) District unless they are located on or close to an arterial or major collector that is capable of carrying increased traffic. Since the General Retail (GR) District will be located close to residential areas, the development standards are stringent and require high standards of development similar to the Residential-Office (RO) and Neighborhood Services (NS) Districts.
- (B) *Permitted Uses.* All land uses permitted within the General Retail (GR) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)
- (C) *Area Requirements.* All development within a General Retail (GR) District shall conform to [Subsection 4.01, General Commercial District Standards,](#) and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards.](#)

SUBSECTION 4.05: COMMERCIAL (C) DISTRICT

- (A) *Purpose.* The Commercial (C) District is the proper zoning classification for most types of commercial development (e.g. *larger shopping centers at major intersections, commercial strips along arterial roadways, etc.*). The land uses specified for the Commercial (C) District include most types of office and retail activity with some special provisions for wholesale land uses. This district mostly excludes land uses that are not compatible with retail shopping (e.g. *lumberyards, contractor yards, warehousing, or other land uses with high volumes of truck traffic and low volumes of retail traffic*). The noise, traffic, litter, late night hours, and other influences that could be harmful to neighborhoods require adequate buffering and mitigating factors when locating adjacent to residential areas. Areas should not be zoned to Commercial (C) District unless they are located on or close to an arterial or major collector that is capable of carrying the additional traffic generated by land uses in this district. In addition, these areas may require increased water, fire protection, wastewater and drainage capacity. The Commercial (C) District is a general business zone, and is intended to service most commercial land uses, with the exception of land uses that would fall into the Heavy Commercial (HC) District. Since the Commercial (C) District is general in nature, the development standards are less stringent and do not require as high of standards of development as the Residential-Office (RO), Neighborhood Services (NS) and General Retail (GR) Districts.

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- (B) *Permitted Uses.* All land uses permitted within the Commercial (C) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Commercial (C) District shall conform to [Subsection 4.01, General Commercial District Standards](#), and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards](#).
- (D) *Special District Requirements.*
 - (1) *Business Operations and Storage.* All business operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as stipulated in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#). This excludes off-street parking and loading, incidental display of retail items for sale, retail outlets where gasoline products are sold and drive-in businesses.

SUBSECTION 4.06: HEAVY COMMERCIAL (HC) DISTRICT

- (A) *Purpose.* The Heavy Commercial (HC) District is the proper zoning classification for commercial establishments that may involve uses that would not be suitable in the other commercial zoning districts. Included in this district are commercial uses that involve large volumes of commercial truck traffic, outside operations, outside storage of materials and equipment, excessive noise from heavy service operations, and/or any other possibly adverse operations. The Heavy Commercial (HC) District is commercial in nature, but has some aspects that are similar to industrial land uses. The zoning district allows noise, traffic, litter, late night hours, outside storage of materials and equipment, and other influences that could be harmful if directly adjacent to residential areas, and will require adequate buffering and other mitigating factors if such an adjacency exists. Areas should not be zoned to Heavy Commercial (HC) District unless they are located on or close to an arterial that is capable of carrying large volumes of commercial truck traffic. Businesses locating in the Heavy Commercial (HC) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property, and that streets in and adjacent to this district are of a size and strength to accommodate commercial truck traffic.
- (B) *Permitted Uses.* All land uses permitted within the Heavy Commercial (HC) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Commercial (C) District shall conform to [Subsection 4.01, General Commercial District Standards](#), and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards](#).
- (D) *Special District Requirements.*
 - (1) *Outside Storage.*
 - (a) All outside storage shall be placed behind the front facade of the main structure. This does not apply to uses that allow incidental display, in which case only the amount of goods necessary for display purposes shall be exempt from this requirement.
 - (b) All outside storage shall be screened from streets and public areas **in accordance with the requirements of [Subsection 1.05, Screening Standards](#)**.

SUBSECTION 4.07: DOWNTOWN (DT) DISTRICT

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Subsection 4.07, Downtown (DT) District, is omitted from this ordinance change, but is retained in its entirety.

SECTION 5: INDUSTRIAL DISTRICTS

SUBSECTION 5.01: GENERAL INDUSTRIAL DISTRICT STANDARDS

All industrial development shall conform to the following standards:

(A) Construction ~~Standards-Materials~~.

(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials* -- excluding doors and windows -- as defined below.

(a) *Primary Materials*. *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited). Specific requirements for *Primary Materials* are as follows:

- (1) *Stone*. A minimum of 20% stone (i.e. natural or synthetic/cultured) is required on all building façades.
- (2) *Cementitious Materials*. The use of cementitious materials (e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade. The use of concrete tilt-up walls may be permitted on a case-by-case basis in accordance with the exception requirements outlined below.
- (3) *Accent Brick and Stone*. Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of the primary brick or stone materials used on each building elevation.

(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (i.e. EIFS products) cast stone, or other materials identified by the Director of Planning and Zoning or his/her designee.

(2) *Roof Design Standards*. All structures shall have the option of being constructed with either a pitched (minimum of a 6:12 roof pitch), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.

~~(2) *Exceptions*. Exceptions to the material requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission upon recommendation from the Architectural Review Board (ARB). The submission and approval of material samples and building elevations of the structure shall be required. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and~~

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Zoning Department. The request should provide justification for the exception being requested (i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements).

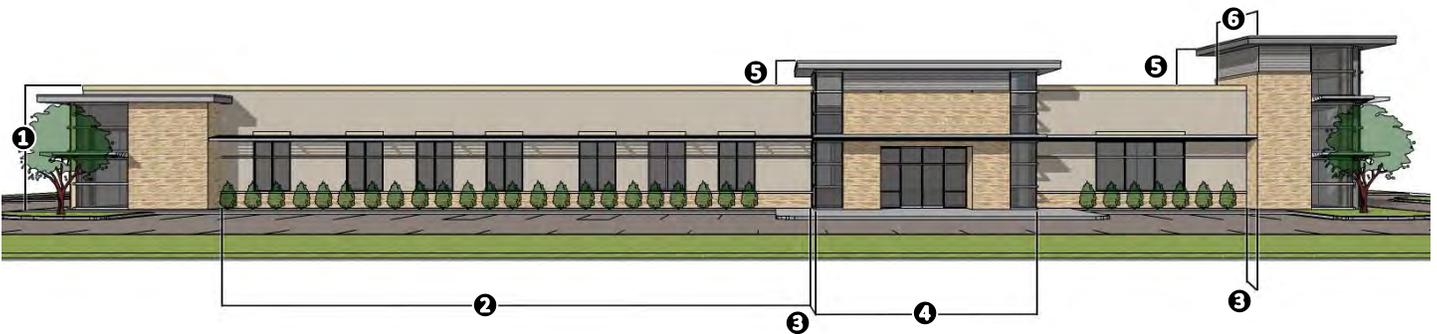
(B) *Maximum Building Height.*

(1) *Setback Exceptions for Building Height in Industrial Districts.* All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by [Section 7.03, Non-Residential District Development Standards](#); however, the following features may be constructed 12-feet higher than the maximum height requirement if they [1] are not more than 33% of the total roof area, and [2] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof:

- (a) Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
- (b) Flag Poles.
- (c) Solar Collectors and/or Similar Equipment, Fixtures, and Devices.

(C) *Building Articulation.*

(1) *Primary Building Façades.* A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All industrial buildings shall meet the following standards for articulation on primary building façades:

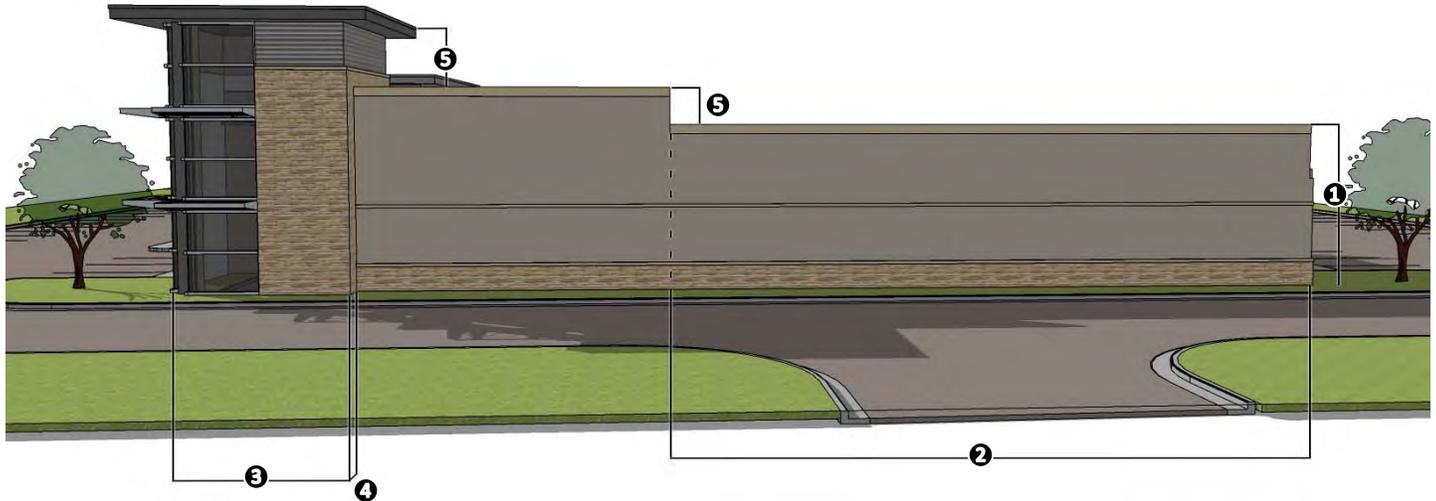


- ①: Wall Height. The wall height shall be measured from grade to the top of the wall.
- ②: Wall Length. The maximum wall length shall not exceed four (4) times the wall height (i.e. $4 \times \text{①} \geq \text{②}$).
- ③: Wall Projection. The minimum wall projection for an entryway/architectural element shall be 25% of the wall height (i.e. $25\% \times \text{①} \leq \text{③}$).
- ④: Entryway/Architectural Element Length. The minimum entryway/architectural element length shall be 33% of the wall height (i.e. $33\% \times \text{②} \geq \text{④}$).
- ⑤: Projection Height. The entryways/architectural elements shall extend a minimum of 25% of the wall height above the top of the wall (i.e. $25\% \times \text{①} \leq \text{⑤}$).
- ⑥: Entryway/Architectural Element Width. The minimum width of the entryway/architectural element shall extend for twice the required wall projection (i.e. $2 \times \text{③} \geq \text{⑥}$).

(2) *Secondary Building Façade.* A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space,

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public/private park, and/or a residentially zoned district or residentially used property. All industrial buildings shall meet the following standards for articulation on secondary building façades:



- ❶: Wall Height. The wall height shall be measured from grade to the top of the wall.
- ❷: Wall Length. The maximum wall length shall not exceed three (3) times the wall height (i.e. $3 \times \text{❶} \geq \text{❷}$).
- ❸: Secondary Entryway/Architectural Element Length. The minimum length of the secondary entryway or projecting architectural element shall be 15% of the wall length (i.e. $15\% \times \text{❷} \leq \text{❸}$).
- ❹: Secondary Entryway/Architectural Element Width. The minimum wall projection for a secondary entryway/architectural element shall be 15% of the wall height (i.e. $15\% \times \text{❶} \leq \text{❹}$).
- ❺: Projection Height. The secondary entryways/architectural elements shall extend a minimum of 15% of the wall height above the top of the wall (i.e. $15\% \times \text{❶} \leq \text{❺}$).

~~(3) Exceptions. Exceptions to the building articulation requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB). In determining if an exception to the building articulation requirements is appropriate the Planning and Zoning Commission should determine if the proposed request is [1] in conformance with the spirit and intent of the building articulation requirements, and [2] if granting the exception will substantially weaken the City's ability to enforce the general purpose of the building articulation requirements in the future. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements).~~

(D) Open Space Guidelines. Industrial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (*unless necessary*). This should be achieved by making industrial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.

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- (E) *Exceptions.* The Planning and Zoning Commission may consider exceptions to the *General Industrial District Standards* pending a recommendation from the Architectural Review Board (ARB), and in accordance with [Section 9.01, Exceptions to the General Standards, of Article XI, Development Applications and Review Procedures.](#)

SUBSECTION 5.02: LIGHT INDUSTRIAL (LI) DISTRICT

- (A) *Purpose.* The Light Industrial (LI) District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses. With the exception of hazardous materials/manufacturing, this zone allows the same uses as the Heavy Industrial (HI) District. Limitations have been placed on the uses in this district to significantly restrict outside activities and the storage of materials, noise, vibration, smoke, pollution, fire and explosive hazards, glare and any other potentially adverse externalities. The Light Industrial (LI) District is intended for industrial parks and larger, cleaner types of industries. The manufacturing uses should be conducted within a totally enclosed building, and any activities conducted outside should be screened and buffered to ensure no external effects (e.g. *excessive noise or odor*) extend beyond the property lines. The locations for these types of industrial land uses are typically a minimum of two (2) acres and average of five (5) to ten (10) acres. These types of development also incorporate open space and significant amounts of land dedicated to landscaping.

Since this zoning district accommodates limited industrial activities that require substantial screening and buffering requirements, the Light Industrial (LI) District is a suitable zoning designation for high visibility locations (e.g. *IH-30 and SH-276*) or within a reasonable distance of residential areas as long as they are separated by an appropriate amount of open space. Residential uses should be discouraged from locating directly adjacent to or near the Light Industrial (LI) District to protect these types of businesses from excessive complaints about performance standards. Areas should not be zoned to Light Industrial (LI) District unless they are located on or close to an arterial capable of carrying commercial truck traffic. In industrial parks, internal streets should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Light Industrial (LI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.

- (B) *Permitted Uses.* All land uses permitted within the Light Industrial (LI) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)
- (C) *Area Requirements.* All development within a Light Industrial (LI) District shall conform to [Subsection 4.01, General Industrial District Standards,](#) and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards.](#)
- (D) *Special District Requirements.*
- (1) *Manufacturing Operations and Storage.* All business and manufacturing operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as listed in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)

SUBSECTION 5.03: HEAVY INDUSTRIAL (HI) DISTRICT

- (A) *Purpose.* The City of Rockwall recognizes that some industrial uses cannot be conducted within a totally enclosed building, are not visually attractive, may involve hazardous materials, and could have adverse impacts to adjacent land uses due to noise, odor, pollution, and truck traffic. The Heavy

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Industrial (HI) District is intended to provide adequate space and site diversification for these types of developments. The development standards in the Heavy Industrial (HI) District are minimal, and allow both large and small industrial uses either on separate small lots or as part of a larger industrial park. Some screening is required, but because of the potential for hazardous or possibly adverse uses, this district should not be located close to residential areas of any type. Areas should not be zoned Heavy Industrial (HI) District unless they are located on or close to an arterial roadway capable of carrying commercial truck traffic. Internal streets in the Heavy Industrial (HI) District should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Heavy Industrial (HI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.

(B) *Permitted Uses.* All land uses permitted within the Heavy Industrial (HI) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).

(C) *Area Requirements.* All development within a Heavy Industrial (HI) District shall conform to [Subsection 4.01, General Industrial District Standards](#), and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards](#).

SECTION 6: OVERLAY DISTRICTS

SUBSECTION 6.01: OVERLAY DISTRICTS

Overlay districts are applied to land that has a traditional zoning district designation already applied to it. It establishes additional uses and standards, which may be either more or less restrictive than the underlying zoning district. The overlay district governs in all cases where it sets out a particular use or standard that conflicts with other sections of this Unified Development Code (UDC). In cases where the overlay district does not specifically address a standard or requirement, the underlying zoning district will govern.

SUBSECTION 6.02: GENERAL OVERLAY DISTRICT STANDARDS

(A) *Applicability.* The *General Overlay District Standards* shall be applied to the following overlay districts:

- ☑ IH-30 Overlay (IH-30 OV) District
- ☑ SH-205 Overlay (SH-205 OV) District
- ☑ Scenic Overlay (SOV) District
- ☑ SH-66 Overlay (SH-66 OV) District
- ☑ SH-205 By-Pass Overlay (SH-205 BY OV) District
- ☑ North SH-205 Overlay (N. SH-205 OV) District
- ☑ East SH-66 Overlay (E. SH-66 OV) District
- ☑ FM-549 Overlay (FM-549 OV) District
- ☑ SH-276 Overlay (SH-276 OV) District

All other overlay district standards are detailed in Sections 6.03 – 6.15.

(B) *Special Use Standards.* Development within the Scenic Overlay (SOV) District and the SH-66 Overlay (SH-66 OV) District shall comply with the *Land Use Schedule* contained in Article IV, *Permissible Uses*, of this Unified Development Code (UDC); however, the following land uses may be considered on a case-by-case basis through a Specific Use Permit:

- a. Retail Store with Gasoline Sales (*Any Amount of Dispensers or Vehicles*)

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- b. Car Wash (*Any Type*)
- c. Structures Over 36-Feet in Height

(C) *Architectural Standards.*

(1) *Materials and Masonry Composition.* Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials* -- *excluding doors and windows* -- as defined below.

(a) *Primary Materials.* *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:

- (1) *Stone.* A minimum of 20% natural or quarried stone is required on all building façades; however, the Planning and Zoning Commission, upon recommendation from the Architectural Review Board (ARB), may grant the use of a high quality manufactured or cultured stone in lieu of natural or quarried stone if it is determined that the application of the manufactured or cultured stone will be complimentary and integral to the design of the building. In making this determination, both the Architectural Review Board (ARB) and the Planning and Zoning Commission should consider the shape, texture, size, quality and warranty of the product being proposed.
- (2) *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade.
- (3) *Accent Brick and Stone.* Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of primary brick or stone materials in an elevation.

(b) *Secondary Materials.* *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*) cast stone, cultured stone or other materials identified by the Director of Planning and Zoning or his/her designee.

(2) *Roof Design Standards.* All structures that have a building footprint of less than 6,000 SF shall be constructed with a pitched roof. Those structures having a footprint 6,000 SF or greater shall have the option of being constructed with either a pitched, parapet, or mansard roof system as long as the roof system is enclosed on all sides. Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish to avoid glare. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent public right-of-way shall be prohibited.

(3) *Mechanical Equipment Screening.* All buildings shall be designed so that no HVAC, satellite dishes, appurtenances and/or any other mechanical equipment visible from any direction. This shall include equipment located on the roof, on the ground, or otherwise attached to the building or located on the site.

(a) Screening of rooftop mechanical equipment and/or other rooftop appurtenances shall be accomplished by either the construction of [1] a roof system described in the *Roof Design Standards* above, or [2] an architectural feature that is integral to the building's design and

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ensures that such rooftop mechanical equipment is not visible from any direction. Fencing or the enclosing of individual mechanical units shall not be permitted.

- (b) All rooftop mechanical equipment or architectural features shall be shown on the required building elevations and submitted along with the site plan for review by City Staff, the Architectural Review Board (ARB), and the Planning and Zoning Commission.
- (4) *Required Architectural Elements.* All buildings that are less than 50,000 SF shall be designed to incorporate a minimum of four (4) architectural elements, buildings over 50,000 SF shall include a minimum of six (6) architectural elements, and buildings over 100,000 SF shall include a minimum of seven (7) architectural elements. The accepted architectural elements for all buildings are as follows:
- ☑ Canopies, Awnings, or Porticos
 - ☑ Recesses/Projections
 - ☑ Arcades
 - ☑ Peaked Roof Forms
 - ☑ Arches
 - ☑ Outdoor Patios
 - ☑ Display Windows
 - ☑ Architectural Details (e.g. *Tile Work and Moldings*) Integrated into the Building's Facade
 - ☑ Articulated Ground Floor Levels or Bases
 - ☑ Articulated Cornice Line
 - ☑ Integrated Planters or Wing Walls that Incorporate Landscape and Sitting Areas
 - ☑ Offsets, Reveals or Projecting Rib Expressing Architectural or Structural Bays
 - ☑ Varied Roof Heights

NOTE: Other architectural features maybe approved by the Director of Planning and Zoning or his/her designee.

- (5) *Four (4) Sided Architecture.* All buildings shall be architecturally finished on all four (4) sides utilizing the same materials, detailing, articulation and features. In addition, a minimum of one (1) row of trees (i.e. *four [4] or more accent or canopy trees*) shall be planted along perimeter of the subject property to the rear of the building.
- (6) *Windows.* The color of all windows shall be reviewed by the Architectural Review Board (ARB), and shall have a maximum visible exterior reflectivity of 20%.
- (7) *Office Parks, Shopping Centers and Mixed Use Centers.* All buildings within a common retail, commercial or office development shall incorporate complementary architectural styles, materials, and colors. Staff may require a conceptual façade plan and/or sample boards for these types of developments to ensure consistency and compatibility for all buildings within a proposed development. Conceptual façade plans will be used only to ensure compliance to the minimum standards.
- (8) *Corporate Identity.* A company's building corporate identity that conflicts with the *General Overlay District Standards* shall be reviewed *case-by-case* basis as a variance in accordance with the requirements of [Subsection 9.02. Variances to the General Overlay District Standards, of Article XI, Development Applications and Review Procedures.](#)

(D) *Site Design Guidelines and Standards.*

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(1) *Building Setbacks.* The building setbacks adjacent to the *Primary Roadway* (i.e. *IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) shall be as follows:

- (1) Scenic Overlay (SOV) District: 15-feet
- (2) SH-66 Overlay (SH-66 OV) District: 15-feet
- (3) IH-30 Overlay (IH-30 OV) District: 25-feet
- (4) SH-205 Overlay (SH-205 OV) District: 25-feet
- (5) North SH-205 Overlay (N. SH-205 OV) District: 25-feet
- (6) SH-205 By-Pass Overlay (SH-205 BY OV) District:

- Residential Land Uses: See [Section 6.3.5, SH-205 By-Pass Overlay \(SH-205 BY OV\) District](#)
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

(7) East SH-66 Overlay (E. SH-66 OV) District:

- Residential Land Uses: 25-feet
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

(8) FM-549 Overlay (FM-549 OV) District:

- Residential Land Uses: 25-feet
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

(9) SH-276 Overlay (SH-276 OV) District:

- Residential Land Uses: 25-feet
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

All other building setback regulations shall be the same as set forth in the underlying zoning district.

(2) *Parking Restrictions.* No more than one (1) full row of parking (i.e. *two rows of parking with a drive aisle*) shall be allowed between the primary building façade and the right-of-way of the *Primary Roadway* (i.e. *IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*).

(3) *Access/Ingress/Egress.* In an effort to minimize potential vehicular and pedestrian conflicts, special attention must be given to the location of median breaks along major thoroughfares, the number and location of driveways providing ingress/egress, the design of driveways providing ingress/egress in relation to the parking areas and sight/visibility distances. Taking this into consideration it is important to review all site plans for the following guidelines:

- a. Driveways should be spaced a minimum of 100-feet from the intersection of any major thoroughfare.
- b. The ingress/egress driveways shall have a minimum radius of 30-feet;
- c. Driveways should maintain an appropriate visibility triangle at ingress/egress driveways.

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- d. Main entrances should generally be located at median breaks that provide left turn access into the site.
- e. Main entrances should connect to a *straightaway* aisle that does not dead end or require an immediate turn to approach the main building.
- f. Aisles intersecting with entrance drives should be spaced at a minimum of 20-feet from the property line to provide for smooth turning movements.

(4) *Cross Access*. *Cross Access Easements* may be required by the Planning and Zoning Commission at the time of site plan approval to ensure access to future median breaks and to reduce the number of curb cuts needed along roadways.

(5) *Shared Parking*. In all office parks, shopping centers and mixed-use centers cross access and shared parking agreements may be required by the City Council along with final plat approval.

(6) *Loading and Service Areas*. All loading and service areas shall be located on the rear and side of buildings where possible. In the event that a loading or service area faces towards the *Primary Roadway* (i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276), additional screening of the loading and service area may be required by the Architectural Review Board (ARB) and Planning and Zoning Commission. A minimum of a ten (10) foot masonry screening wall shall be required to screen the view of loading docks and loading spaces intended for tractor/semi-trailer delivery from any public right-of-way. This ten (10) foot masonry screening wall must screen the entire loading dock or loading space. Screening materials shall utilize similar masonry materials as the front façade of the primary building. The accommodation of adequate access for service delivery trucks shall be evaluated to determine the extent of screening required.

(7) *Trash/Recycling Receptacles and Dumpster Enclosures*. Trash/Recycling Enclosures shall be four (4) sided. These receptacles shall be screened by a minimum eight (8) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building.

(8) *Play Structures*. Play structures shall not be placed between the primary building façade and a public right-of-way.

(9) *Plan Review*. In addition to the other processes and factors established by this Unified Development Code (UDC), all concept plans, development plans and site plans for property situated within an established overlay district shall be reviewed for the following:

- (a) The conformance of the proposed site plan to the site design guidelines and standards.
- (b) The conformance of the proposed landscape plan to the intent of the landscaping and screening requirements.
- (c) The conformance of the building elevations to the intent of the architectural standards.
- (d) The provision of sufficient cross access and circulation on the site plan.
- (e) The provision of sufficient visibility triangles to avoid congestion at ingress/egress driveways.

(E) *Landscape Standards*.

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(1) *Landscape Buffers*. The minimum landscape buffer adjacent to *Primary Roadways* (i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276) [outside of and beyond any required right-of-way dedication] shall be as follows:

- (1) Scenic Overlay (SOV) District: 20-feet
- (2) SH-66 Overlay (SH-66 OV) District: 20-feet
- (3) IH-30 Overlay (IH-30 OV) District: 20-feet
- (4) SH-205 Overlay (SH-205 OV) District: 20-feet
- (5) North SH-205 Overlay (N. SH-205 OV) District: 20-feet
- (6) SH-205 By-Pass Overlay (SH-205 BY OV) District:

- Residential Land Uses: 50-feet
- Retail/Commercial Land Uses: 25-feet
- Industrial/Office/Technology Land Uses: 50-feet

(7) East SH-66 Overlay (E. SH-66 OV) District:

- Residential Land Uses: 25-feet
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

(8) FM-549 Overlay (FM-549 OV) District:

- Residential Land Uses: 25-feet
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

(9) SH-276 Overlay (SH-276 OV) District:

- Residential Land Uses: 25-feet
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

All landscape buffers shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage along the *Primary Roadway*. In the E. SH-66 Overlay (E SH-66 OV), FM-549 Overlay (FM-549 OV), and SH-205 By-Pass Overlay (SH-205 BY OV) Districts the required landscape buffer shall incorporate one (1) additional cedar tree per 100-feet of linear of frontage along the *Primary Roadway*.

(2) *Plant Material Sizes and Selection*. All canopy trees, accent trees, shrubs and ground cover proposed to be planted in any overlay district shall be in conformance to the tables depicted in [Appendix F, Landscaping Guidelines and Requirements](#), of this Unified Development Code (UDC) and shall be subject to the following sizes:

- a. *Canopy Trees* shall be a minimum of four (4) caliper inches at DBH.
- b. *Accent Trees* shall be a minimum of four (4) feet in total height.
- c. *Deciduous Shrubs* shall be a minimum of ~~two (2)~~ five (5) gallons in size.
- d. *Evergreen Shrubs* shall be a minimum of ~~two (2)~~ five (5) gallons in size.

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- (3) *Erosion Control/Retaining Walls.* Any slope embankments or retaining walls within the public right-of-way or within the required landscape buffer must be terraced every four (4) feet in height (maximum) with a minimum of a two (2) foot planting area provided between each vertical plane. Materials used for the vertical elements shall be natural stone or any masonry material, which matches the masonry materials used on the primary structure. The planting area must incorporate shrubs, ground cover and grasses.
- (F) *Signs.* All signage requirements and variances to these requirements shall conform to Chapter 32, *Signs*, of the Municipal Code of Ordinances; however, approval of any variance to the sign standards for property situated within an established overlay district shall require approval by the City Council by a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.
- (G) *Lighting Standards.* No light standard, light fixture, light pole, pole base or combination thereof shall exceed 20-feet in total height in any overlay district with the exception of the IH-30 Overlay (IH-30 OV) District, which shall be limited to a maximum height of 30-feet.
- (H) *Utility Placement.* All overhead utilities within any overlay district shall be placed underground.
- (I) *Residential Standards.* No screening walls shall be erected adjacent to the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) in conjunction with any residential development. In addition, *eyebrow drives* with clusters of lots (*i.e. 5 – 12 homes*) shall be utilized along the *Primary Roadway* for residential developments. In lieu of *eyebrow drives*, a 50-foot landscape buffer may be utilized as an alternative. Farm fencing, including wood rail type and metal pipe and cable fencing, is allowed within the 50-foot landscape buffer. For residential developments within the SH-205 By-Pass Overlay (SH-205 BY OV) District, see *Section 6.3.5, SH-205 By-Pass Overlay (SH-205 BY OV) District*.

SUBSECTION 6.03: HISTORIC OVERLAY (HO) DISTRICT

Subsection 6.03, *Historic Overlay (HO) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.04: NORTH GOLIAD CORRIDOR OVERLAY (NGC OV) DISTRICT

Subsection 6.04, *North Goliad Corridor Overlay (NGC OV) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.05: SOUTHSIDE RESIDENTIAL NEIGHBORHOOD OVERLAY (SRO) DISTRICT

Subsection 6.05, *Southside Residential Neighborhood Overlay (SRO) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.06: IH-30 OVERLAY (IH-30 OV) DISTRICT

- (A) *Purpose.* The intent of the IH-30 Overlay (IH-30 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

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These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

- (B) *Application and Boundaries.* The IH-30 Overlay (IH-30 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the future right-of-way of IH-30. The IH-30 Overlay (IH-30 OV) District spans east to west along IH-30 from the eastern city limits (approximately 3,600-feet east of FM 549), west to the western city limit line along Lake Ray Hubbard. The standards and regulations set forth in the IH-30 Overlay (IH-30 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the IH-30 Overlay (IH-30 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.07: SH-205 OVERLAY (SH-205 OV) DISTRICT

- (A) *Purpose.* The intent of the SH-205 Overlay (SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.
- (B) *Application and Boundaries.* The SH-205 Overlay (SH-205 OV) District includes the entirety of all properties which adjoin or are located within 200-feet of the future right-of-way of SH-205. The SH-205 Overlay (SH-205 OV) District spans north to south along SH-205 from the intersection point of SH-205 and FM 740, south to the southern city limits (approximately 2,800-feet south of FM-1139). The standards and regulations set forth in the SH-205 Overlay (SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the SH-205 Overlay (SH-205 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.08: SCENIC OVERLAY (SRO) DISTRICT

- (A) *Purpose.* The Scenic Overlay (SOV) District is a specialized overlay district along FM-740 which has been identified in the Comprehensive Plan as a scenic thoroughfare. The identified scenic aspects of FM-740 include views of the lake, existing natural topography, and existing natural landscaping. The district has been established to protect scenic or historic qualities through the use of additional development criteria and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not detrimentally affect the area in which it

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is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

- (B) *Application and Boundaries.* The Scenic Overlay (SOV) District shall apply to all property located within the established boundary along FM-740 (as set forth in Ordinance No. 87-64). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless and until an application for zoning, platting, or site planning is re-submitted on the property. All property developed within the Scenic Overlay (SOV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the Scenic Overlay (SOV) District. The most restrictive requirement applicable to the property shall apply.
- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the Scenic Overlay (SOV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.09: SH-66 OVERLAY (SH-66 OV) DISTRICT

- (A) *Purpose.* The SH-66 Overlay (SH-66 OV) District is a specialized overlay district along SH-66 and Washington Street between Lake Ray Hubbard and SH-205, which has been identified as one of the important entry points into the City of Rockwall. The identified important scenic aspects of this corridor include views of the lake, existing natural topography, and existing natural landscaping adjacent to residential neighborhoods. The district has been established to protect scenic or historic qualities through the use of additional development criteria, and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).
- (B) *Application and Boundaries.* The SH-66 Overlay (SH-66 OV) District shall apply to all property located within the established boundary along SH-66 and Washington Street, between Lake Ray Hubbard and SH-205 (as set forth in Ordinance No. 01-18). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless an application for zoning, platting, or site planning is resubmitted on the property. All property developed within the SH-66 Overlay (SH-66 OV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the SH-66 Overlay (SH-66 OV) District. The most restrictive requirement applicable to the property shall apply.
- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the SH-66 Overlay (SH-66 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.10: SH-205 BY-PASS OVERLAY (SH-205 BY OV) DISTRICT

- (A) *Purpose.* The intent of the SH-205 By-Pass Overlay (SH-205 BY OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically

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pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility and plan review shall be conducted through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family uses only. All other residential uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The SH-205 By-Pass Overlay (SH-205 BY OV) District includes the entirety of all properties which adjoin or are located within 500 feet of the current and future right-of-way of John King Boulevard. The SH-205 By-Pass Overlay (SH-205 BY OV) District ~~Zone~~ extends along the current and future right-of-way of John King Boulevard. to the existing city limits. The standards and regulations set forth in the SH-205 By-Pass Overlay (SH-205 BY OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the SH-205 By-Pass Overlay (SH-205 BY OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards.](#)

(D) *Special District Requirements.*

(1) *Residential Frontage Requirements.* To ensure proper separation of residential land uses from John King Boulevard all residential developments that have direct frontage on John King Boulevard shall utilize one (1) or a combination of the following design alternatives along the entire frontage of John King Boulevard:

- a. *Increased Landscape Buffer.* A minimum of a 100-foot landscape buffer maybe substituted for the required landscape buffer as depicted in *Design Alternative #1*.
- b. *Increased Rear Yard Building Setback.* A minimum of 50-foot rear yard building setback may be incorporated adjacent to the required landscape buffer as depicted in *Design Alternative #2*.
- b. *Incorporation of a Slip Street.* A slip street -- *meeting the Engineering Department's requirements for right-of-way design* -- may be incorporated adjacent to and running parallel with the required landscape buffer. Homes are permitted to front or side to the slip street. Examples of this design alternative are depicted in *Design Alternative #3* and *Design Alternative #4*.
- c. *Incorporation of an Eyebrow.* An eyebrow street meeting the -- *Engineering Department's requirements for right-of-way design* -- with a minimum cluster of five (5) homes and a maximum cluster of 12 homes can be incorporated with a 30-foot landscape buffer. All homes should front onto the eyebrow street and have a minimum of a 25-foot front yard building setback. An example of this design alternative is depicted *Design Alternative #5*.

(2) *Design Alternatives.*

Exhibit 'C'
*Article V, District Development Standards, of the
Unified Development Code*

Exhibit 'C'
*Article V, District Development Standards, of the
 Unified Development Code*

Design Alternative #1

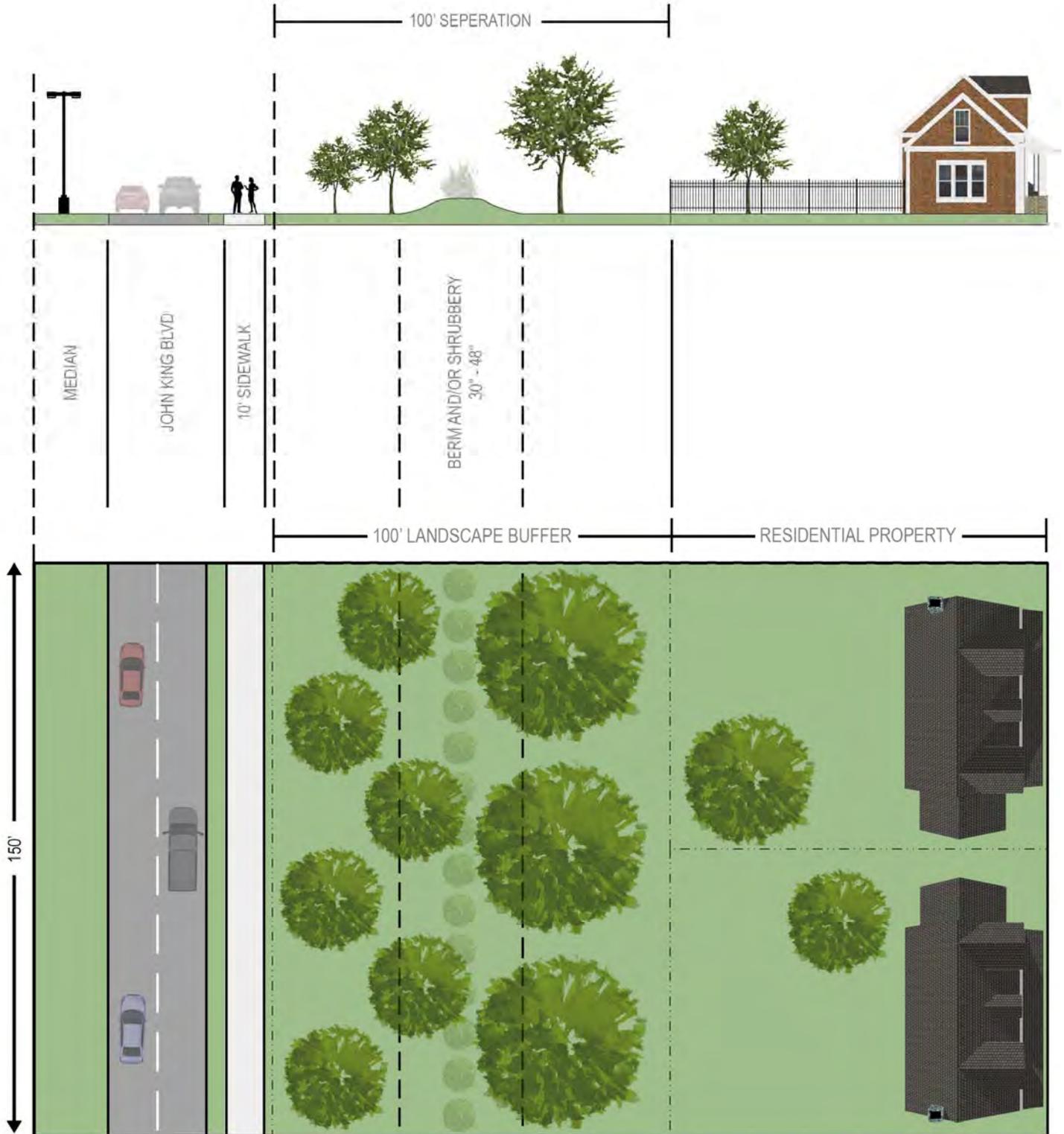


Exhibit 'C'
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Design Alternative #2

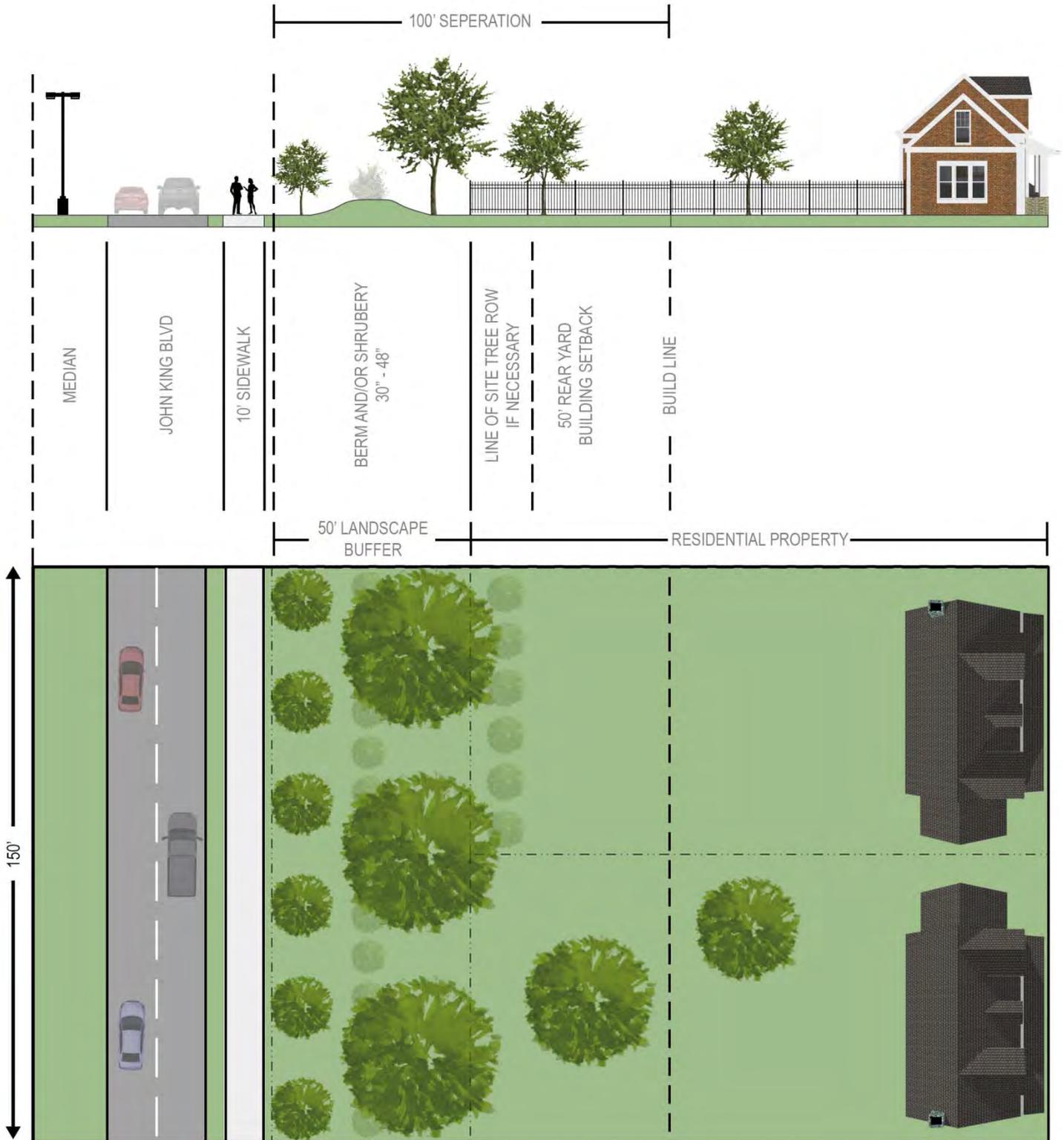


Exhibit 'C'
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Design Alternative #3

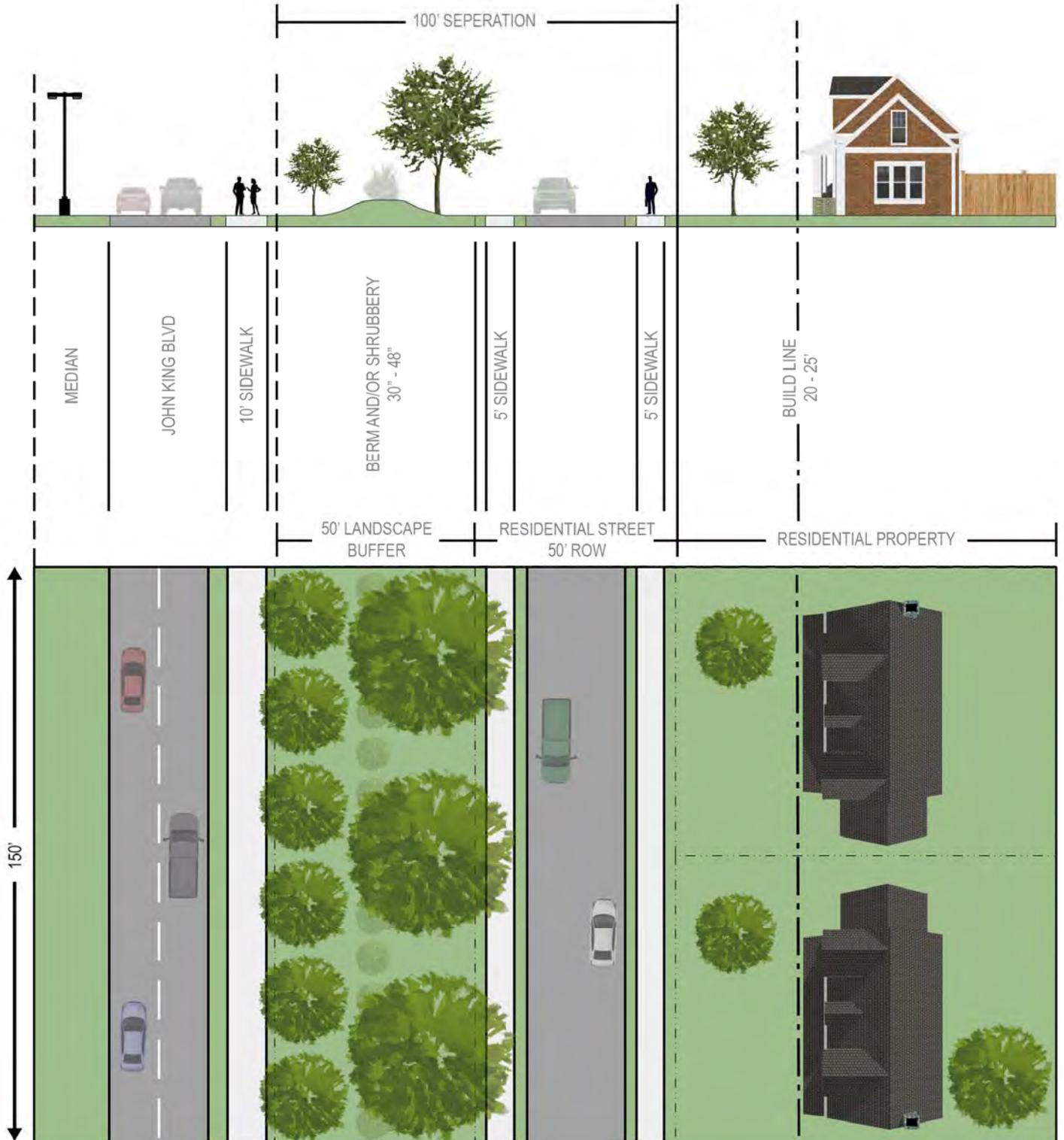


Exhibit 'C'
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Design Alternative #4



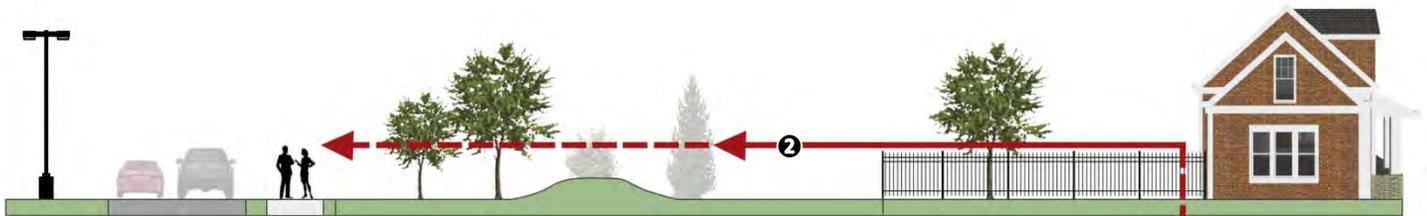
Exhibit 'C'
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 Unified Development Code

Design Alternative #5



Exhibit 'C'
*Article V, District Development Standards, of the
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(3) *Line of Sight Requirements.* Homes that back to a required landscape buffer should be built in such a manner where the required berm visually impairs visibility to John King Boulevard. In cases where a berm proves to be ineffective at screening traffic from John King Boulevard (*due to topography, height, etc.*) the developer shall be responsible for incorporating additional landscaping to provide sufficient screening in the required landscape buffer. This will be reviewed by the Planning and Zoning Commission at the time of site plan.



①: Represents the line of sight at six (6) feet from grade.

②: The solid red line shows that visibility is impaired from John King Boulevard by [1] a row of trees or [2] a berm and/or row of shrubbery.

SUBSECTION 6.11: NORTH SH-205 OVERLAY (N. SH-205 OV) DISTRICT

(A) *Purpose.* The intent of the North SH-205 Overlay (N. SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The North SH-205 Overlay (N. SH-205 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of N. SH-205. The North SH-205 Overlay (N. SH-205 OV) District spans north to south along SH-205 from the northern city limits (approximately 4,200-feet north of FM-552), south to the intersection point of SH-205 and Health Street. The standards and regulations set forth in the North SH-205 Overlay (N. SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the North SH-205 Overlay (N. SH-205 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.12: EAST SH-66 OVERLAY (E. SH-66 OV) DISTRICT

(A) *Purpose.* The intent of the East SH-66 Overlay (E. SH-66 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board

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(ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The East SH-66 Overlay (E. SH-66 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of E. SH-66. The East SH-66 Overlay (E. SH-66 OV) District extends from FM-1141 to the east approximately 2,700-feet, and on property that lies within 500-feet of the south right-of-way line of SH-66 beginning at a point approximately 2,700-feet east of FM-1141 and then continuing east to FM-549. The standards and regulations set forth in the East SH-66 Overlay (E. SH-66 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the East SH-66 Overlay (E. SH-66 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.13: FM-549 OVERLAY (FM-549 OV) DISTRICT

(A) *Purpose.* The intent of the FM-549 Overlay (FM-549 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The FM-549 Overlay (FM-549 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of FM-549. The FM-549 Overlay (FM-549 OV) District extends from SH-276 to a point approximately 800-feet north of IH-30 and on property that lies within 500-feet of the west right-of-way line of FM-549 from a point approximately 800-feet north of IH-30 to SH-66. The standards and regulations set forth in the FM-549 Overlay (FM-549 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the FM-549 Overlay (FM-549 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.14: SH-276 OVERLAY (SH-276 OV) DISTRICT

(A) *Purpose.* The intent of the SH-276 Overlay (SH-276 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The SH-276 Overlay (SH-276 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of SH-276.

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The SH-276 Overlay (SH-276 OV) District extends from SH-205 east to the eastern city limits, as may be extended with future annexation(s). The standards and regulations set forth in the SH-276 Overlay (SH-276 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the SH-276 Overlay (SH-276 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

Subsection 6.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.16: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

See [Subsection 9.02, Variances to the General Overlay Districts Standards, of Article IX, Development Applications and Review Procedures](#).

~~Unless otherwise specified in this section, an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in [Section 6.02, General Overlay District Standards](#), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship. If the Planning and Zoning Commission denies a variance request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the variance or variances being requested (i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements). Approval of any variance to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (i.e. a three-fourths vote of those members present), with a minimum of four (4) votes in the affirmative required for approval.~~

SECTION 7: DISTRICT DEVELOPMENT STANDARDS

Exhibit 'C'
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SUBSECTION 7.01: RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

Residential District Development Standards		Zoning Districts →										
		Single-Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single-Family Estate 4.0 (SFE-4.0) District	Single-Family 1 (SF-1) District	Single-Family 16 (SF-16) District	Single-Family 10 (SF-10) District	Single-Family 8.4 (SF-8.4) District	Single-Family 7 (SF-7) District	Zero Lot Line (ZL-5) District	Two-Family (2F) District	Agricultural (AG) District
Development Standards ↓		Abbreviation	Dwelling Units/Lot	Dwelling Units/Acre	Minimum Dwelling Unit (SF)	Minimum Lot Requirements	Minimum Setbacks	Between Buildings (Feet)	Building Height (Feet)	Minimum Masonry Content (%)	Maximum Lot Coverage (%)	Required Parking Spaces ⁷
		SFE-1.5	1.0	0.67	2,000	Area (Square Feet)	Front (Feet)	10	36	80	35	2 ⁸
		SFE-2.0	1.0	0.5	2,200	Width (Feet) ²	Rear (Feet)	10	36	80	35	2 ⁸
		SFE-4.0	1.0	0.25	2,500	Depth (Feet)	Side (Feet) ³	10	36	80	35	2 ⁸
		SF-1	1.0	1.0 ¹	2,500			10	36	80	45	2 ⁸
		SF-16	1.0	2.7	2,400			10	36	80	45	2 ⁸
		SF-10	1.0	4.4	2,200			10	36	80	45	2 ⁸
		SF-8.4	1.0	5.2	1,500			10	36	80	45	2 ⁸
		SF-7	1.0	6.2	1,100			10	32	80	45	2 ⁸
		ZL-5	1.0	8.7	1,000			10	30	80	50	2 ⁹
		2F	2.0	12.4	800			10	32	80	45	2 ¹⁰
		AG	1.0	0.1 ¹¹	1,600			12	36	80	N/A	2 ⁸

ADDITIONAL REQUIREMENTS:

1. The Single Family 1 (SF-1) District allows for one (1) unit per gross acre.
2. Frontage on a Public Street
3. The side setback adjacent to a street is treated the same as a front yard building setback.
4. Minimum maintenance easement is ten (10) feet. Minimum maintenance easement on the non-zero lot line side, when adjacent to another lot in the same zoning district is five (5) feet (*this easement shall be maintained as an open space except upon a finding by the building official that the proposed improvements do not impede the use of said easement for maintenance of the adjoining structure*).
5. Abutting structures separated by fire retardant walls.
6. Townhouses separated by firewall meeting the requirements of the building code may build to the property line where such structures abut.
7. Minimum length of driveway pavement from public right-of-way for rear and side yard is 20-feet.
8. An enclosed garage shall not be considered in meeting the off-street parking requirements. For all other uses see [Article VI, Parking and Loading](#).
9. A two (2) car garage is required.

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- 10: Two (2) off-street parking spaces plus one (1) garage parking space for each dwelling unit is required.
- 11: A minimum lot size of ten (10) acres is required for the construction of any single-family dwelling.

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SUBSECTION 7.02: MULTI-FAMILY DISTRICT DEVELOPMENT STANDARDS

Multi-Family District Development Standards		Multi-Family 14 (MF-14) District ¹
Zoning Districts →		
Development Standards ↓		
Abbreviation		MF-14
Dwelling Units/Acre		14.0 ²
Minimum Lot Requirements	Site Area (Square Feet)	10,000
	Lot Area (Square Feet)	2,000 (<i>Per Unit</i>)
	Width (Feet) ³	60
	Depth (Feet)	100
Minimum Setbacks	Front (Feet)	25
	Rear (Feet) w/ Residential Adjacency (Feet) ^{3 & 8}	One Story = 25
		Two Stories = 50
		Three Stories = 75
	Rear (Feet)	10
	Side w/ Residential Adjacency (Feet) ^{4 & 8}	One Story = 25
		Two Stories = 50
		Three Stories = 75
	Side (Feet)	One Story = 10
		Two or More Stories = 15
Between Buildings (Feet)		Main to Accessory = 10
		Two Main Buildings w/ Doors or Windows in Facing Walls = 20
		Two Main Buildings w/o Doors or Windows in Facing Walls = 15
Building Height (Feet)		36
Minimum Masonry Content (%)		100
Maximum Lot Coverage (%)		45 ⁵
Minimum Landscaping (%) ⁷		30% 25% of Total Lot Area w/ 30% of Total Required in the Front and Alongside Buildings w/ Street Frontage ⁶
Required Parking Spaces		See Article VI, Parking and Loading

ADDITION REQUIREMENTS:

- ¹: Duplexes shall meet the requirements of the Two-Family (2F) District, with only one (1) duplex per lot.
- ²: Density is calculated by gross acre.
- ³: Unenclosed carports may be built within five (5) feet of any property line that abuts an alley, but no closer than 20-feet from any street intersection.
- ⁴: Side on street is treated the same as a front yard building setback.
- ⁵: Each development containing over 100 dwelling units shall provide 300 SF of open space per two (2) and three (3) bedroom units, with at least one (1) open area with the minimum dimensions of 200-feet by 150-feet. Swimming pools, tennis courts and other recreational facilities can be counted toward the overall open space requirement, but not toward the required 200-feet by 150-foot area.

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6. Any parking lot with more than two (2) rows of parking spaces shall have a minimum of two (2) percent of the interior of the parking lot landscaped. Such landscaping shall be counted toward the landscaping requirement.
7. All required landscaped areas shall be permanently maintained and shall have an irrigation system installed meeting all applicable city codes.
8. Lots with more than five (5) dwelling units that are contiguous to a residential zoning district, must be separated by a buffer as established in [Article VIII, Landscape Standards](#).

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SUBSECTION 7.03: NON-RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

**Non-Residential
District Development
Standards**

*: For development in the
Downtown (DT) District see the
standards in [Section 4.8,
Downtown \(DT\) District.](#)

Zoning Districts →

Development Standards ↓

		Residential-Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District
Abbreviation		RO	NS	GR	C	HC	LI	HI
Maximum Building Size (SF)		N/A	5,000 ¹	25,000 ²	N/A	N/A	N/A	N/A
Minimum Lot Requirements	Area (SF)	6,000 ³	6,000	6,000 43,560	10,000 43,560	12,500 43,560	12,500 43,560	87,120
	Width (Feet)	60	60	60 200	60 200	100 200	100 200	200
	Depth (Feet)	100	100	100 200	100 200	125 200	125 200	350
Minimum Setbacks	Front (Feet)	25 ^{4, 12}	15 ⁵	15 ^{4, 5}	15 ^{4, 5}	25 ⁴	25 ⁴	50+1/2H>36 ⁷ 50 ⁴
	Rear (Feet)	30	20 w/o FRW & Alley	10 w/o FRW & Alley	10 w/o FRW & Alley	20 w/o FRW & Alley	10 w/o FRW ⁷	20 + 1/2H>36 w/o FRW ⁷
			0 w/ FRW & Alley	0 w/ FRW & Alley	0 w/ FRW & Alley	1/2H>36 w/ FRW & Alley	1/2H>36 w/ FRW & Alley ⁷	8 + 1/2H>36 w/ FRW & Alley ⁷
	Rear Adjacent Residential (Feet) ⁶	N/A	20	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	50 + 1/2H>36 ⁷
	Side (Feet)	10	5 w/o FRW	10 w/o FRW	10 w/o FRW	15 + 1/2H>36 w/o FRW ⁷	15 + 1/2H>36 w/o FRW ⁷	15 + 1/2H>36 w/o FRW ⁷
0 w/ FRW			0 w/ FRW	0 w/ FRW	1/2H>36 w/ FRW ⁷	1/2H>36 w/ FRW ⁷	8 + 1/2H>36 w/ FRW ⁷	
Side Adjacent Residential (Feet) ⁶	20	20	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	50	
Between Buildings (Feet)		15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 + 1/2H>36 w/o FRW ⁷ 1/2H>36 w/ FRW ⁷	15 + 1/2H>36 w/o FRW ⁷ 1/2H>36 w/ FRW ⁷	25 + 1/2H>36 w/o FRW ⁷ 16 + 1/2H>36 w/ FRW ⁷
Building Height [H] (Feet)		36	36	36 ⁸	60 ⁹	60 ⁹	60 ¹³	60 ¹³
Minimum Masonry Content (%)		90	90	90	90	90	90	90
Maximum Lot Coverage (%)		40	40	40	60	60	60	85
Floor Area Ratio (FAR)		0.33	N/A	2:1	4:1	4:1	2:1	4:1
Maximum Impervious Parking (%)		75-80 ¹¹	80-85	85-90	85-90	90-95	90-95	90-95
Maximum Number of Entrances and/or Exits	Arterial Streets	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰
	Collector Streets	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰
	Local Streets	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰

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Minimum Landscaping (%)	See Article VIII, Landscape Standards
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NOTES:

Blue: When adjacent to Interstate 30.

H: Building Height

1/2H>36: One-Half the Building Height Over 36-Feet

FRW: Fire Retardant Wall

w/o FRW: Without Fire Retardant Wall

ADDITIONAL REQUIREMENTS:

1. A maximum building size of 5,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.
2. A maximum building size of 25,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.
3. Maximum lot area is 43,560 SF.
4. From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.
5. Parking should not be located between the front façade and the property line.
6. Lots with non-residential uses that have a side or rear yard contiguous or separated only by an alley, easement, or street, from any residential district must be separated from such residential district by a buffer as defined in [Article VIII, Landscape Standards](#), or as approved by the Planning and Zoning Commission.
7. Not to exceed 50-Feet.
8. Building height may be increased up to 60-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.
9. Building height may be increased up to 240-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.
10. (or) as approved by Planning and Zoning Commission.
11. A minimum of seven (7) percent of the interior of the parking lot -- *not including the setback and landscape buffer* -- shall be pervious land area with additional plantings to create an amenity open space.
12. Parking shall not be permitted in the required setback.
13. Building height may be increased up to 120-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

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SUBSECTION 7.04: ACCESSORY STRUCTURE DEVELOPMENT STANDARDS

Accessory Structure Development Standards		Accessory Structures & Accessory Buildings ^{1 & 3} 8 & 9					Portable Accessory Building 0 SF – 120 SF ⁸	Detached Garage ^{8 & 9}	Carports ^{7 & 8}
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	Two Family (2F) District			
Zoning Districts or Accessory Structure Type →									
Development Standards ↓									
Number of Accessory Structures or Number of Specific Accessory Structure		2 ²	2 ²	2 ²	2	1	1	1	1
Maximum SF of Accessory Structure ⁵		1,250 1,000 ²	1,500 1,000 ²	2,000 1,250 ²	225 144 ⁶	100	120	900 625 ^{8 & 9}	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20 ⁴	20 ⁴	20 ⁴	3	3	3	20 ⁴	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet) ⁸		15	15	15	15	10	10	15	15
Minimum Masonry Content (%) ³		80 ⁵	80 ⁵	80 ⁵	80 ⁵	80 ⁵	0	80 ⁵	80 ⁵

ADDITIONAL REQUIREMENTS:

- Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.
- If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is ~~625~~ 400 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.
- ~~Greenhouses are exempt from the minimum masonry requirements.~~ Accessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure.
- If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.
- ~~The exterior of the accessory building or structure shall be clad in the same materials in roughly the same proportions as the primary structure; however, accessory buildings or structures that are less than 120 SF and under ten (10) feet in height may be constructed with non masonry materials, or may be all metal with a baked on pre-painted surface.~~ Accessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP).
- Each property shall be permitted one (1) detached garage up to ~~900~~ 625 SF and one (1) accessory building up to ~~225~~ 144 SF.
- In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.
- ~~Accessory buildings and accessory structures not meeting the masonry requirements shall require the approval of an exception from the Planning and Zoning Commission. Two (2) story accessory buildings or structures shall be prohibited.~~
- ~~Barns used for agricultural and/or farm animal purposes, on sites ten (10) acres or more that are zoned Agricultural (AG) District, are excluded from this masonry requirement. Shall include a minimum of one (1) garage bay door large enough to pull a standard size motor vehicle through.~~

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Additions: **Highlighted**
Deletions: **Highlighted, Strikeout**
Staff Notes: **Highlighted, Red Text**
Links/References: Blue, Underlined

ARTICLE V, DISTRICT DEVELOPMENT STANDARDS, UDC

SECTION 1: GENERAL STANDARDS

SUBSECTION 1.01: OPEN SPACE

- (A) *Purpose.* The City of Rockwall is a rural and recreation-oriented community with open space that ties into a regional framework of open space, trails, and corridors. Open space corridors link all major areas of the city using primarily floodplain and drainage areas. Since open space and recreational amenities are vital to the City's commercial and residential developments, all projects must provide open space in accordance with the City's *Comprehensive Plan* and the *Parks, Recreation, and Open Space Master Plan*.
- (B) *Requirements.* All projects in the city must reserve, dedicate and/or develop public and private open spaces consistent with the requirements of the following sections:
- (a) *Residential.* Subsection C, Open Space, of Section 3.01, General Residential District Standards
 - (b) *Commercial.* Subsection D, Open Space Guidelines, of Section 4.01, General Commercial District Standards
 - (c) *Industrial.* Subsection D, Open Space Guidelines, of Section 5.01, General Industrial District Standards

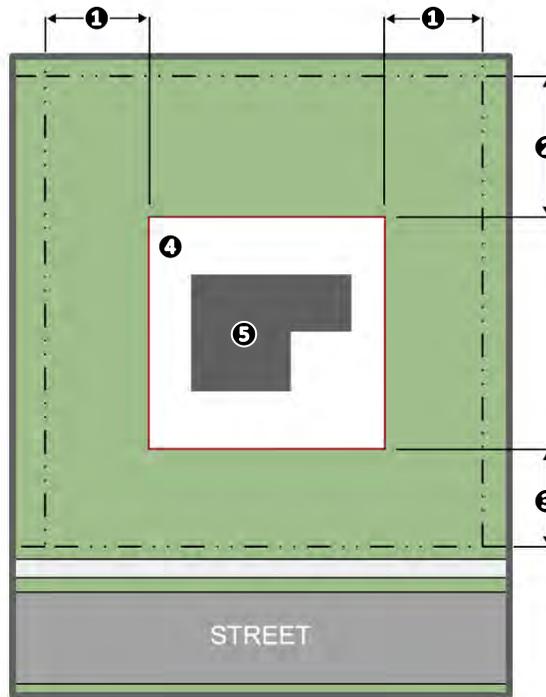
SUBSECTION 1.02: SITE PLANS

All development in the City of Rockwall -- *with the exception of single lot single-family and duplex developments* -- shall require the approval of a site plan in accordance with the requirements of Article XI, Development Applications and Review Procedures.

SUBSECTION 1.03: LOT CONFIGURATIONS

- (A) *Lots with a Single Street Frontage.* Where lots have a single street frontage, the required setbacks should generally adhere to the following diagram:

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- ❶: Required Side Yard Setback
- ❷: Required Rear Yard Setback
- ❸: Required Front Yard Setback
- ❹: Buildable Area
- ❺: Building Coverage

(B) *Lots with Multiple Street Frontages.* Where lots have multiple street frontages on one (1) or more streets, the required setbacks should generally adhere to the following diagram:

Exhibit 'C'
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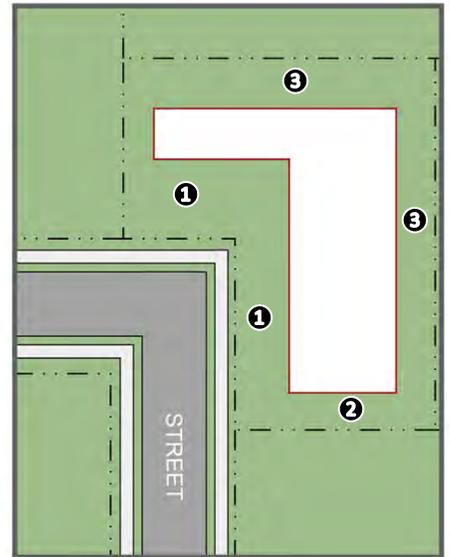
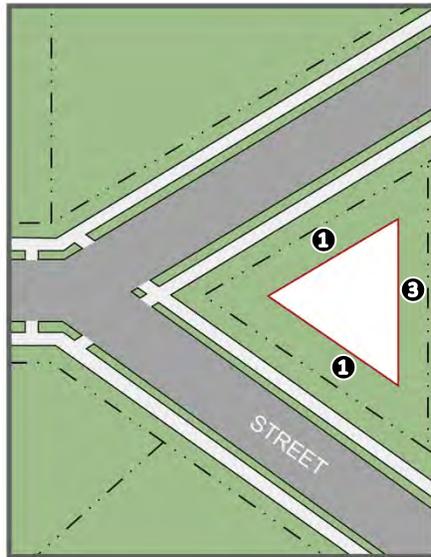
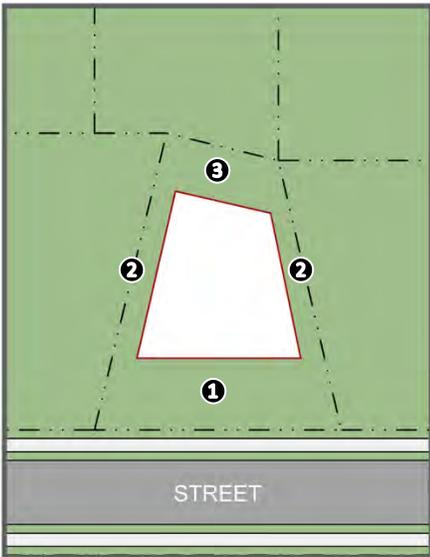
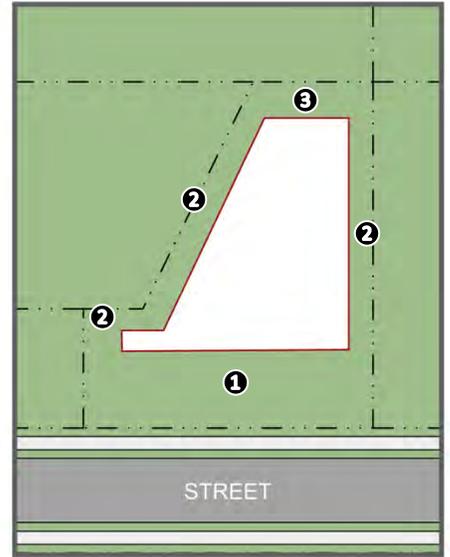
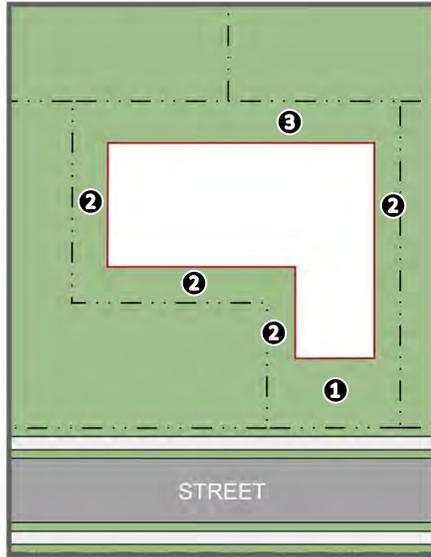
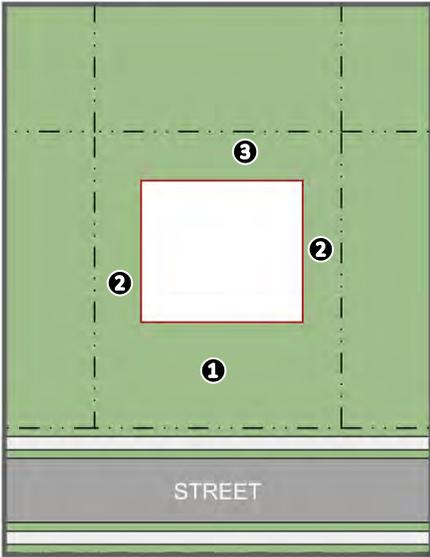
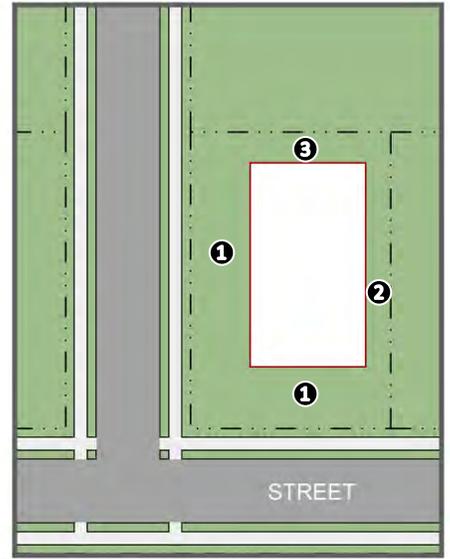
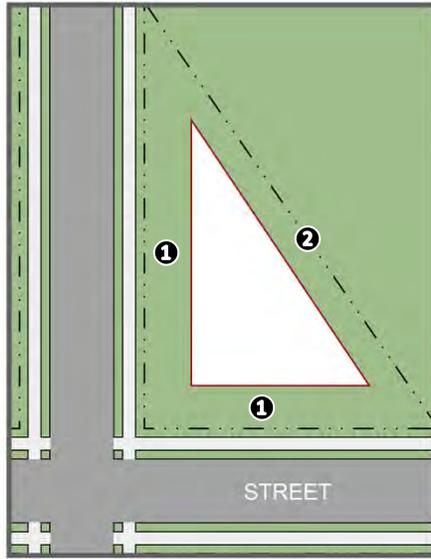
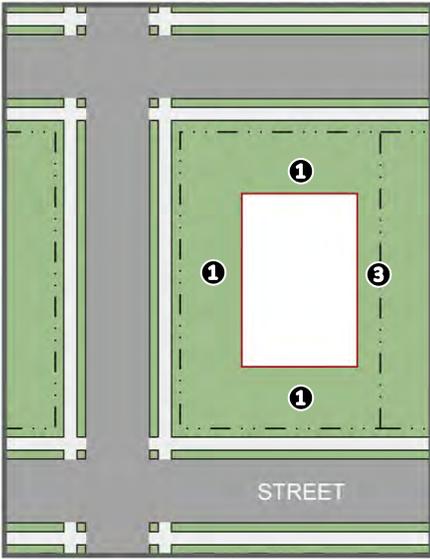


Exhibit 'C'
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SUBSECTION 1.04: CALCULATION OF DENSITY

The calculation of the allowable density for residential developments shall be based on the gross site area including right-of-way, floodplain, open space and public/private parks that will be dedicated to the city or preserved and maintained by some other mechanism. Despite this calculation requirement, other provisions of this Unified Development Code may limit the actual density allowed on any given property.

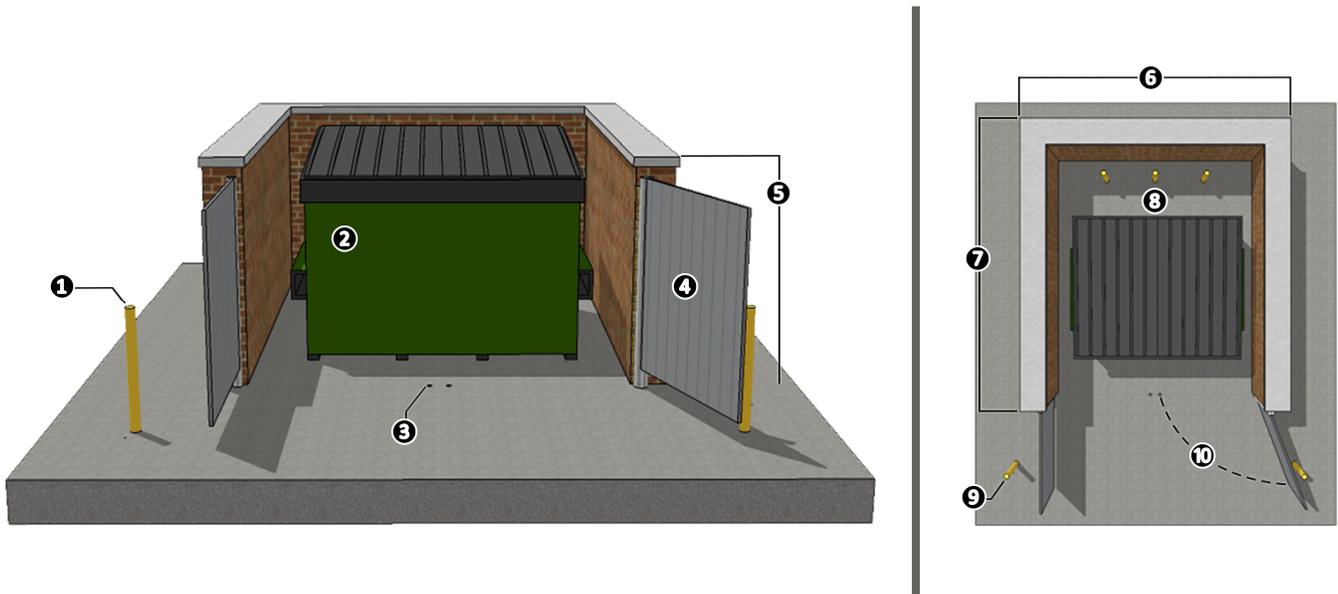
SUBSECTION 1.05: SCREENING STANDARDS

All development shall adhere to the following screening standards:

- (1) *Loading Docks.* Off-street loading docks must be screened from all public streets, ~~and~~ any residential zoning district or residentially used property, ~~and any parks and open space~~ that abuts or is directly across a public street or alley from the subject property. The screening must be at least six (6) feet in height and ~~may shall~~ be provided by using a masonry wall (*excluding tilt wall or concrete masonry units [CMU] unless integral to the buildings design and otherwise approved by the Planning and Zoning Commission*) and *Canopy Trees* on 20-foot centers, ~~and/or berms and plantings~~. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with [Subsection 5.02, Landscape Screening Standards, of Article VIII, Landscape Standards.](#)

- (2) *Trash/Recycling Enclosures.* Trash/Recycling enclosures shall be four (4) sided. These receptacles shall be screened by a minimum six (6) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. ~~The opaque, self-latching gate shall not be constructed utilizing wood fencing materials.~~ If the primary building does not use masonry materials, a masonry material that is complimentary in color and scale shall be utilized. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building. All trash/recycling enclosures shall be constructed in conformance to the diagram below, unless otherwise approved/required by the City and/or its contractor for trash services.

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- | | |
|--|--|
| <ul style="list-style-type: none"> ❶: Concrete Filled Steel Protected Pole ❷: Standard End Loading Container ❸: Deep Recesses for Gate Cane Bolts [If Necessary] ❹: Opaque Screening Gate ❺: Six (6) Feet in Height [Eight (8) Feet in Overlay Districts] | <ul style="list-style-type: none"> ❻: Ten (10) Feet in Width ❼: 12-Foot in Length ❸: Three (3) Concrete Filled Steel Protected Poles ❹: Concrete Filled Steel Protected Pole ❿: 120 Degree Swing on Opaque Screening Gate |
|--|--|

- (3) *Utility Equipment and Air Condition Units.* Pad or roof mounted utility equipment and air conditioning units shall be screened from the view from of any adjacent public streets or property properties. Roof mounted utility equipment and air conditioning units shall be screened using a parapet wall that completely impairs the visibility of the equipment, and is constructed on all sides of the building. Ground mounted Utility equipment and air conditioning units shall be screened utilizing plantings, berms, walls matching the main structure, or an architectural feature that is integral to the building's design.
- (4) *Aboveground Storage Tanks.* Aboveground storage tanks shall be screened utilizing plantings, berms, or walls matching the main structure. Screening plans for above ground storage tanks shall generally conform to the diagram below (i.e. incorporate primary screening -- screening wall -- and secondary screening) and be approved by the Planning and Zoning Commission in conjunction with a site plan.

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(5) **Outside Storage.** Outside storage of materials or vehicles shall be screened from all public streets, any residential zoning district or residentially used property, and parks and open space that abuts or is directly across a public street or alley from the subject property. The screening must be at least one (1) foot taller than the material or vehicles being stored and shall be achieved using a masonry wall (excluding tilt wall or concrete masonry units [CMU] unless otherwise approved by the Planning and Zoning Commission) and Canopy Trees on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with [Subsection 5.02, Landscape Screening Standards, of Article VIII, Landscape Standards.](#)

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(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.06: RESIDENTIAL ADJACENCY STANDARDS

Subsection 1.06, *Residential Adjacency Standards*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 1.07: FENCES

All fences within the City shall conform to ~~Article XI, Fences, of Chapter 10, Building and Building Regulations~~, of the Municipal Code of Ordinances, unless otherwise required by this Unified Development Code.

(Ord. No. 10-14, § 30, 7-6-2010)

SUBSECTION 1.078: PROJECTIONS INTO REQUIRED YARD OR COURT

(A) Every part of a required yard within a building setback shall be unobstructed and open from its lowest point to the sky, except for the ordinary projections of sills, belt courses, cornices, chimneys, buttresses, ornamental features and eaves; provided, however, that none of the above projections shall extend into a court more than six (6) inches nor into a required yard by more than 30-inches; and provided existing open porches extending into the required yard shall not be enclosed.

An open fire escape may project into a required yard by not more than half the width of the setback, but not more than four (4) feet from the building. Fire escapes, solid floored balconies and enclosed outside stairways may project into a rear yard by a maximum of four (4) feet.

(B) Where a lot abuts a right-of-way line has been established for the future widening or opening of a street or highway, then the depth or width of a yard shall be measured from such right-of-way line to the required building setback.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.089: PUBLIC RIGHT-OF-WAY VISIBILITY

(A) *Street/drive intersection visibility obstruction triangles.* A landscape plan showing the plan of the street on both sides of each proposed drive/street to the proposed development with the grades, curb elevations, proposed street/drive locations, and all items (both natural and manmade) within the visibility triangles as prescribed below shall be provided with all site plans, if they are not on engineering plans that are submitted at the same time. this plan shall show no horizontal or vertical restrictions (either existing or future) within the areas defined below.

(B) *Obstruction/interference triangles defined.* No fence, wall screen, billboard, sign face, tree or shrub foliage, berm, or any other item, either manmade or natural, shall be erected, planted, or maintained in such a position or place so as to obstruct or interfere within the following minimum standards; however, on non-residentially zoned lots, a single pole for mounting a sign may be placed within this area provided the pole does not exceed 12-inches in diameter, and provided every portion of the sign has a minimum height clearance of nine (9) feet:

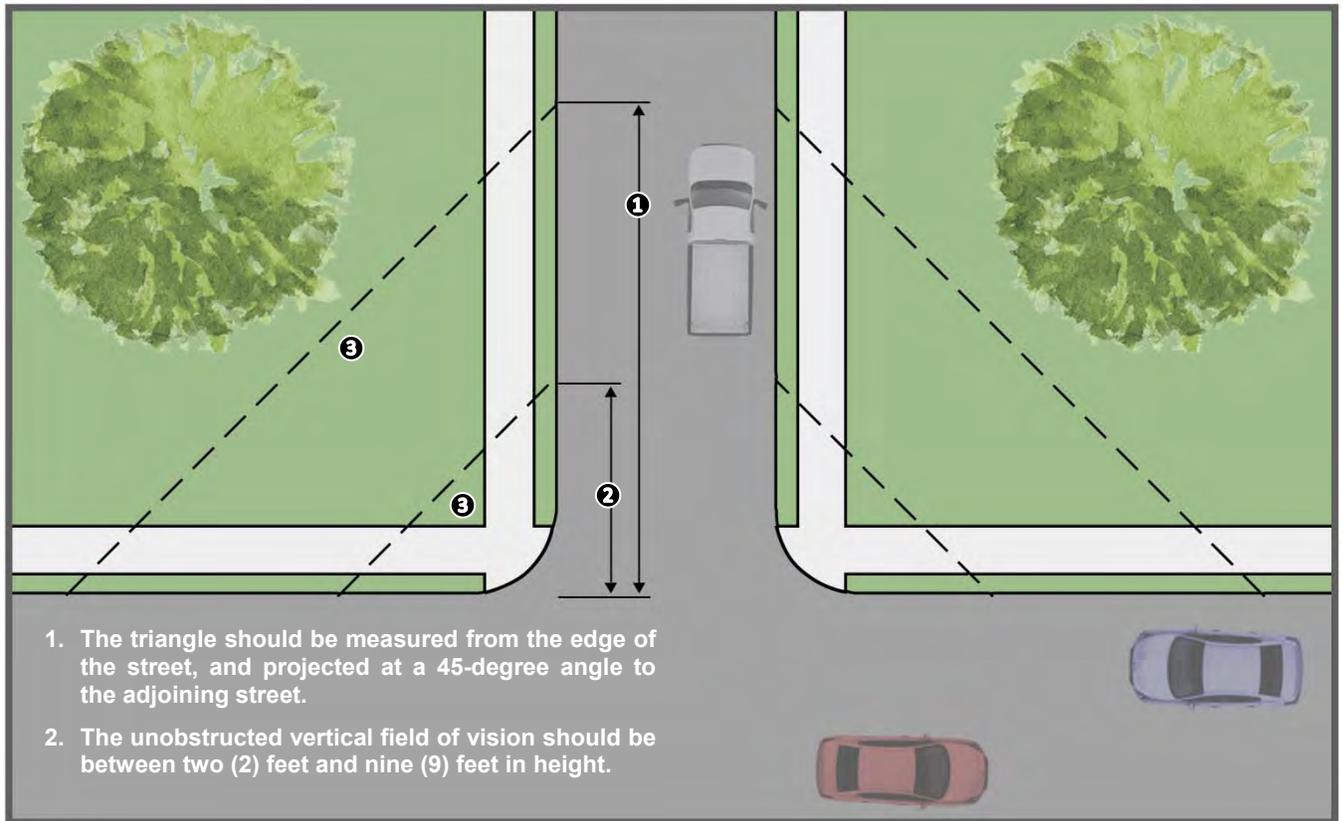
(1) *Visibility Triangles.* Vision at all intersections which intersect at or near right angles shall be clear at elevations between 24-inches and nine (9) feet above the top of the curb elevation, within a

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triangular area formed by extending the two (2) curblines from their point of intersection, for the following minimum distances for the applicable intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines from their point of intersection for a distance as prescribed below, and connecting these points with an imaginary line, thereby making a triangle as shown below.

- (2) *Intersection of two (2) public streets.* The minimum required distance from the curb shall be 30-feet and the minimum distance from the property line on streets without a curb shall be 20-feet.
 - (3) *Intersection of a public street and an alley.* The minimum required distance measured from the property line shall be 15-feet, or 25-feet from street curb.
 - (4) *Intersection of private drive and public street.* The minimum required distance from the curb shall be 15-feet and the minimum distance from the property line on streets without a curb shall be ten (10) feet.
- (C) *Sight distance requirements.* The city hereby adopts the standards for both vertical and horizontal sight distance requirements set forth in the latest edition of AASHTO green book “a policy on geometric design of highways and streets” for the construction of both public street intersections and private drive intersections, unless otherwise approved by the city engineer. If, in the opinion of the city engineer, a proposed street or drive intersection does not meet these standards, additional engineering information exhibiting how the standards have been addressed may be required for submission and approval by the city's engineer.

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- ❶: 30-Foot for Arterials and Collectors and 20-Foot for Residential Distance from Intersection for Streets
- ❷: 10-Foot Distance from Intersection for Alleyways
- ❸: Visibility Triangles

SECTION 2: AGRICULTURAL DISTRICTS

SUBSECTION 2.01: AGRICULTURAL (AG) DISTRICT

(A) *Purpose.* The Agricultural (AG) District is a zoning designation used for land that is reserved for the anticipated future growth of the city. This district is intended to be used for raw land or land with agricultural land uses, and is intended to be held in these conditions as long as practical and reasonable to promote the orderly growth of the community. This zoning designation is suitable for areas where development is premature due to lack of utilities, capacity, or service. The Agricultural (AG) District is also used to protect areas that are unsuitable for development due to physical constraints or safety issues (*e.g. topography, floodplain, ecologically sensitive areas, etc.*), or to protect green belts, natural areas and/or open space that might otherwise be developed.

(B) *Permitted Uses.* All land uses permitted within the Agricultural (AG) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).

(C) *Area Requirements.* All development within an Agricultural (AG) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SECTION 3: RESIDENTIAL DISTRICTS

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SUBSECTION 3.01: GENERAL RESIDENTIAL DISTRICT STANDARDS

All residential development shall conform to the following standards:

(A) **Construction Standards-Materials.**

- (1) **Roof Pitch.** All residential structures shall be constructed with a minimum 3:12 roof pitch.
- (2) **Concrete Foundation.** All residential structures shall be permanently attached to an engineered concrete foundation.

~~(A) **Materials and Masonry Composition.** All buildings with a building footprint of 120 square feet or greater that are over ten (10) feet in height shall consist of a minimum of 80% *Primary Materials* and/or a maximum of 20% *Secondary Materials* — excluding doors and windows — as defined below.~~

~~a. **Primary Materials.** *Primary Materials* shall include stone, brick, and cementitious materials. Specific requirements for *Primary Materials* are as follows:~~

- ~~1. **Cementitious Materials.** The use of cementitious materials (e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee) shall be limited to 60% of the building's exterior façade.~~
- ~~2. **Chimneys.** All new homes shall be required to incorporate a masonry chimney (i.e. brick and stone only).~~

~~b. **Secondary Materials.** *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above.~~

~~(B) **Exceptions.** Exceptions to the material requirements — including exceptions for buildings for farm animals — may be permitted on a case by case basis by the Planning and Zoning Commission upon submission and approval of material samples and building elevations of the structure. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements).~~

(B) **Accessory Structures.**

(1) **Accessory Structure Standards.** All accessory structures shall conform to the related standards listed within [Subsection 7.04, Accessory Structure Development Standards](#).

(C) **Open Space.** On all new subdivisions, ten (10) lots or greater, that are not infill projects (i.e. projects going into an established area as determined by the Director of Planning and Zoning or his/her designee) the following open space requirements shall be applied:

- (1) Unless otherwise provided by this Unified Development Code, a minimum of 20% of the gross land area within a residential subdivision that is five (5) acres or greater shall be devoted to open space. Where floodplain exists in a proposed subdivision, the floodplain may be used to meet the 20% requirement at a rate of one-half (½) acre for every one (1) acre of floodplain dedicated to open space. Open space requirements for subdivisions may be satisfied by public open space/parkland,

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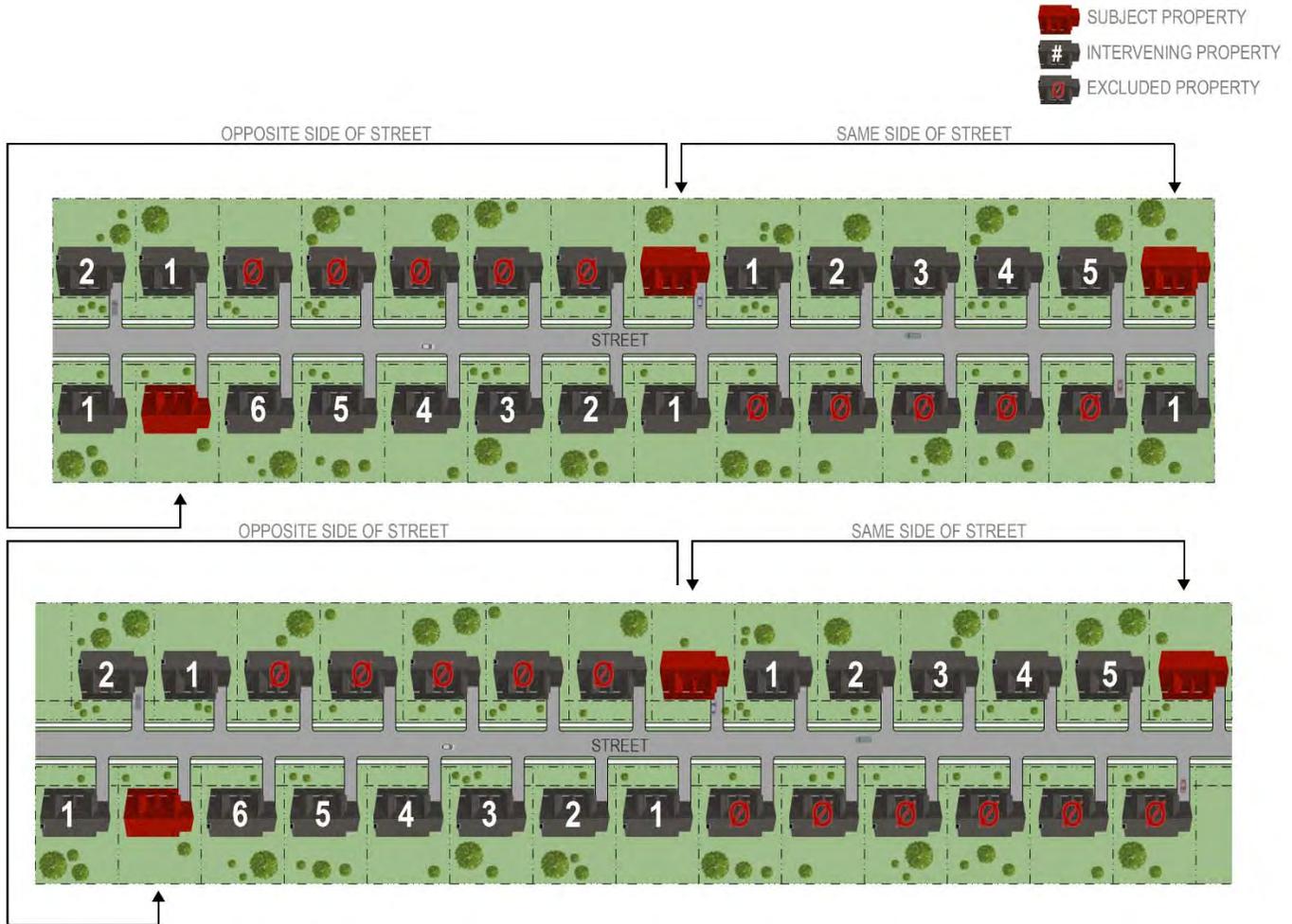
or by a combination of public and private open space. Public open space/parkland shall be dedicated to the city, and shall be approved by the Parks and Recreation Board and the City Council during the platting process. Open space requirements specified in this subsection are in addition to requirements for site landscaping and buffering.

(2) To encourage the provision of open space, the minimum lot sizes in a residential subdivision may be reduced by up to 20% in order to preserve additional public and/or private open space, provided that the lots being reduced face onto a single loaded street (*i.e. a street with open space and/or a public park on one side of the street and lots on the other side of the street*). This requirement shall be approved by the City Council at the time of preliminary plat, final plat, or site plan whichever comes first.

(D) *Anti-Monotony*. The front **building elevations** of a home shall not repeat along any block face without at least ~~four (4)~~ **five (5)** intervening homes of differing appearance on the same side of the street and ~~two (2)~~ **six (6)** intervening homes of differing appearance on the opposite side of the street (*see Examples 1 & 2 below*). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least ~~two (2)~~ **five (5)** intervening homes of differing appearance. Identical ~~brick blends~~ **building material blends and colors** may not occur on adjacent (*side-by-side*) properties. Homes are considered to differ in appearance if any ~~three (3)~~ **two (2)** of the following elements are different:

- (a) The number of stories of the home.
- (b) The garage location/orientation on the home.
- (c) The roof type and layout of the home.
- (d) The articulation of the front façade of the home.

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(E) Fencing. All residential fencing shall be subject to the requirements stipulated by [Section 8, Fence Standards, of Article VIII, Landscape and Fence Standards.](#)

- (a) Solid fencing shall be cedar standard fencing material that is a minimum ½ inch in thickness or more. Spruce fencing is prohibited. All cedar pickets shall be placed on the *public side* (i.e. facing out) facing a street or alleyway. All posts and framing shall be placed on the *private side* (i.e. facing towards the home) of the fence. Other types of solid fencing (e.g. vinyl) may be considered on a case-by-case basis by the Planning and Zoning Commission at the time of preliminary plat, final plat, or site plan whichever comes first.
- (b) Tubular steel or wrought iron type fencing shall be allowed.
- (c) Tubular steel or wrought iron type fencing shall be required on all lots located adjacent to perimeter roadways, open spaces, greenbelts and/or parks.
- (d) Split rail fencing shall be allowed on lots containing 20,000 SF or more.
- (e) Fencing on corner lots constructed adjacent to the street shall provide masonry columns at 45-foot off-center spacing that begins at the rear property line corner and terminates at least 15-foot behind the front yard building setback line. A maximum six (6) foot tall, solid board-on-board, panel cedar fencing or wrought iron type fencing shall be allowed between the masonry columns along the side and/or rear yard adjacent to a street.

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~~1. On corner lots that have rear lot lines adjacent to alleyways or other rear lot lines, fences may be constructed along the side yard adjacent to the street, subject to a minimum five (5) foot setback from the right of way. The property owner shall maintain that portion of the property outside of the fence.~~

~~2. On corner lots that have rear lot lines adjacent to a side lot line of an adjoining lot(s), only tubular steel or wrought iron type fences not exceeding 42 inches in height may be constructed beyond the building line. Fences constructed on or behind the building line shall comply with the material requirements detailed above.~~

~~(f) All common areas and perimeter fencing shall be maintained by a Homeowners Association (HOA) as specified in the City's subdivision regulations. Perimeter fencing shall be constructed of six (6) foot tall tubular steel or wrought iron type fencing with masonry columns and entry features. The Planning and Zoning Commission may consider alternative perimeter screening such as earthen berms with landscaping at the time of preliminary plat, final plat, or site plan whichever comes first.~~

SUBSECTION 3.02: SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT

(A) *Purpose.* The Single-Family Estate 1.5 (SFE-1.5) District is the proper zoning classification for rural, estate lots that are a minimum of 1½-acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses.* All land uses permitted within the Single-Family Estate 1.5 (SFE-1.5) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).

(C) *Area Requirements.* All development within a Single-Family Estate 1.5 (SFE-1.5) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.03: SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT

(A) *Purpose.* The Single-Family Estate 2.0 (SFE-2.0) District is the proper zoning classification for rural, estate lots that are a minimum of two (2) acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage.

(B) *Permitted Uses.* All land uses permitted within the Single-Family Estate 2.0 (SFE-2.0) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).

(C) *Area Requirements.* All development within a Single-Family Estate 2.0 (SFE-2.0) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.04: SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT

(A) *Purpose.* The Single-Family Estate 4.0 (SFE-4.0) District is the proper zoning classification for rural, estate lots that are a minimum of four (4) acres in size. These lots are typically in areas that are located in the City's hinterland, away from higher density residential developments and non-residential

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development. While these properties are on the City's periphery, they should still be provided with access to public roadways, water, wastewater, and drainage. Developers wishing to restrict their subdivision to a lot size greater than four (4) acres shall be required to use restrictive covenants.

- (B) *Permitted Uses.* All land uses permitted within the Single-Family Estate 4.0 (SFE-4.0) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Single-Family Estate 4.0 (SFE-4.0) District shall conform to the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.05: SINGLE-FAMILY 1 (SF-1) DISTRICT

- (A) *Purpose.* The Single-Family 1 (SF-1) District is the proper zoning classification for larger, single-family lots that are a minimum of one (1) acre in size or clustered developments that have a gross density of one (1) dwelling unit per acre. Cluster developments should conserve open space, floodplains, tree groupings, natural slopes and wildlife habitats to achieve the desired density. The Single-Family 1 (SF-1) District is also intended to be used for developments that incorporate public/private parks, denominational and private schools, and churches that are essential in creating the basic neighborhood unit. These developments are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas, where they will serve as a logical transition to an estate or rural area. These developments should provide access to public roadways, water, wastewater, and drainage.
- (B) *Permitted Uses.* All land uses permitted within the Single-Family 1 (SF-1) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Single-Family 1 (SF-1) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.06: SINGLE-FAMILY 16 (SF-16) DISTRICT

- (A) *Purpose.* The Single-Family 16 (SF-16) District is the proper zoning classification for larger lot, single-family developments. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.
- (B) *Permitted Uses.* All land uses permitted within the Single-Family 16 (SF-16) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Single-Family 16 (SF-16) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.07: SINGLE-FAMILY 10 (SF-10) DISTRICT

- (A) *Purpose.* The Single-Family 10 (SF-10) District is the proper zoning classification for the majority of the City's existing single-family residential development, and is the appropriate zoning classification for

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single-family developments with medium sized lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.

- (B) *Permitted Uses.* All land uses permitted within the Single-Family 10 (SF-10) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)
- (C) *Area Requirements.* All development within a Single-Family 10 (SF-10) District shall conform to [Subsection 3.01, General Residential District Standards,](#) and the related standards listed within [Subsection 7.01, Residential District Development Standards.](#)

SUBSECTION 3.08: SINGLE-FAMILY 8.4 (SF-8.4) DISTRICT

- (A) *Purpose.* The Single-Family 8.4 (SF-8.4) District is the proper zoning classification for areas of undeveloped land remaining in the City deemed appropriate for medium sized, single-family lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, and where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.
- (B) *Permitted Uses.* All land uses permitted within the Single-Family 8.4 (SF-8.4) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)
- (C) *Area Requirements.* All development within a Single-Family 8.4 (SF-8.4) District shall conform to [Subsection 3.01, General Residential District Standards,](#) and the related standards listed within [Subsection 7.01, Residential District Development Standards.](#)

SUBSECTION 3.09: SINGLE-FAMILY 7 (SF-7) DISTRICT

- (A) *Purpose.* The Single-Family 7 (SF-7) District is the proper zoning classification for single-family developments with smaller lots. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas adjacent to low intensity non-residential land uses, in and around the Old Town Rockwall (OTR) Historic District, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments should provide access to public roadways, water, wastewater, and drainage.
- (B) *Permitted Uses.* All land uses permitted within the Single-Family 7 (SF-7) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)
- (C) *Area Requirements.* All development within a Single-Family 7 (SF-7) District shall conform to [Subsection 3.01, General Residential District Standards,](#) and the related standards listed within [Subsection 7.01, Residential District Development Standards.](#)

SUBSECTION 3.10: ZERO LOT LINE (ZL-5) DISTRICT

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- (A) *Purpose.* The Zero Lot Line (ZL-5) District is the proper zoning classification for medium-density residential developments that are on separate lots (*i.e. single-family*), and are typically owner occupied. This zoning district also accommodates public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, adjacent to low intensity non-residential land uses, and/or where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, and drainage due to their density.
- (B) *Permitted Uses.* All land uses permitted within the Zero Lot Line (ZL-5) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Zero Lot Line (ZL-5) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.11: TWO-FAMILY (2F) DISTRICT

- (A) *Purpose.* The Two-Family (2F) District is the proper zoning classification for medium-density, duplex developments (*i.e. two [2] dwelling units per lot*). This zoning district accommodates low to medium-density developments and allows public land uses, denominational and private schools, churches, and public/private parks essential to creating the basic neighborhood unit. These developments are typically in areas buffered from non-residential land uses, but may be located directly adjacent to low intensity non-residential land uses. These areas are also located where they will serve as a logical transition from higher to lower density residential zoning districts. These developments have increased requirements for public roadways, water, wastewater, drainage, open space and fire protection due to their density.
- (B) *Permitted Uses.* All land uses permitted within the Two-Family (2F) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Two-Family (2F) District shall conform to [Subsection 3.01, General Residential District Standards](#), and the related standards listed within [Subsection 7.01, Residential District Development Standards](#).

SUBSECTION 3.12: MULTI-FAMILY 14 (MF-14) DISTRICT

- (A) *Purpose.* The Multi-Family 14 (MF-14) District is the proper zoning classification for higher density developments. This zoning district should be located within 1,200-feet of retail and other services, and should not contain more than 500-units within one (1) mile of another multi-family development. These standards are intended to create a strong market for multi-family units, and provide for the ongoing reinvestment in these types developments while helping to ensure that inappropriate concentrations of higher density residential developments are not created. The downtown area shall be exempted from the spacing requirements.

The Multi-Family 14 (MF-14) District allows high density developments that are extremely amenitized, and that necessitate additional requirements for public roadways, water, wastewater, drainage, open space and fire protection. These types of developments should not run traffic through single-family neighborhoods, and should be located close to an arterial or collector street that is capable of carrying the additional traffic.

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- (B) *Permitted Uses*. All land uses permitted within the Multi-Family 14 (MF-14) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements*. All development within a Multi-Family 14 (MF-14) District shall conform to [Subsection 4.01, General Commercial District Standards](#), and the related standards listed within [Subsection 7.02, Multi-Family District Development Standards](#).

SECTION 4: COMMERCIAL DISTRICTS

SUBSECTION 4.01: GENERAL COMMERCIAL DISTRICT STANDARDS

All commercial development shall conform to the following standards:

(A) *Construction ~~Standards~~ Materials*.

(1) *Roof Design Standards*. All structures shall have the option of being constructed with either a pitched (*minimum of a 6:12 roof pitch*), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.

~~(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials* — excluding doors and windows — as defined below.~~

~~(a) *Primary Materials*. *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face* — *light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:~~

~~(1) *Stone*. A minimum of 20% stone (*i.e. natural or synthetic/cultured*) is required on all building façades.~~

~~(2) *Cementitious Materials*. The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade.~~

~~(3) *Accent Brick and Stone*. Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of the primary brick or stone materials used on each building elevation.~~

~~(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*), cast stone, or other materials identified by the Director of Planning and Zoning or his/her designee.~~

~~(2) *Exceptions*. Exceptions to the material requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission upon recommendation from the Architectural Review Board (ARB). The submission and approval of material samples and building elevations of the structure shall be required. If the Planning and Zoning Commission denies an exception request,~~

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the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements).

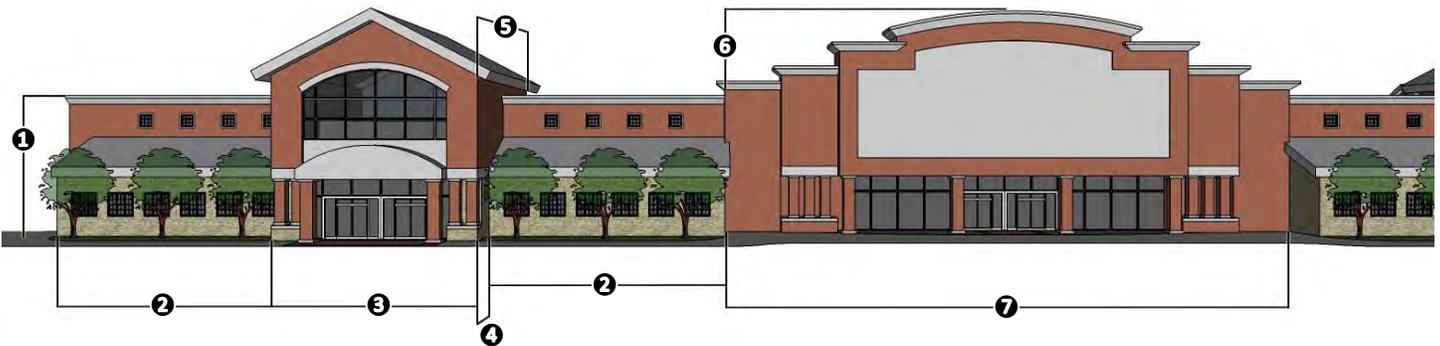
(B) *Maximum Building Height.*

(1) *Setback Exceptions for Building Height in Commercial Districts.* All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by [Subsection 7.03, Non-Residential District Development Standards](#); however, the following features may be constructed 12-feet higher than the maximum height requirement if they [1] are not more than 33% of the total roof area, and [2] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof:

- (a) Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
- (b) Flag Poles.
- (c) Solar Collectors and/or Similar Equipment, Fixtures, and Devices.

(C) *Building Articulation.*

(1) *Primary Building Façades.* A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the following standards for articulation on primary building façades:

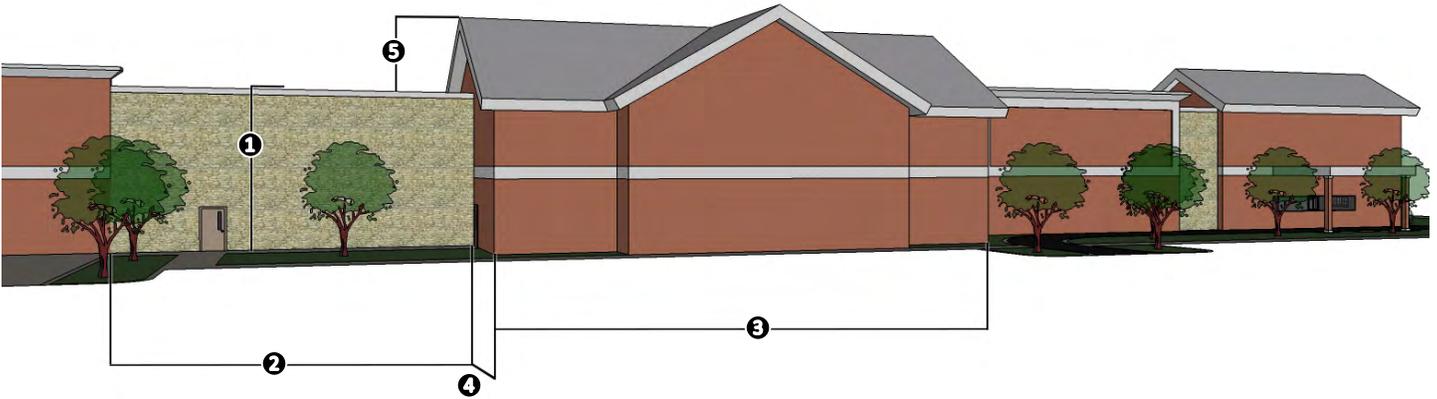


- 1**: Wall Height. The wall height shall be measured from grade to the top of the wall.
- 2**: Wall Length. The maximum wall length shall not exceed three (3) times the wall height (i.e. $3 \times \mathbf{1} \geq \mathbf{2}$).
- 3**: Secondary Entryway/Architectural Element Length. The minimum length of the secondary entryway or projecting architectural element shall be 25% of the wall length (i.e. $25\% \times \mathbf{2} \leq \mathbf{3}$).
- 4**: Wall Projection. The minimum wall projection for a primary and/or secondary entryway/architectural element shall be 25% of the wall height (i.e. $25\% \times \mathbf{1} \leq \mathbf{4}$).
- 5**: Primary and/or Secondary Entryway/Architectural Element Width. The minimum width of the primary and/or secondary entryway/architectural element shall extend for twice the required wall projection (i.e. $2 \times \mathbf{4} \geq \mathbf{5}$).
- 6**: Projection Height. The primary and secondary entryways/architectural element shall extend a minimum of 25% of the wall height above the top of the wall (i.e. $25\% \times \mathbf{1} \leq \mathbf{6}$).
- 7**: Primary Entryway/Architectural Element Length. The primary entryway/architectural element shall

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meet all of the same projections as the secondary entryway/architectural element, but shall extend for a minimum of twice the length of the secondary element (*i.e.* $2 \times \textcircled{3} \geq \textcircled{7}$).

- (2) **Secondary Building Façade.** A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All commercial buildings shall meet the following standards for articulation on secondary building façades:



- 1:** Wall Height. The wall height shall be measured from grade to the top of the wall.
- 2:** Wall Length. The maximum wall length shall not exceed three (3) times the wall height (*i.e.* $3 \times \textcircled{1} \geq \textcircled{2}$).
- 3:** Secondary Entryway/Architectural Element Length. The minimum length of the secondary entryway or projecting architectural element shall be 15% of the wall length (*i.e.* $15\% \times \textcircled{2} \leq \textcircled{3}$).
- 4:** Secondary Entryway/Architectural Element Width. The minimum wall projection for a secondary entryway/architectural element shall be 15% of the wall height (*i.e.* $15\% \times \textcircled{1} \leq \textcircled{4}$).
- 5:** Projection Height. The secondary entryway/architectural element shall extend a minimum of 15% of the wall height above the top of the wall (*i.e.* $15\% \times \textcircled{1} \leq \textcircled{5}$).

~~(3) **Exceptions.** Exceptions to the building articulation requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB). In determining if an exception to the building articulation requirements is appropriate, the Planning and Zoning Commission should determine if the proposed request is [1] in conformance with the spirit and intent of the building articulation requirements, and [2] if granting the exception will substantially weaken the City's ability to enforce the general purpose of the building articulation requirements in the future. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (*i.e.* detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements).~~

- (D) **Open Space Guidelines.** Commercial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (*unless necessary*). This should be achieved by making commercial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape

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buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.

(E) *Commercial Buildings 25,000 SF or Greater.*

(1) *Applicability.* These criteria shall apply to new retail/commercial building construction in all commercial zoning districts. This criteria shall not be applied to the use, re-use, modification or consolidation of existing retail and/or commercial space developed on or before April 2, 2001, or to the expansion of retail space in existence on or before April 2, 2001, that is being expanded by less than ten (10%) percent of the existing floor area.

~~(2) *Exterior Building Materials.* The area of all exterior facades shall consist of 90% brick, stone, cast stone, custom Concrete Masonry Units (CMUs) (i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited), stucco or a combination of these materials. Each facade shall not contain more than 75% of any single material.~~

~~3(2) *Loading Docks.* Loading docks shall not be oriented towards a residential zoning district or residentially used property. Where loading areas are located parallel to a residential zoning district or residentially used property, they must be screened by an architecturally integrated masonry screening wall that is a minimum 14-foot in height and that runs the entire length of the loading space. As an alternative, the Planning and Zoning Commission may approve the use of a berm in conjunction with landscape screening standards detailed in [Subsection 5.02, Landscape Screening, of Article VIII, Landscape and Fence Standards](#), if it is determined that this screening method will [1] provide a suitable substitute to a masonry wall, and [2] if the screening method will completely screen the proposed loading docks.~~

~~4(3) *On-Site Circulation Guidelines.*~~

- ~~(a) On-site circulation standards should try to minimize the conflict between pedestrians and vehicles by placing driveways and service areas in locations that reduce the chance of interrupting on-site vehicle movement.~~
- ~~(b) Buildings should be placed in a manner that screens the drive-through lane and creates pedestrian pathways and spaces.~~
- ~~(c) In order to maintain on-site circulation, each drive-through lane is to be separate from pump islands and from routes necessary for entering and exiting the property.~~

~~5(4) *Residential Adjacency Standards.* Where the property immediately abuts a residential zoning district or residentially used property -- unless separated by an M4D (major collector, four [4] lane, divided roadway) or larger thoroughfare -- a minimum ~~ten (10)~~ 25-foot wide landscaped buffer must be installed for buildings with a building footprint of 25,000 SF to 49,999 SF in area, a minimum of a ~~45~~ 50-foot wide landscaped buffer for buildings with a building footprint of 50,000 SF or greater to ~~79,999~~ SF in area, and a minimum 30-foot wide landscaped buffer for buildings with a building footprint of 80,000 SF and greater in area. This shall be in place of addition to the buffer screening required by [Subsection 5.02, Landscape Screening Standards, of Article VIII, Landscape and Fence Standards](#), the landscape regulations of the City of Rockwall for all aforementioned building sizes. The landscaped buffer must include a combination of berms, and evergreen shrubs, and a mix of evergreen and deciduous trees (minimum four [4] inch caliper) placed at a minimum 25-foot on-center in addition to the requirements of [Subsection 5.02, Landscape Screening Standards, of Article VIII, Landscape and Fence Standards](#). Planting may be grouped if approved by the Planning and Zoning Commission.~~

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6(5) *Outside Storage.* Open storage areas shall be connected to the building and screened with a wall that is constructed of the same building materials as the remainder of the primary structure.

5(6) *Adaptive Reuse Standards.* For those buildings over 80,000 SF in area, the applicant must demonstrate that the building can be subdivided in a reasonable manner by submitting a plan indicating potential entrances and exits and loading areas for multiple tenants. This plan will need to be submitted at the time of site plan.

(E) *Exceptions.* The Planning and Zoning Commission may consider exceptions to the *General Commercial District Standards* pending a recommendation from the Architectural Review Board (ARB), and in accordance with [Section 9.01, Exceptions to the General Standards, of Article XI, Development Applications and Review Procedures.](#)

(Ord. No. 14-52, § 1, 12-1-2014)

SUBSECTION 4.02: RESIDENTIAL-OFFICE (RO) DISTRICT

(A) *Purpose.* The Residential-Office (RO) District is a zoning district intended to recognize the existence of older residential areas of the city, where larger houses have been or can be converted from single-family and multi-family residences to low-intensity office uses in order to extend the economic life of these structures, and to allow the owners to justify the expenditures for repairs and modernization. The intent of this district is to allow for low intensity office development providing professional, medical and other office services and limited retail businesses to residents in adjacent neighborhoods. The Residential-Office (RO) District shall have principle access to major or secondary thoroughfares, and may serve as an area of transition between residential and high-intensity, non-residential uses or busy arterial thoroughfares.

(B) *Permitted Uses.* All land uses permitted within the Residential-Office (RO) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)

(C) *Area Requirements.* All development within a Residential-Office (RO) District shall conform to [Subsection 4.01, General Commercial District Standards](#), and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards.](#)

SUBSECTION 4.03: NEIGHBORHOOD SERVICES (NS) DISTRICT

(A) *Purpose.* The Neighborhood Services (NS) District is a zoning district intended to provide limited retail land uses near neighborhoods for the purpose of supplying the *day-to-day* retail and personal service needs of residents. The Neighborhood Services (NS) District is typically located at limited corner locations on arterials in existing developments, and is intended to serve small service areas. The average site is from one-half (½) acre to a maximum of two (2) acres. Since these sites are typically small and surrounded by residential development they can appear to be spot zones; however, the Comprehensive Plan acknowledges the need to create neighborhood units, which involve the need for limited retail and service uses in close proximity to neighborhoods. These convenience centers should be constructed to a residential scale, and be visually and dimensionally compatible to adjacent residential developments. The Neighborhood Services (NS) District should not contain uses that create excessive amounts of traffic, noise, litter or that would not be conducive to residential adjacency. Due to the residential adjacency of this zoning district, increased landscaping and buffering requirements are necessary.

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- (B) *Permitted Uses.* All land uses permitted within the Neighborhood Services (NS) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)
- (C) *Area Requirements.* All development within a Neighborhood Services (NS) District shall conform to [Subsection 4.01, General Commercial District Standards,](#) and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards.](#)

SUBSECTION 4.04: GENERAL RETAIL (GR) DISTRICT

- (A) *Purpose.* The General Retail (GR) District is a zoning district intended to provide limited retail and service uses for one (1) or more neighborhoods. The land uses specified in this district include most types of retail and office activity, and are typically located on/at the intersections of major thoroughfares. This district does *not* include strip commercial/retail centers, large shopping centers, wholesaling operations, lumberyards, contractor yards, and/or warehouses with high volumes of commercial truck traffic. The General Retail (GR) District is not a major commercial/retail district, and should try to avoid intensive commercial land uses that carry large volumes of retail traffic. The noise, traffic, litter, late night hours, and other influences that could be harmful to residential areas require adequate buffering and screening from residential areas. Traffic from land uses in this district should not pass through residential areas, except on arterial or major collectors. There are restrictions on access to prevent traffic congestion or an adverse effect on major thoroughfares adjacent to residential areas. Areas should not be zoned General Retail (GR) District unless they are located on or close to an arterial or major collector that is capable of carrying increased traffic. Since the General Retail (GR) District will be located close to residential areas, the development standards are stringent and require high standards of development similar to the Residential-Office (RO) and Neighborhood Services (NS) Districts.
- (B) *Permitted Uses.* All land uses permitted within the General Retail (GR) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)
- (C) *Area Requirements.* All development within a General Retail (GR) District shall conform to [Subsection 4.01, General Commercial District Standards,](#) and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards.](#)

SUBSECTION 4.05: COMMERCIAL (C) DISTRICT

- (A) *Purpose.* The Commercial (C) District is the proper zoning classification for most types of commercial development (e.g. *larger shopping centers at major intersections, commercial strips along arterial roadways, etc.*). The land uses specified for the Commercial (C) District include most types of office and retail activity with some special provisions for wholesale land uses. This district mostly excludes land uses that are not compatible with retail shopping (e.g. *lumberyards, contractor yards, warehousing, or other land uses with high volumes of truck traffic and low volumes of retail traffic*). The noise, traffic, litter, late night hours, and other influences that could be harmful to neighborhoods require adequate buffering and mitigating factors when locating adjacent to residential areas. Areas should not be zoned to Commercial (C) District unless they are located on or close to an arterial or major collector that is capable of carrying the additional traffic generated by land uses in this district. In addition, these areas may require increased water, fire protection, wastewater and drainage capacity. The Commercial (C) District is a general business zone, and is intended to service most commercial land uses, with the exception of land uses that would fall into the Heavy Commercial (HC) District. Since the Commercial (C) District is general in nature, the development standards are less stringent and do not require as high of standards of development as the Residential-Office (RO), Neighborhood Services (NS) and General Retail (GR) Districts.

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- (B) *Permitted Uses.* All land uses permitted within the Commercial (C) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Commercial (C) District shall conform to [Subsection 4.01, General Commercial District Standards](#), and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards](#).
- (D) *Special District Requirements.*
- (1) *Business Operations and Storage.* All business operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as stipulated in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#). This excludes off-street parking and loading, incidental display of retail items for sale, retail outlets where gasoline products are sold and drive-in businesses.

SUBSECTION 4.06: HEAVY COMMERCIAL (HC) DISTRICT

- (A) *Purpose.* The Heavy Commercial (HC) District is the proper zoning classification for commercial establishments that may involve uses that would not be suitable in the other commercial zoning districts. Included in this district are commercial uses that involve large volumes of commercial truck traffic, outside operations, outside storage of materials and equipment, excessive noise from heavy service operations, and/or any other possibly adverse operations. The Heavy Commercial (HC) District is commercial in nature, but has some aspects that are similar to industrial land uses. The zoning district allows noise, traffic, litter, late night hours, outside storage of materials and equipment, and other influences that could be harmful if directly adjacent to residential areas, and will require adequate buffering and other mitigating factors if such an adjacency exists. Areas should not be zoned to Heavy Commercial (HC) District unless they are located on or close to an arterial that is capable of carrying large volumes of commercial truck traffic. Businesses locating in the Heavy Commercial (HC) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property, and that streets in and adjacent to this district are of a size and strength to accommodate commercial truck traffic.
- (B) *Permitted Uses.* All land uses permitted within the Heavy Commercial (HC) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (C) *Area Requirements.* All development within a Commercial (C) District shall conform to [Subsection 4.01, General Commercial District Standards](#), and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards](#).
- (D) *Special District Requirements.*
- (1) *Outside Storage.*
- (a) All outside storage shall be placed behind the front facade of the main structure. This does not apply to uses that allow incidental display, in which case only the amount of goods necessary for display purposes shall be exempt from this requirement.
- (b) All outside storage shall be screened from streets and public areas **in accordance with the requirements of [Subsection 1.05, Screening Standards](#)**.

SUBSECTION 4.07: DOWNTOWN (DT) DISTRICT

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Subsection 4.07, *Downtown (DT) District*, is omitted from this ordinance change, but is retained in its entirety.

SECTION 5: INDUSTRIAL DISTRICTS

SUBSECTION 5.01: GENERAL INDUSTRIAL DISTRICT STANDARDS

All industrial development shall conform to the following standards:

(A) *Construction Standards-Materials*.

(1) *Roof Design Standards*. All structures shall have the option of being constructed with either a pitched (*minimum of a 6:12 roof pitch*), parapet, or mansard roof system as long as the roof system is enclosed on all sides. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent properties or public right-of-way shall be prohibited. Projecting elements and parapets that are visible from adjacent properties or public right-of-way shall be finished on the interior side using the same materials as the exterior facing wall.

~~(1) *Materials and Masonry Composition*. Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials*—excluding doors and windows—as defined below:~~

~~(a) *Primary Materials*. *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face*—light weight block or smooth faced CMU shall be prohibited). Specific requirements for *Primary Materials* are as follows:~~

~~(1) *Stone*. A minimum of 20% stone (*i.e. natural or synthetic/cultured*) is required on all building façades.~~

~~(2) *Cementitious Materials*. The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade. The use of concrete tilt up walls may be permitted on a case-by-case basis in accordance with the exception requirements outlined below.~~

~~(3) *Accent Brick and Stone*. Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of the primary brick or stone materials used on each building elevation.~~

~~(b) *Secondary Materials*. *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*) cast stone, or other materials identified by the Director of Planning and Zoning or his/her designee.~~

~~(2) *Exceptions*. Exceptions to the material requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission upon recommendation from the Architectural Review Board (ARB). The submission and approval of material samples and building elevations of the structure shall be required. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the~~

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Planning and Zoning Department. The request should provide justification for the exception being requested (i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements).

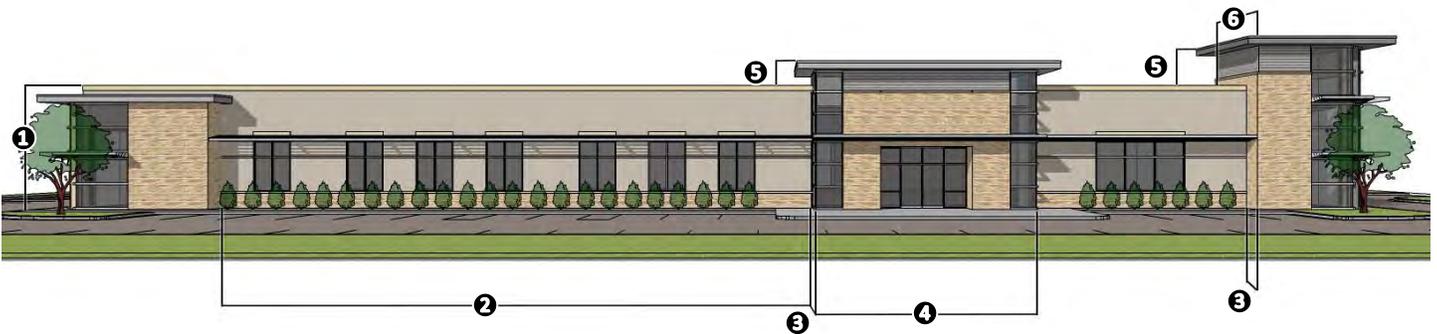
(B) *Maximum Building Height.*

(1) *Setback Exceptions for Building Height in Industrial Districts.* All structures shall conform to the height requirements specified for the zoning district of the subject property as stipulated by [Section 7.03, Non-Residential District Development Standards](#); however, the following features may be constructed 12-feet higher than the maximum height requirement if they [1] are not more than 33% of the total roof area, and [2] are setback from the edge of the roof a minimum of two (2) feet for every one (1) foot that the feature extends above the surface of the roof:

- (a) Chimneys, Church Spires, Elevator Shafts, and similar appendages not intended as places of occupancy and/or storage.
- (b) Flag Poles.
- (c) Solar Collectors and/or Similar Equipment, Fixtures, and Devices.

(C) *Building Articulation.*

(1) *Primary Building Façades.* A primary building façade is any building façade that has a primary entryway for a business or that has an adjacency to a public right-of-way, open space/green space, public/private park, and/or a residential zoning district or residentially used property. All industrial buildings shall meet the following standards for articulation on primary building façades:

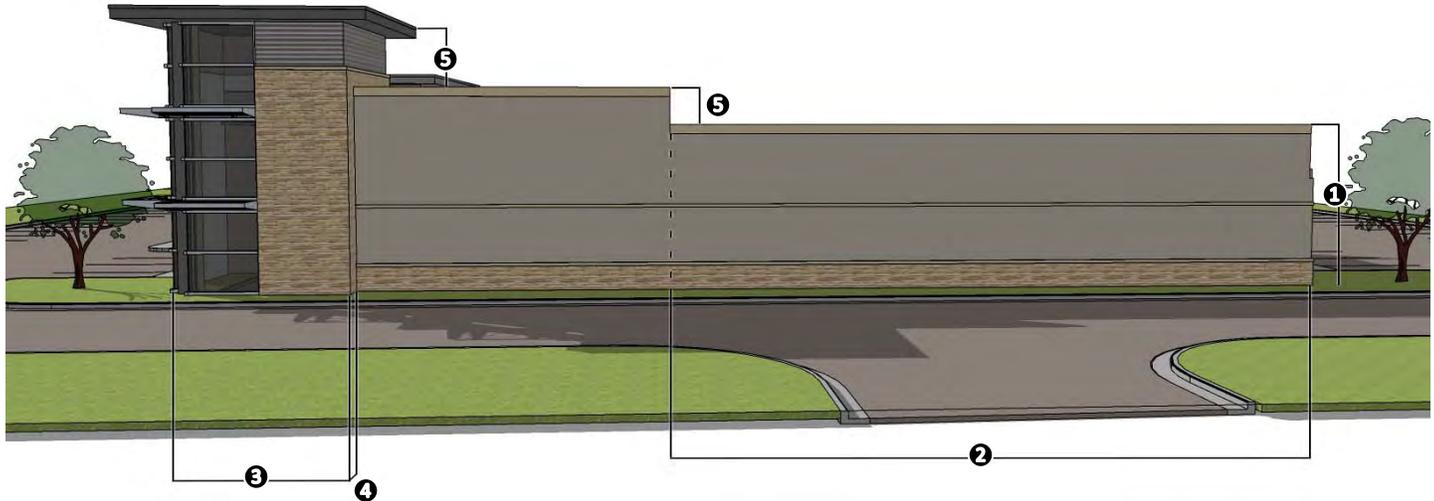


- ①: Wall Height. The wall height shall be measured from grade to the top of the wall.
- ②: Wall Length. The maximum wall length shall not exceed four (4) times the wall height (i.e. $4 \times \text{①} \geq \text{②}$).
- ③: Wall Projection. The minimum wall projection for an entryway/architectural element shall be 25% of the wall height (i.e. $25\% \times \text{①} \leq \text{③}$).
- ④: Entryway/Architectural Element Length. The minimum entryway/architectural element length shall be 33% of the wall height (i.e. $33\% \times \text{②} \geq \text{④}$).
- ⑤: Projection Height. The entryways/architectural elements shall extend a minimum of 25% of the wall height above the top of the wall (i.e. $25\% \times \text{①} \leq \text{⑤}$).
- ⑥: Entryway/Architectural Element Width. The minimum width of the entryway/architectural element shall extend for twice the required wall projection (i.e. $2 \times \text{③} \geq \text{⑥}$).

(2) *Secondary Building Façade.* A secondary building façade is any building façade that does not have a primary entryway or an adjacency to a public right-of-way, open space/green space,

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public/private park, and/or a residentially zoned district or residentially used property. All industrial buildings shall meet the following standards for articulation on secondary building façades:



- ❶: Wall Height. The wall height shall be measured from grade to the top of the wall.
- ❷: Wall Length. The maximum wall length shall not exceed three (3) times the wall height (i.e. $3 \times \text{❶} \geq \text{❷}$).
- ❸: Secondary Entryway/Architectural Element Length. The minimum length of the secondary entryway or projecting architectural element shall be 15% of the wall length (i.e. $15\% \times \text{❷} \leq \text{❸}$).
- ❹: Secondary Entryway/Architectural Element Width. The minimum wall projection for a secondary entryway/architectural element shall be 15% of the wall height (i.e. $15\% \times \text{❶} \leq \text{❹}$).
- ❺: Projection Height. The secondary entryways/architectural elements shall extend a minimum of 15% of the wall height above the top of the wall (i.e. $15\% \times \text{❶} \leq \text{❺}$).

~~(3) Exceptions. Exceptions to the building articulation requirements may be permitted on a case-by-case basis by the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB). In determining if an exception to the building articulation requirements is appropriate the Planning and Zoning Commission should determine if the proposed request is [1] in conformance with the spirit and intent of the building articulation requirements, and [2] if granting the exception will substantially weaken the City's ability to enforce the general purpose of the building articulation requirements in the future. If the Planning and Zoning Commission denies an exception request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the exception being requested (i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements).~~

(D) Open Space Guidelines. Industrial land uses should be designed to be integrated with adjacent land uses, as opposed to separating land uses using physical barriers or screening walls (*unless necessary*). This should be achieved by making industrial developments pedestrian-oriented and easily accessible to adjacent developments through the use of natural buffers, open space and trails. This involves creating trails that connect commercial and residential developments, using landscape buffers that incorporate berms and landscaping to separate residential and non-residential land uses, and utilizing building design to create compatibility with surrounding land uses.

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- (E) *Exceptions.* The Planning and Zoning Commission may consider exceptions to the *General Industrial District Standards* pending a recommendation from the Architectural Review Board (ARB), and in accordance with [Section 9.01, Exceptions to the General Standards, of Article XI, Development Applications and Review Procedures.](#)

SUBSECTION 5.02: LIGHT INDUSTRIAL (LI) DISTRICT

- (A) *Purpose.* The Light Industrial (LI) District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses. With the exception of hazardous materials/manufacturing, this zone allows the same uses as the Heavy Industrial (HI) District. Limitations have been placed on the uses in this district to significantly restrict outside activities and the storage of materials, noise, vibration, smoke, pollution, fire and explosive hazards, glare and any other potentially adverse externalities. The Light Industrial (LI) District is intended for industrial parks and larger, cleaner types of industries. The manufacturing uses should be conducted within a totally enclosed building, and any activities conducted outside should be screened and buffered to ensure no external effects (e.g. *excessive noise or odor*) extend beyond the property lines. The locations for these types of industrial land uses are typically a minimum of two (2) acres and average of five (5) to ten (10) acres. These types of development also incorporate open space and significant amounts of land dedicated to landscaping.

Since this zoning district accommodates limited industrial activities that require substantial screening and buffering requirements, the Light Industrial (LI) District is a suitable zoning designation for high visibility locations (e.g. *IH-30 and SH-276*) or within a reasonable distance of residential areas as long as they are separated by an appropriate amount of open space. Residential uses should be discouraged from locating directly adjacent to or near the Light Industrial (LI) District to protect these types of businesses from excessive complaints about performance standards. Areas should not be zoned to Light Industrial (LI) District unless they are located on or close to an arterial capable of carrying commercial truck traffic. In industrial parks, internal streets should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Light Industrial (LI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.

- (B) *Permitted Uses.* All land uses permitted within the Light Industrial (LI) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)
- (C) *Area Requirements.* All development within a Light Industrial (LI) District shall conform to [Subsection 4.01, General Industrial District Standards,](#) and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards.](#)
- (D) *Special District Requirements.*
- (1) *Manufacturing Operations and Storage.* All business and manufacturing operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as listed in [Section 1, Land Use Schedule, of Article IV, Permissible Uses.](#)

SUBSECTION 5.03: HEAVY INDUSTRIAL (HI) DISTRICT

- (A) *Purpose.* The City of Rockwall recognizes that some industrial uses cannot be conducted within a totally enclosed building, are not visually attractive, may involve hazardous materials, and could have adverse impacts to adjacent land uses due to noise, odor, pollution, and truck traffic. The Heavy

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Industrial (HI) District is intended to provide adequate space and site diversification for these types of developments. The development standards in the Heavy Industrial (HI) District are minimal, and allow both large and small industrial uses either on separate small lots or as part of a larger industrial park. Some screening is required, but because of the potential for hazardous or possibly adverse uses, this district should not be located close to residential areas of any type. Areas should not be zoned Heavy Industrial (HI) District unless they are located on or close to an arterial roadway capable of carrying commercial truck traffic. Internal streets in the Heavy Industrial (HI) District should be of a size and strength to accommodate commercial truck traffic. Businesses locating in the Heavy Industrial (HI) District should work with the City to ensure that water, wastewater, and drainage capacity is adequate before locating on a particular property.

(B) *Permitted Uses.* All land uses permitted within the Heavy Industrial (HI) District are outlined in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).

(C) *Area Requirements.* All development within a Heavy Industrial (HI) District shall conform to [Subsection 4.01, General Industrial District Standards](#), and the related standards listed within [Subsection 7.03, Non-Residential District Development Standards](#).

SECTION 6: OVERLAY DISTRICTS

SUBSECTION 6.01: OVERLAY DISTRICTS

Overlay districts are applied to land that has a traditional zoning district designation already applied to it. It establishes additional uses and standards, which may be either more or less restrictive than the underlying zoning district. The overlay district governs in all cases where it sets out a particular use or standard that conflicts with other sections of this Unified Development Code (UDC). In cases where the overlay district does not specifically address a standard or requirement, the underlying zoning district will govern.

SUBSECTION 6.02: GENERAL OVERLAY DISTRICT STANDARDS

(A) *Applicability.* The *General Overlay District Standards* shall be applied to the following overlay districts:

- ☑ IH-30 Overlay (IH-30 OV) District
- ☑ SH-205 Overlay (SH-205 OV) District
- ☑ Scenic Overlay (SOV) District
- ☑ SH-66 Overlay (SH-66 OV) District
- ☑ SH-205 By-Pass Overlay (SH-205 BY OV) District
- ☑ North SH-205 Overlay (N. SH-205 OV) District
- ☑ East SH-66 Overlay (E. SH-66 OV) District
- ☑ FM-549 Overlay (FM-549 OV) District
- ☑ SH-276 Overlay (SH-276 OV) District

All other overlay district standards are detailed in Sections 6.03 – 6.15.

(B) *Special Use Standards.* Development within the Scenic Overlay (SOV) District and the SH-66 Overlay (SH-66 OV) District shall comply with the *Land Use Schedule* contained in Article IV, *Permissible Uses*, of this Unified Development Code (UDC); however, the following land uses may be considered on a case-by-case basis through a Specific Use Permit:

- a. Retail Store with Gasoline Sales (*Any Amount of Dispensers or Vehicles*)

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- b. Car Wash (*Any Type*)
- c. Structures Over 36-Feet in Height

(C) *Architectural Standards.*

(1) *Materials and Masonry Composition.* Each exterior wall of a building's façade shall consist of a minimum of 90% *Primary Materials* and/or a maximum of 10% *Secondary Materials* -- *excluding doors and windows* -- as defined below.

(a) *Primary Materials.* *Primary Materials* shall include stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (CMU) (*i.e. CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited*). Specific requirements for *Primary Materials* are as follows:

- (1) *Stone.* A minimum of 20% natural or quarried stone is required on all building façades; however, the Planning and Zoning Commission, upon recommendation from the Architectural Review Board (ARB), may grant the use of a high quality manufactured or cultured stone in lieu of natural or quarried stone if it is determined that the application of the manufactured or cultured stone will be complimentary and integral to the design of the building. In making this determination, both the Architectural Review Board (ARB) and the Planning and Zoning Commission should consider the shape, texture, size, quality and warranty of the product being proposed.
- (2) *Cementitious Materials.* The use of cementitious materials (*e.g. stucco, cementitious lap siding, or similar materials approved by the Director of Planning or his/her designee*) shall be limited to 50% of the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade.
- (3) *Accent Brick and Stone.* Each building shall incorporate accent brick or stone, or brick and stone patterns and materials that create contrast through color, shape, size, and/or texture to the planes of primary brick or stone materials in an elevation.

(b) *Secondary Materials.* *Secondary Materials* are any material that is not deemed to be a *Primary Material* as defined above. This includes materials like aluminum composite materials, metal panels, acrylic products (*i.e. EIFS products*) cast stone, cultured stone or other materials identified by the Director of Planning and Zoning or his/her designee.

(2) *Roof Design Standards.* All structures that have a building footprint of less than 6,000 SF shall be constructed with a pitched roof. Those structures having a footprint 6,000 SF or greater shall have the option of being constructed with either a pitched, parapet, or mansard roof system as long as the roof system is enclosed on all sides. Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish to avoid glare. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane-type roofs that are visible from adjacent public right-of-way shall be prohibited.

(3) *Mechanical Equipment Screening.* All buildings shall be designed so that no HVAC, satellite dishes, appurtenances and/or any other mechanical equipment visible from any direction. This shall include equipment located on the roof, on the ground, or otherwise attached to the building or located on the site.

(a) Screening of rooftop mechanical equipment and/or other rooftop appurtenances shall be accomplished by either the construction of [1] a roof system described in the *Roof Design Standards* above, or [2] an architectural feature that is integral to the building's design and

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ensures that such rooftop mechanical equipment is not visible from any direction. Fencing or the enclosing of individual mechanical units shall not be permitted.

- (b) All rooftop mechanical equipment or architectural features shall be shown on the required building elevations and submitted along with the site plan for review by City Staff, the Architectural Review Board (ARB), and the Planning and Zoning Commission.
- (4) *Required Architectural Elements.* All buildings that are less than 50,000 SF shall be designed to incorporate a minimum of four (4) architectural elements, buildings over 50,000 SF shall include a minimum of six (6) architectural elements, and buildings over 100,000 SF shall include a minimum of seven (7) architectural elements. The accepted architectural elements for all buildings are as follows:
- ☑ Canopies, Awnings, or Porticos
 - ☑ Recesses/Projections
 - ☑ Arcades
 - ☑ Peaked Roof Forms
 - ☑ Arches
 - ☑ Outdoor Patios
 - ☑ Display Windows
 - ☑ Architectural Details (e.g. *Tile Work and Moldings*) Integrated into the Building's Facade
 - ☑ Articulated Ground Floor Levels or Bases
 - ☑ Articulated Cornice Line
 - ☑ Integrated Planters or Wing Walls that Incorporate Landscape and Sitting Areas
 - ☑ Offsets, Reveals or Projecting Rib Expressing Architectural or Structural Bays
 - ☑ Varied Roof Heights

NOTE: Other architectural features maybe approved by the Director of Planning and Zoning or his/her designee.

- (5) *Four (4) Sided Architecture.* All buildings shall be architecturally finished on all four (4) sides utilizing the same materials, detailing, articulation and features. In addition, a minimum of one (1) row of trees (i.e. *four [4] or more accent or canopy trees*) shall be planted along perimeter of the subject property to the rear of the building.
- (6) *Windows.* The color of all windows shall be reviewed by the Architectural Review Board (ARB), and shall have a maximum visible exterior reflectivity of 20%.
- (7) *Office Parks, Shopping Centers and Mixed Use Centers.* All buildings within a common retail, commercial or office development shall incorporate complementary architectural styles, materials, and colors. Staff may require a conceptual façade plan and/or sample boards for these types of developments to ensure consistency and compatibility for all buildings within a proposed development. Conceptual façade plans will be used only to ensure compliance to the minimum standards.
- (8) *Corporate Identity.* A company's building corporate identity that conflicts with the *General Overlay District Standards* shall be reviewed *case-by-case* basis as a variance in accordance with the requirements of [Subsection 9.02. Variances to the General Overlay District Standards, of Article XI, Development Applications and Review Procedures.](#)

(D) *Site Design Guidelines and Standards.*

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(1) *Building Setbacks.* The building setbacks adjacent to the *Primary Roadway* (i.e. *IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) shall be as follows:

- (1) Scenic Overlay (SOV) District: 15-feet
- (2) SH-66 Overlay (SH-66 OV) District: 15-feet
- (3) IH-30 Overlay (IH-30 OV) District: 25-feet
- (4) SH-205 Overlay (SH-205 OV) District: 25-feet
- (5) North SH-205 Overlay (N. SH-205 OV) District: 25-feet
- (6) SH-205 By-Pass Overlay (SH-205 BY OV) District:

- Residential Land Uses: See [Section 6.3.5, SH-205 By-Pass Overlay \(SH-205 BY OV\) District](#)
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

(7) East SH-66 Overlay (E. SH-66 OV) District:

- Residential Land Uses: 25-feet
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

(8) FM-549 Overlay (FM-549 OV) District:

- Residential Land Uses: 25-feet
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

(9) SH-276 Overlay (SH-276 OV) District:

- Residential Land Uses: 25-feet
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

All other building setback regulations shall be the same as set forth in the underlying zoning district.

(2) *Parking Restrictions.* No more than one (1) full row of parking (i.e. *two rows of parking with a drive aisle*) shall be allowed between the primary building façade and the right-of-way of the *Primary Roadway* (i.e. *IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*).

(3) *Access/Ingress/Egress.* In an effort to minimize potential vehicular and pedestrian conflicts, special attention must be given to the location of median breaks along major thoroughfares, the number and location of driveways providing ingress/egress, the design of driveways providing ingress/egress in relation to the parking areas and sight/visibility distances. Taking this into consideration it is important to review all site plans for the following guidelines:

- a. Driveways should be spaced a minimum of 100-feet from the intersection of any major thoroughfare.
- b. The ingress/egress driveways shall have a minimum radius of 30-feet;
- c. Driveways should maintain an appropriate visibility triangle at ingress/egress driveways.

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- d. Main entrances should generally be located at median breaks that provide left turn access into the site.
- e. Main entrances should connect to a *straightaway* aisle that does not dead end or require an immediate turn to approach the main building.
- f. Aisles intersecting with entrance drives should be spaced at a minimum of 20-feet from the property line to provide for smooth turning movements.

(4) *Cross Access*. *Cross Access Easements* may be required by the Planning and Zoning Commission at the time of site plan approval to ensure access to future median breaks and to reduce the number of curb cuts needed along roadways.

(5) *Shared Parking*. In all office parks, shopping centers and mixed-use centers cross access and shared parking agreements may be required by the City Council along with final plat approval.

(6) *Loading and Service Areas*. All loading and service areas shall be located on the rear and side of buildings where possible. In the event that a loading or service area faces towards the *Primary Roadway* (i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276), additional screening of the loading and service area may be required by the Architectural Review Board (ARB) and Planning and Zoning Commission. A minimum of a ten (10) foot masonry screening wall shall be required to screen the view of loading docks and loading spaces intended for tractor/semi-trailer delivery from any public right-of-way. This ten (10) foot masonry screening wall must screen the entire loading dock or loading space. Screening materials shall utilize similar masonry materials as the front façade of the primary building. The accommodation of adequate access for service delivery trucks shall be evaluated to determine the extent of screening required.

(7) *Trash/Recycling Receptacles and Dumpster Enclosures*. Trash/Recycling Enclosures shall be four (4) sided. These receptacles shall be screened by a minimum eight (8) foot, solid masonry dumpster enclosure that utilizes the same masonry materials as the primary building and incorporates an opaque, self-latching gate. These enclosures shall be located to the side or rear of the primary building, and shall not front on to a public right-of-way. Every effort shall be made to reduce the visibility of these structures utilizing landscaping and/or the building.

(8) *Play Structures*. Play structures shall not be placed between the primary building façade and a public right-of-way.

(9) *Plan Review*. In addition to the other processes and factors established by this Unified Development Code (UDC), all concept plans, development plans and site plans for property situated within an established overlay district shall be reviewed for the following:

- (a) The conformance of the proposed site plan to the site design guidelines and standards.
- (b) The conformance of the proposed landscape plan to the intent of the landscaping and screening requirements.
- (c) The conformance of the building elevations to the intent of the architectural standards.
- (d) The provision of sufficient cross access and circulation on the site plan.
- (e) The provision of sufficient visibility triangles to avoid congestion at ingress/egress driveways.

(E) *Landscape Standards*.

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(1) *Landscape Buffers.* The minimum landscape buffer adjacent to *Primary Roadways* (i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276) [outside of and beyond any required right-of-way dedication] shall be as follows:

- (1) Scenic Overlay (SOV) District: 20-feet
- (2) SH-66 Overlay (SH-66 OV) District: 20-feet
- (3) IH-30 Overlay (IH-30 OV) District: 20-feet
- (4) SH-205 Overlay (SH-205 OV) District: 20-feet
- (5) North SH-205 Overlay (N. SH-205 OV) District: 20-feet
- (6) SH-205 By-Pass Overlay (SH-205 BY OV) District:

- Residential Land Uses: 50-feet
- Retail/Commercial Land Uses: 25-feet
- Industrial/Office/Technology Land Uses: 50-feet

(7) East SH-66 Overlay (E. SH-66 OV) District:

- Residential Land Uses: 25-feet
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

(8) FM-549 Overlay (FM-549 OV) District:

- Residential Land Uses: 25-feet
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

(9) SH-276 Overlay (SH-276 OV) District:

- Residential Land Uses: 25-feet
- Retail/Commercial Land Uses: 15-feet
- Industrial/Office/Technology Land Uses: 50-feet

All landscape buffers shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage along the *Primary Roadway*. In the E. SH-66 Overlay (E SH-66 OV), FM-549 Overlay (FM-549 OV), and SH-205 By-Pass Overlay (SH-205 BY OV) Districts the required landscape buffer shall incorporate one (1) additional cedar tree per 100-feet of linear of frontage along the *Primary Roadway*.

(2) *Plant Material Sizes and Selection.* All canopy trees, accent trees, shrubs and ground cover proposed to be planted in any overlay district shall be in conformance to the tables depicted in [Appendix F, Landscaping Guidelines and Requirements](#), of this Unified Development Code (UDC) and shall be subject to the following sizes:

- a. *Canopy Trees* shall be a minimum of four (4) caliper inches at DBH.
- b. *Accent Trees* shall be a minimum of four (4) feet in total height.
- c. *Deciduous Shrubs* shall be a minimum of ~~two (2)~~ five (5) gallons in size.
- d. *Evergreen Shrubs* shall be a minimum of ~~two (2)~~ five (5) gallons in size.

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- (3) *Erosion Control/Retaining Walls.* Any slope embankments or retaining walls within the public right-of-way or within the required landscape buffer must be terraced every four (4) feet in height (maximum) with a minimum of a two (2) foot planting area provided between each vertical plane. Materials used for the vertical elements shall be natural stone or any masonry material, which matches the masonry materials used on the primary structure. The planting area must incorporate shrubs, ground cover and grasses.
- (F) *Signs.* All signage requirements and variances to these requirements shall conform to Chapter 32, *Signs*, of the Municipal Code of Ordinances; however, approval of any variance to the sign standards for property situated within an established overlay district shall require approval by the City Council by a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.
- (G) *Lighting Standards.* No light standard, light fixture, light pole, pole base or combination thereof shall exceed 20-feet in total height in any overlay district with the exception of the IH-30 Overlay (IH-30 OV) District, which shall be limited to a maximum height of 30-feet.
- (H) *Utility Placement.* All overhead utilities within any overlay district shall be placed underground.
- (I) *Residential Standards.* No screening walls shall be erected adjacent to the *Primary Roadway* (*i.e. IH-30, SH-205, FM-740, SH-66, FM-549, John King Boulevard and SH-276*) in conjunction with any residential development. In addition, *eyebrow drives* with clusters of lots (*i.e. 5 – 12 homes*) shall be utilized along the *Primary Roadway* for residential developments. In lieu of *eyebrow drives*, a 50-foot landscape buffer may be utilized as an alternative. Farm fencing, including wood rail type and metal pipe and cable fencing, is allowed within the 50-foot landscape buffer. For residential developments within the SH-205 By-Pass Overlay (SH-205 BY OV) District, see *Section 6.3.5, SH-205 By-Pass Overlay (SH-205 BY OV) District*.

SUBSECTION 6.03: HISTORIC OVERLAY (HO) DISTRICT

Subsection 6.03, *Historic Overlay (HO) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.04: NORTH GOLIAD CORRIDOR OVERLAY (NGC OV) DISTRICT

Subsection 6.04, *North Goliad Corridor Overlay (NGC OV) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.05: SOUTHSIDE RESIDENTIAL NEIGHBORHOOD OVERLAY (SRO) DISTRICT

Subsection 6.05, *Southside Residential Neighborhood Overlay (SRO) District*, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.06: IH-30 OVERLAY (IH-30 OV) DISTRICT

- (A) *Purpose.* The intent of the IH-30 Overlay (IH-30 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

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These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

- (B) *Application and Boundaries.* The IH-30 Overlay (IH-30 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the future right-of-way of IH-30. The IH-30 Overlay (IH-30 OV) District spans east to west along IH-30 from the eastern city limits (approximately 3,600-feet east of FM 549), west to the western city limit line along Lake Ray Hubbard. The standards and regulations set forth in the IH-30 Overlay (IH-30 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the IH-30 Overlay (IH-30 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.07: SH-205 OVERLAY (SH-205 OV) DISTRICT

- (A) *Purpose.* The intent of the SH-205 Overlay (SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.
- (B) *Application and Boundaries.* The SH-205 Overlay (SH-205 OV) District includes the entirety of all properties which adjoin or are located within 200-feet of the future right-of-way of SH-205. The SH-205 Overlay (SH-205 OV) District spans north to south along SH-205 from the intersection point of SH-205 and FM 740, south to the southern city limits (approximately 2,800-feet south of FM-1139). The standards and regulations set forth in the SH-205 Overlay (SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the SH-205 Overlay (SH-205 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.08: SCENIC OVERLAY (SRO) DISTRICT

- (A) *Purpose.* The Scenic Overlay (SOV) District is a specialized overlay district along FM-740 which has been identified in the Comprehensive Plan as a scenic thoroughfare. The identified scenic aspects of FM-740 include views of the lake, existing natural topography, and existing natural landscaping. The district has been established to protect scenic or historic qualities through the use of additional development criteria and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not detrimentally affect the area in which it

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is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).

- (B) *Application and Boundaries.* The Scenic Overlay (SOV) District shall apply to all property located within the established boundary along FM-740 (as set forth in Ordinance No. 87-64). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless and until an application for zoning, platting, or site planning is re-submitted on the property. All property developed within the Scenic Overlay (SOV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the Scenic Overlay (SOV) District. The most restrictive requirement applicable to the property shall apply.
- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the Scenic Overlay (SOV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.09: SH-66 OVERLAY (SH-66 OV) DISTRICT

- (A) *Purpose.* The SH-66 Overlay (SH-66 OV) District is a specialized overlay district along SH-66 and Washington Street between Lake Ray Hubbard and SH-205, which has been identified as one of the important entry points into the City of Rockwall. The identified important scenic aspects of this corridor include views of the lake, existing natural topography, and existing natural landscaping adjacent to residential neighborhoods. The district has been established to protect scenic or historic qualities through the use of additional development criteria, and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along major thoroughfares; however, these uses may be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB).
- (B) *Application and Boundaries.* The SH-66 Overlay (SH-66 OV) District shall apply to all property located within the established boundary along SH-66 and Washington Street, between Lake Ray Hubbard and SH-205 (as set forth in Ordinance No. 01-18). Property that has been zoned, platted and site planned at the time of adoption of the ordinance, from which this section is derived, shall be exempted from the provisions of this section unless an application for zoning, platting, or site planning is resubmitted on the property. All property developed within the SH-66 Overlay (SH-66 OV) District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the SH-66 Overlay (SH-66 OV) District. The most restrictive requirement applicable to the property shall apply.
- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the SH-66 Overlay (SH-66 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.10: SH-205 BY-PASS OVERLAY (SH-205 BY OV) DISTRICT

- (A) *Purpose.* The intent of the SH-205 By-Pass Overlay (SH-205 BY OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically

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pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility and plan review shall be conducted through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family uses only. All other residential uses shall be excluded from these standards except as otherwise stated.

(B) *Application and Boundaries.* The SH-205 By-Pass Overlay (SH-205 BY OV) District includes the entirety of all properties which adjoin or are located within 500 feet of the current and future right-of-way of John King Boulevard. The SH-205 By-Pass Overlay (SH-205 BY OV) District ~~Zone~~ extends along the current and future right-of-way of John King Boulevard. to the existing city limits. The standards and regulations set forth in the SH-205 By-Pass Overlay (SH-205 BY OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the SH-205 By-Pass Overlay (SH-205 BY OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

(D) *Special District Requirements.*

(1) *Residential Frontage Requirements.* To ensure proper separation of residential land uses from John King Boulevard all residential developments that have direct frontage on John King Boulevard shall utilize one (1) or a combination of the following design alternatives along the entire frontage of John King Boulevard:

- a. *Increased Landscape Buffer.* A minimum of a 100-foot landscape buffer maybe substituted for the required landscape buffer as depicted in *Design Alternative #1*.
- b. *Increased Rear Yard Building Setback.* A minimum of 50-foot rear yard building setback may be incorporated adjacent to the required landscape buffer as depicted in *Design Alternative #2*.
- b. *Incorporation of a Slip Street.* A slip street -- *meeting the Engineering Department's requirements for right-of-way design* -- may be incorporated adjacent to and running parallel with the required landscape buffer. Homes are permitted to front or side to the slip street. Examples of this design alternative are depicted in *Design Alternative #3* and *Design Alternative #4*.
- c. *Incorporation of an Eyebrow.* An eyebrow street meeting the -- *Engineering Department's requirements for right-of-way design* -- with a minimum cluster of five (5) homes and a maximum cluster of 12 homes can be incorporated with a 30-foot landscape buffer. All homes should front onto the eyebrow street and have a minimum of a 25-foot front yard building setback. An example of this design alternative is depicted *Design Alternative #5*.

(2) *Design Alternatives.*

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Design Alternative #1

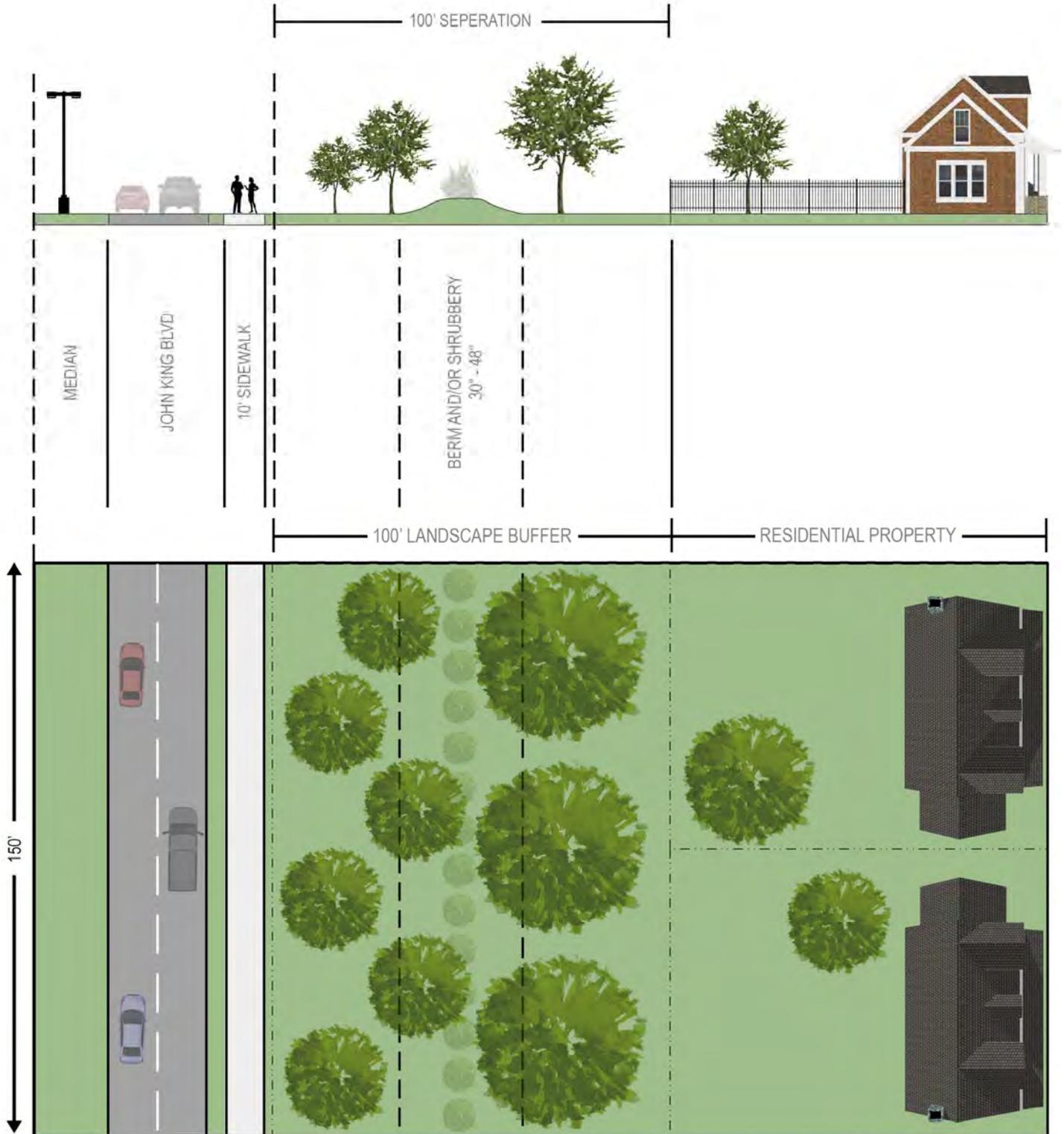


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Design Alternative #2

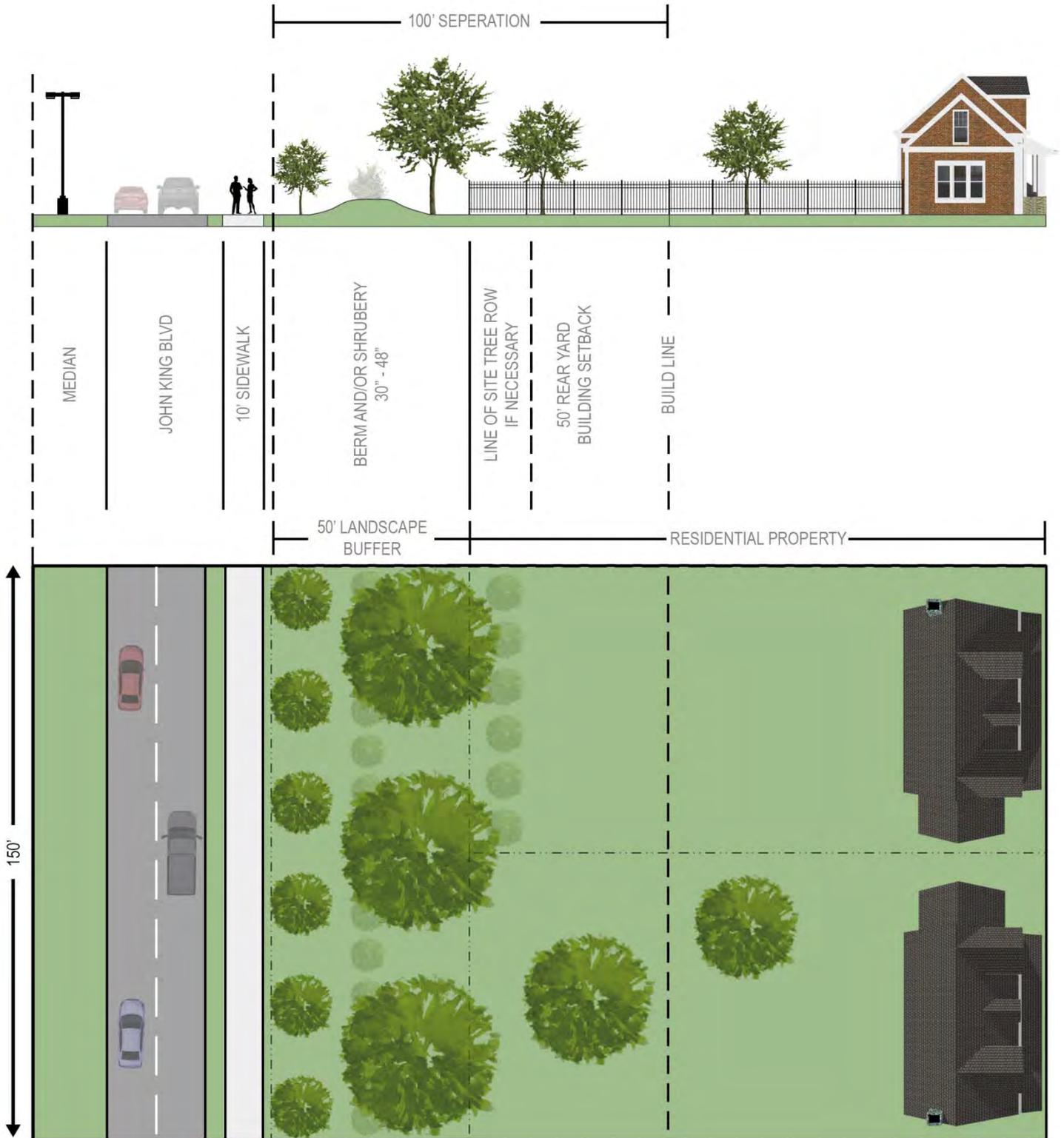


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Design Alternative #3

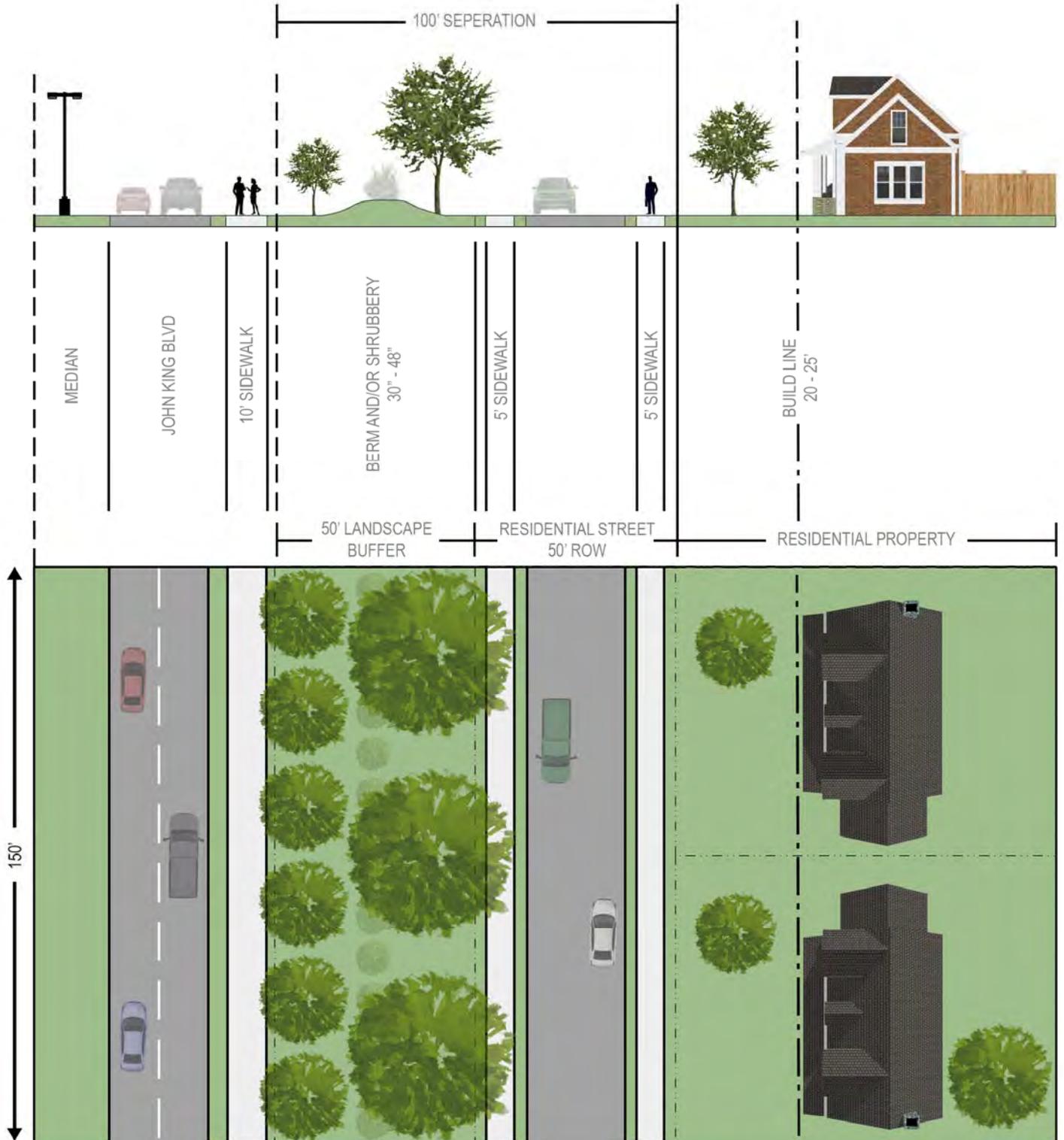


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Design Alternative #4

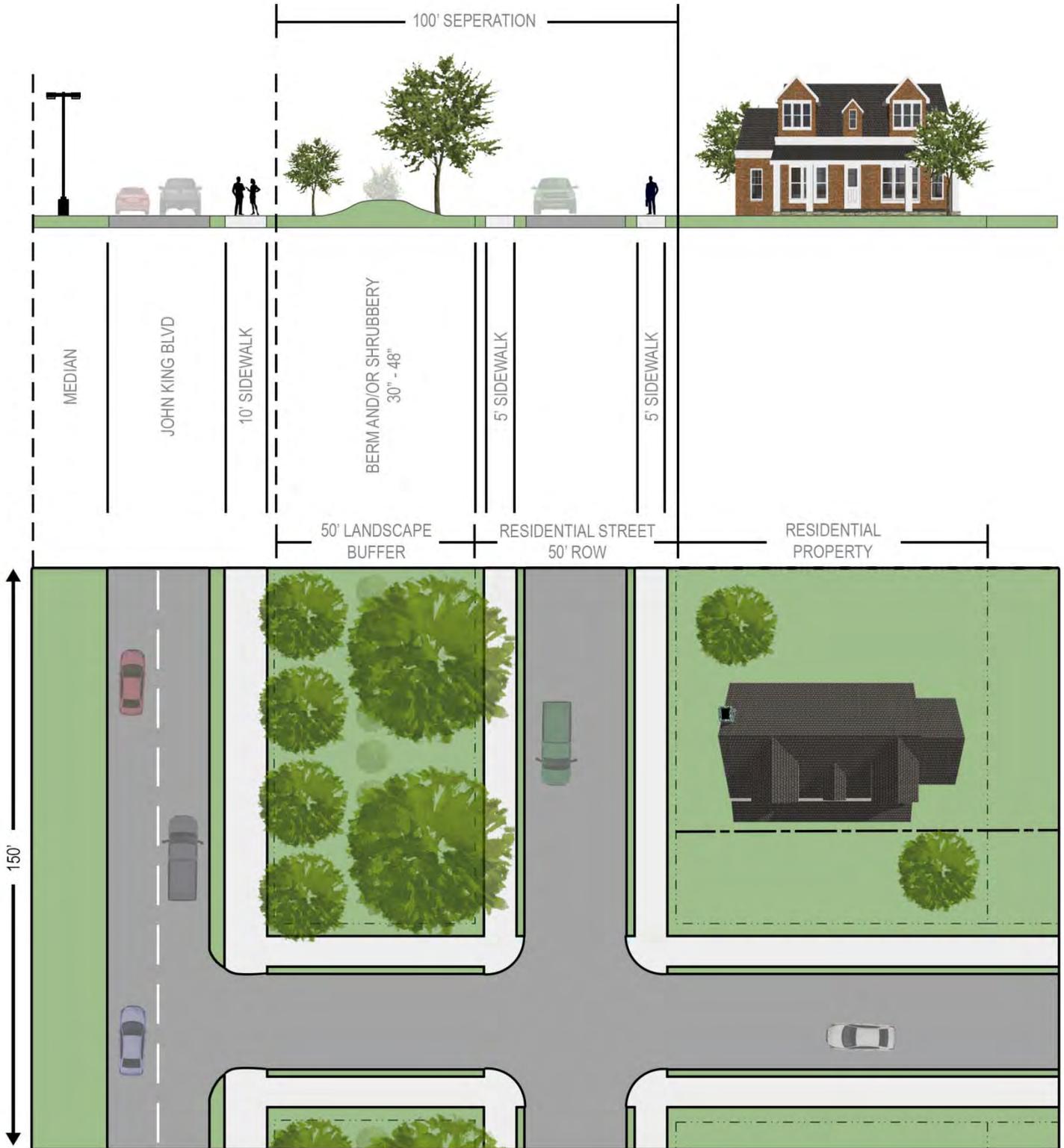


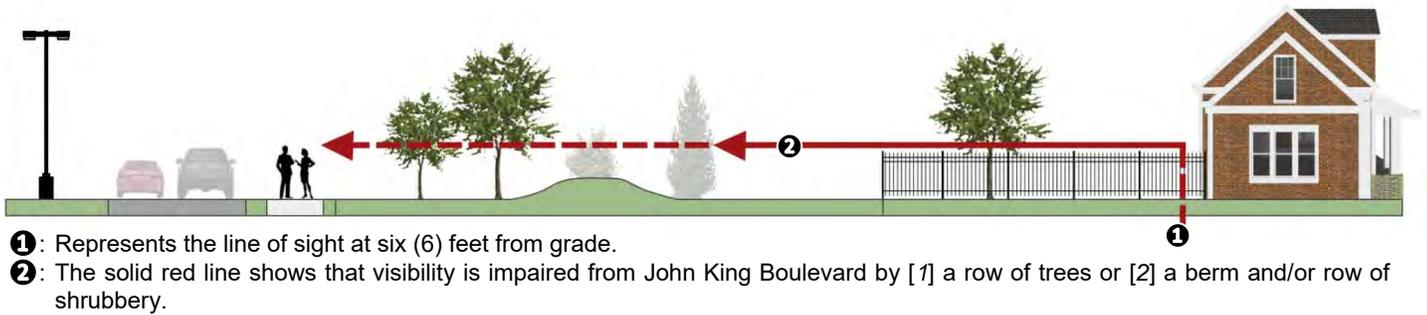
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Design Alternative #5



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(3) *Line of Sight Requirements.* Homes that back to a required landscape buffer should be built in such a manner where the required berm visually impairs visibility to John King Boulevard. In cases where a berm proves to be ineffective at screening traffic from John King Boulevard (*due to topography, height, etc.*) the developer shall be responsible for incorporating additional landscaping to provide sufficient screening in the required landscape buffer. This will be reviewed by the Planning and Zoning Commission at the time of site plan.



SUBSECTION 6.11: NORTH SH-205 OVERLAY (N. SH-205 OV) DISTRICT

(A) *Purpose.* The intent of the North SH-205 Overlay (N. SH-205 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

(B) *Application and boundaries.* The North SH-205 Overlay (N. SH-205 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of N. SH-205. The North SH-205 Overlay (N. SH-205 OV) District spans north to south along SH-205 from the northern city limits (approximately 4,200-feet north of FM-552), south to the intersection point of SH-205 and Health Street. The standards and regulations set forth in the North SH-205 Overlay (N. SH-205 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

(C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the North SH-205 Overlay (N. SH-205 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.12: EAST SH-66 OVERLAY (E. SH-66 OV) DISTRICT

(A) *Purpose.* The intent of the East SH-66 Overlay (E. SH-66 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board

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(ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.

- (B) *Application and boundaries.* The East SH-66 Overlay (E. SH-66 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of E. SH-66. The East SH-66 Overlay (E. SH-66 OV) District extends from FM-1141 to the east approximately 2,700-feet, and on property that lies within 500-feet of the south right-of-way line of SH-66 beginning at a point approximately 2,700-feet east of FM-1141 and then continuing east to FM-549. The standards and regulations set forth in the East SH-66 Overlay (E. SH-66 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the East SH-66 Overlay (E. SH-66 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.13: FM-549 OVERLAY (FM-549 OV) DISTRICT

- (A) *Purpose.* The intent of the FM-549 Overlay (FM-549 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.
- (B) *Application and boundaries.* The FM-549 Overlay (FM-549 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of FM-549. The FM-549 Overlay (FM-549 OV) District extends from SH-276 to a point approximately 800-feet north of IH-30 and on property that lies within 500-feet of the west right-of-way line of FM-549 from a point approximately 800-feet north of IH-30 to SH-66. The standards and regulations set forth in the FM-549 Overlay (FM-549 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the FM-549 Overlay (FM-549 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.14: SH-276 OVERLAY (SH-276 OV) DISTRICT

- (A) *Purpose.* The intent of the SH-276 Overlay (SH-276 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.
- (B) *Application and boundaries.* The SH-276 Overlay (SH-276 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of SH-276.

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The SH-276 Overlay (SH-276 OV) District extends from SH-205 east to the eastern city limits, as may be extended with future annexation(s). The standards and regulations set forth in the SH-276 Overlay (SH-276 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.

- (C) *Overlay District Standards.* If any portion of a property is situated within the boundaries of the SH-276 Overlay (SH-276 OV) District, the entire property shall be subject to the requirements of [Section 6.01, General Overlay District Standards](#).

SUBSECTION 6.15: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

Subsection 6.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, is omitted from this ordinance change, but is retained in its entirety.

SUBSECTION 6.16: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

See [Subsection 9.02, Variances to the General Overlay Districts Standards, of Article IX, Development Applications and Review Procedures](#).

~~Unless otherwise specified in this section, an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in [Section 6.02, General Overlay District Standards](#), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship. If the Planning and Zoning Commission denies a variance request, the applicant may appeal the decision to the City Council by filing a written request to the Planning and Zoning Department. The request should provide justification for the variance or variances being requested (i.e. detail the unique or extraordinary conditions that exist and/or the undue hardship created by strict adherence to the technical requirements). Approval of any variance to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (i.e. a three-fourths vote of those members present), with a minimum of four (4) votes in the affirmative required for approval.~~

SECTION 7: DISTRICT DEVELOPMENT STANDARDS

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SUBSECTION 7.01: RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

Residential District Development Standards		Single-Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single-Family Estate 4.0 (SFE-4.0) District	Single-Family 1 (SF-1) District	Single-Family 16 (SF-16) District	Single-Family 10 (SF-10) District	Single-Family 8.4 (SF-8.4) District	Single-Family 7 (SF-7) District	Zero Lot Line (ZL-5) District	Two-Family (2F) District	Agricultural (AG) District
Zoning Districts →												
Development Standards ↓												
Abbreviation		SFE-1.5	SFE-2.0	SFE-4.0	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	AG
Dwelling Units/Lot		1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	2.0	1.0
Dwelling Units/Acre		0.67	0.5	0.25	1.0 ¹	2.7	4.4	5.2	6.2	8.7	12.4	0.1 ¹¹
Minimum Dwelling Unit (SF)		2,000	2,200	2,500	2,500	2,400	2,200	1,500	1,100	1,000	800	1,600
Minimum Lot Requirements	Area (Square Feet)	65,340	87,120	174,240	8,400	16,000	10,000	8,400	7,000	5,000	7,000	43,560
	Width (Feet) ²	150	150	200	70	90	80	70	60	50	60	100
	Depth (Feet)	250	250	250	100	100	100	100	100	90	100	200
Minimum Setbacks	Front (Feet)	50	50	50	20	25	20	20	20	20	20	40
	Rear (Feet)	10	10	10	10	10	10	10	10	10	10	10
	Side (Feet) ³	25	25	25	6	8	6	6	6	0/10 ⁴	0 ⁵ /6 ⁶	6
Between Buildings (Feet)		10	10	10	10	10	10	10	10	10	10	12
Building Height (Feet)		36	36	36	36	36	36	36	32	30	32	36
Minimum Masonry Content (%)		80	80	80	80	80	80	80	80	80	80	80
Maximum Lot Coverage (%)		35	35	35	45	45	45	45	45	50	45	N/A
Required Parking Spaces ⁷		2 ⁸	2 ⁸	2 ⁸	2 ⁸	2 ⁸	2 ⁸	2 ⁸	2 ⁸	2 ⁹	2 ¹⁰	2 ⁸

ADDITIONAL REQUIREMENTS:

1. The Single Family 1 (SF-1) District allows for one (1) unit per gross acre.
2. Frontage on a Public Street
3. The side setback adjacent to a street is treated the same as a front yard building setback.
4. Minimum maintenance easement is ten (10) feet. Minimum maintenance easement on the non-zero lot line side, when adjacent to another lot in the same zoning district is five (5) feet (*this easement shall be maintained as an open space except upon a finding by the building official that the proposed improvements do not impede the use of said easement for maintenance of the adjoining structure*).
5. Abutting structures separated by fire retardant walls.
6. Townhouses separated by firewall meeting the requirements of the building code may build to the property line where such structures abut.
7. Minimum length of driveway pavement from public right-of-way for rear and side yard is 20-feet.
8. An enclosed garage shall not be considered in meeting the off-street parking requirements. For all other uses see [Article VI, Parking and Loading](#).
9. A two (2) car garage is required.

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- 10: Two (2) off-street parking spaces plus one (1) garage parking space for each dwelling unit is required.
- 11: A minimum lot size of ten (10) acres is required for the construction of any single-family dwelling.

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SUBSECTION 7.02: MULTI-FAMILY DISTRICT DEVELOPMENT STANDARDS

Multi-Family District Development Standards		Multi-Family 14 (MF-14) District ¹
Zoning Districts →		
Development Standards ↓		
Abbreviation		MF-14
Dwelling Units/Acre		14.0 ²
Minimum Lot Requirements	Site Area (Square Feet)	10,000
	Lot Area (Square Feet)	2,000 (<i>Per Unit</i>)
	Width (Feet) ³	60
	Depth (Feet)	100
Minimum Setbacks	Front (Feet)	25
	Rear (Feet) w/ Residential Adjacency (Feet) ^{3 & 8}	One Story = 25
		Two Stories = 50
		Three Stories = 75
	Rear (Feet)	10
	Side w/ Residential Adjacency (Feet) ^{4 & 8}	One Story = 25
		Two Stories = 50
		Three Stories = 75
	Side (Feet)	One Story = 10
		Two or More Stories = 15
Between Buildings (Feet)	Main to Accessory = 10	
	Two Main Buildings w/ Doors or Windows in Facing Walls = 20	
	Two Main Buildings w/o Doors or Windows in Facing Walls = 15	
Building Height (Feet)		36
Minimum Masonry Content (%)		100
Maximum Lot Coverage (%)		45 ⁵
Minimum Landscaping (%) ⁷		30% 25% of Total Lot Area w/ 30% of Total Required in the Front and Alongside Buildings w/ Street Frontage ⁶
Required Parking Spaces		See Article VI, Parking and Loading

ADDITION REQUIREMENTS:

- ¹: Duplexes shall meet the requirements of the Two-Family (2F) District, with only one (1) duplex per lot.
- ²: Density is calculated by gross acre.
- ³: Unenclosed carports may be built within five (5) feet of any property line that abuts an alley, but no closer than 20-feet from any street intersection.
- ⁴: Side on street is treated the same as a front yard building setback.
- ⁵: Each development containing over 100 dwelling units shall provide 300 SF of open space per two (2) and three (3) bedroom units, with at least one (1) open area with the minimum dimensions of 200-feet by 150-feet. Swimming pools, tennis courts and other recreational facilities can be counted toward the overall open space requirement, but not toward the required 200-feet by 150-foot area.

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6. Any parking lot with more than two (2) rows of parking spaces shall have a minimum of two (2) percent of the interior of the parking lot landscaped. Such landscaping shall be counted toward the landscaping requirement.
7. All required landscaped areas shall be permanently maintained and shall have an irrigation system installed meeting all applicable city codes.
8. Lots with more than five (5) dwelling units that are contiguous to a residential zoning district, must be separated by a buffer as established in [Article VIII, Landscape Standards](#).

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SUBSECTION 7.03: NON-RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

**Non-Residential
District Development
Standards**

*: For development in the
Downtown (DT) District see the
standards in [Section 4.8,
Downtown \(DT\) District.](#)

Zoning Districts →

Development Standards ↓

		Residential-Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District
Abbreviation		RO	NS	GR	C	HC	LI	HI
Maximum Building Size (SF)		N/A	5,000 ¹	25,000 ²	N/A	N/A	N/A	N/A
Minimum Lot Requirements	Area (SF)	6,000 ³	6,000	6,000 43,560	10,000 43,560	12,500 43,560	12,500 43,560	87,120
	Width (Feet)	60	60	60 200	60 200	100 200	100 200	200
	Depth (Feet)	100	100	100 200	100 200	125 200	125 200	350
Minimum Setbacks	Front (Feet)	25 ^{4, 12}	15 ⁵	15 ^{4, 5}	15 ^{4, 5}	25 ⁴	25 ⁴	50+1/2H>36 ⁷ 50 ⁴
	Rear (Feet)	30	20 w/o FRW & Alley	10 w/o FRW & Alley	10 w/o FRW & Alley	20 w/o FRW & Alley	10 w/o FRW ⁷	20 + 1/2H>36 w/o FRW ⁷
			0 w/ FRW & Alley	0 w/ FRW & Alley	0 w/ FRW & Alley	1/2H>36 w/ FRW & Alley	1/2H>36 w/ FRW & Alley ⁷	8 + 1/2H>36 w/ FRW & Alley ⁷
	Rear Adjacent Residential (Feet) ⁶	N/A	20	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	50 + 1/2H>36 ⁷
	Side (Feet)	10	5 w/o FRW	10 w/o FRW	10 w/o FRW	15 + 1/2H>36 w/o FRW ⁷	15 + 1/2H>36 w/o FRW ⁷	15 + 1/2H>36 w/o FRW ⁷
0 w/ FRW			0 w/ FRW	0 w/ FRW	1/2H>36 w/ FRW ⁷	1/2H>36 w/ FRW ⁷	8 + 1/2H>36 w/ FRW ⁷	
Side Adjacent Residential (Feet) ⁶	20	20	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	20 + 1/2H>36 ⁷	50	
Between Buildings (Feet)		15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 w/o FRW 0 w/ FRW	15 + 1/2H>36 w/o FRW ⁷ 1/2H>36 w/ FRW ⁷	15 + 1/2H>36 w/o FRW ⁷ 1/2H>36 w/ FRW ⁷	25 + 1/2H>36 w/o FRW ⁷ 16 + 1/2H>36 w/ FRW ⁷
Building Height [H] (Feet)		36	36	36 ⁸	60 ⁹	60 ⁹	60 ¹³	60 ¹³
Minimum Masonry Content (%)		90	90	90	90	90	90	90
Maximum Lot Coverage (%)		40	40	40	60	60	60	85
Floor Area Ratio (FAR)		0.33	N/A	2:1	4:1	4:1	2:1	4:1
Maximum Impervious Parking (%)		75-80 ¹¹	80-85	85-90	85-90	90-95	90-95	90-95
Maximum Number of Entrances and/or Exits	Arterial Streets	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰	1/200 ¹⁰
	Collector Streets	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰	1/100 ¹⁰
	Local Streets	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰	1/50 ¹⁰

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Minimum Landscaping (%)	See Article VIII, Landscape Standards
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NOTES:

Blue: When adjacent to Interstate 30.

H: Building Height

1/2H>36: One-Half the Building Height Over 36-Feet

FRW: Fire Retardant Wall

w/o FRW: Without Fire Retardant Wall

ADDITIONAL REQUIREMENTS:

1. A maximum building size of 5,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.
2. A maximum building size of 25,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.
3. Maximum lot area is 43,560 SF.
4. From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.
5. Parking should not be located between the front façade and the property line.
6. Lots with non-residential uses that have a side or rear yard contiguous or separated only by an alley, easement, or street, from any residential district must be separated from such residential district by a buffer as defined in [Article VIII, Landscape Standards](#), or as approved by the Planning and Zoning Commission.
7. Not to exceed 50-Feet.
8. Building height may be increased up to 60-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.
9. Building height may be increased up to 240-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.
10. (or) as approved by Planning and Zoning Commission.
11. A minimum of seven (7) percent of the interior of the parking lot -- *not including the setback and landscape buffer* -- shall be pervious land area with additional plantings to create an amenity open space.
12. Parking shall not be permitted in the required setback.
13. Building height may be increased up to 120-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

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Article V, District Development Standards, of the
Unified Development Code

SUBSECTION 7.04: ACCESSORY STRUCTURE DEVELOPMENT STANDARDS

Accessory Structure Development Standards		Accessory Structures & Accessory Buildings ^{1 & 3} 8 & 9					Portable Accessory Building 0 SF – 120 SF ⁸	Detached Garage ^{8 & 9}	Carpports ^{7 & 8}
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	Two Family (2F) District			
Zoning Districts or Accessory Structure Type →									
Development Standards ↓									
Number of Accessory Structures or Number of Specific Accessory Structure		2 ²	2 ²	2 ²	2	1	1	1	1
Maximum SF of Accessory Structure ⁵		1,250 1,000 ²	1,500 1,000 ²	2,000 1,250 ²	225 144 ⁶	100	120	900 625 ^{8 & 9}	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20 ⁴	20 ⁴	20 ⁴	3	3	3	20 ⁴	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet) ⁸		15	15	15	15	10	10	15	15
Minimum Masonry Content (%) ³		80 ⁵	80 ⁵	80 ⁵	80 ⁵	80 ⁵	0	80 ⁵	80 ⁵

ADDITIONAL REQUIREMENTS:

- Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.
- If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is ~~625~~ 400 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.
- ~~Greenhouses are exempt from the minimum masonry requirements.~~ Accessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure.
- If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.
- ~~The exterior of the accessory building or structure shall be clad in the same materials in roughly the same proportions as the primary structure; however, accessory buildings or structures that are less than 120 SF and under ten (10) feet in height may be constructed with non masonry materials, or may be all metal with a baked on pre-painted surface.~~ Accessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP).
- Each property shall be permitted one (1) detached garage up to ~~900~~ 625 SF and one (1) accessory building up to ~~225~~ 144 SF.
- In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.
- ~~Accessory buildings and accessory structures not meeting the masonry requirements shall require the approval of an exception from the Planning and Zoning Commission. Two (2) story accessory buildings or structures shall be prohibited.~~
- ~~Barns used for agricultural and/or farm animal purposes, on sites ten (10) acres or more that are zoned Agricultural (AG) District, are excluded from this masonry requirement. Shall include a minimum of one (1) garage bay door large enough to pull a standard size motor vehicle through.~~

Exhibit 'D'
*Article VIII, Landscape Standards, of the
Unified Development Code*

Additions: **Highlighted**

Deletions: ~~Highlighted, Strikeout~~

Staff Notes: **Highlighted, Red Text**

Links/References: Blue, Underlined

ARTICLE VIII, LANDSCAPE **AND FENCE** STANDARDS, UDC

SECTION 1: PURPOSE

The purpose of Article VIII, Landscape and Fence Standards, is to create standards for landscaping and fencing that will complementary to the design and location of existing buildings, streets, sidewalks, and open spaces in the City of Rockwall. By doing this, this Article acknowledges the unique natural beauty of the City, its environment, and the existing vegetation and tree canopy, and sets forth standards that ensure their protection. This article also strives to create natural barriers and soft transition for land uses through the use of natural screening methods and non-transparent fencing.

The process of development with its alteration of the natural topography, vegetation, and creation of impervious cover can have a negative effect on the ecological balance of an area by causing increases in air temperatures and accelerating the processes of runoff, erosion, and sedimentation. The economic base of the city can and should be protected through the preservation and enhancement of the unique natural beauty, environment, and vegetative space in this area. Recognizing that the general objectives of this article are to promote and protect the health, safety and welfare of the public, the city council further declares that this article is adopted for the following specific purposes:

- (1) To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, groundwater recharge, and stormwater runoff retardation, while at the same time aiding in noise, glare, and heat abatement.
- (2) To provide visual buffering between land uses of differing character.
- (3) To enhance the beautification of the city.
- (4) To safeguard and enhance property values and to protect public and private investment.
- (5) To conserve energy.

SECTION 2: APPLICATION OF ARTICLE

SUBSECTION 2.01: APPLICABILITY

(A) Landscape and Screening.

(1) The landscape and screening provisions of this Article shall apply to:

- (a) All new residential or non-residential development within the corporate limits of the City of Rockwall with the exception of the exemptions listed in Subsection 2.01.(A)(2).
- (b) The expansion of a non-residential building or structure that increases the existing floor area by 30% or that adds 2,000 SF of floor area.
- (c) The expansion of a non-residential parking lot that increases the existing impervious area by 30% or that adds 2,000 SF of impervious coverage.

(2) The landscape and screening provisions of this Article shall not apply to:

Exhibit 'D'
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- (a) Any property with a Landscape Plan and/or Site Plan that was approved prior to the adoption of this Article, unless an amended Landscape Plan and/or Site Plan is required by the requirements of [Subsection 2.01.A](#) or [Article XI, Development Applications and Review Procedures](#).
- (b) The restoration of a building or structure that has been damaged by fire, flood, explosion, riot, act of the public enemy, natural disaster, or accident of any kind and is permitted by [Section 8, Non-Conforming Uses, Structures, and Sites, of Article IV, Permissible Uses](#). For the purposes of this exemption restoration is defined as repairing a building or structure to return it to its former state.
- (c) Properties containing only single-family and/or duplex land uses.
- (d) Properties zoned Downtown (DT) District, as defined by [Subsection 4.07, Downtown \(DT\) District, of Article V, District Development Standards](#).

~~(A) This article does not apply to:~~

- ~~(1) Any property with a previously approved landscape and/or site plan prior to the adoption of the ordinance from which this article is derived, unless such plan is required to be resubmitted for consideration;~~
- ~~(2) Lots containing only single family and/or duplex uses; and~~
- ~~(3) Lots zoned DT Downtown, as defined in this Unified Development Code.~~

~~(B) Except as otherwise provided in subsection 2.1.A, this article, applies to all uses on a lot when an application for a building permit for work on the lot is made, unless the application is for:~~

- ~~(1) The restoration of a building that has been damaged by fire, flood, explosion, riot, act of the public enemy, other natural disaster, or accident of any kind, if said structure may be restored under the nonconforming use provisions of this Unified Development Code. For purposes of this subsection, "restoration" means the act of putting back into a former or original state; or~~
- ~~(2) Construction work on an existing structure that does not increase:
 - ~~(a) The number of stories in a building on the lot;~~
 - ~~(b) The total floor area of all buildings on the lot by more than ten percent or 10,000 square feet, whichever is less; or~~
 - ~~(c) The non-permeable coverage of the lot by more than 2,000 square feet.~~~~

~~(B) Fences.~~

~~(1) The fence provisions of this Article shall apply to:~~

- ~~(a) The construction of all new residential or non-residential fences.~~
- ~~(b) The repair of an existing residential or non-residential fence that requires the replacement of 25-linear feet or more.~~
- ~~(c) The repair of an existing residential or non-residential fence that requires the replacement of five (5) or more posts.~~

~~(2) The fence provisions of this Article shall not apply to:~~

- ~~(a) The repair of a residential or non-residential fence that does not require a fence permit and that is not subject to the requirements of [Subsection 2.01.B\(1\)](#).~~

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(C) Overlay Districts. In addition to the requirements contained in this Article, properties within an establish Overlay District shall be subject to the requirements stipulated by [Subsection 6.02, General Overlay District Standards, of Article V, District Development Standards](#). In instances where the requirements of this Article conflict with the requirements of the *General Overlay District Standards*, the more restrictive standard will apply.

(D) Planned Development Districts. The landscaping requirements contained in this Article shall be incorporated into all new or amended Planned Development Districts, unless otherwise approved by the City Council upon recommendation from the Planning and Zoning Commission. ~~development districts. Landscaping requirements consistent with the standards and purposes of this article shall be a part of all ordinances establishing or amending planned development districts, unless otherwise approved by the city council.~~

~~(D) Special exceptions. The planning and zoning commission and city council may grant a special exception to the landscaping requirements of this article upon making a special finding that the resulting landscape will provide an improved amenity for both the general public and users of the facility being landscaped.~~

~~(Ord. No. 10-14, § 53, 7-6-2010)~~

SUBSECTION 2.02: EXCEPTIONS TO THE LANDSCAPING STANDARDS

The Planning and Zoning Commission may grant an exception to the landscaping standards contained in this Article upon a finding that the resulting landscaping or landscaping plan will be equivalent to or exceed the requirements stipulated by this Article, and provide an improvement to the aesthetics of the surrounding area. All exceptions to these requirements will be subject to the approval criteria and voting requirements of [Section 9.01, Exceptions to the General Standards, of Article XI, Development Applications and Review Procedures](#).

~~The planning and zoning commission and city council may grant a special exception to the landscaping requirements of this article upon making a special finding that the resulting landscape will provide an improved amenity for both the general public and users of the facility being landscaped.~~

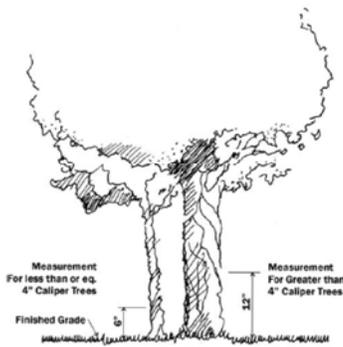
SUBSECTION 2.03: EXCEPTIONS TO THE FENCE STANDARDS

All exceptions to the fence standards contained in this Article will be subject to the requirements of [Section 8, Fence Standards](#).

SECTION 3: DEFINITIONS

[MOVED TO ARTICLE XIII, UDC]

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Caliper means the diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the total caliper of all of its trunks at the elevation being measured.

Canopy or shade tree means a species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.

Enhanced pavement means any permeable or non-permeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.

Evergreen tree or shrub means a tree or shrub of a species which normally retains its leaves throughout the year.

Ground cover means natural mulch or plants of species which normally reach a height of less than two feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

Landscape architect means a person licensed to practice or teach landscape architecture in the State of Texas pursuant to state law.

Landscape buffer strip means a strip of land:

- a. Which serves a buffer function on the perimeter of a building site adjacent to another building site or to a public or private street or alley; and
- b. At least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials (excluding screening).

Large shrub means a shrub which normally reaches a height of six feet or more upon maturity.

Large tree means a tree of a species which normally reaches a height of 30 feet or more upon maturity.

Non permeable coverage means coverage with non permeable pavement.

Screening means screening that complies with the construction and maintenance regulations in section 5, Mandatory Provisions, except as those regulations may be expressly modified in this article.

Small tree means a tree of a species which normally reaches a height of less than 30 feet.

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~~Soil means a medium that plants will grow in.~~

~~Visibility triangle means the term "visibility triangle" as defined in article V, section 1.9 of this Unified Development Code.~~

~~Xeriscaping means type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.~~

~~(Ord. No. 15-32, § 2, 12-7-2015)~~

SECTION 43: LANDSCAPE PLAN SUBMISSION

SUBSECTION 43.01: LANDSCAPE PLAN SUBMITTAL

(A) *Submittal of a Landscape Plan.* A Landscape Plan is required to be submitted as part of an application for a Site Plan or an Amended Site Plan as stipulated by [Section 3, Site Plans, of Article XI, Development Applications and Review Procedures](#).

(B) *Landscape Plan Content.* The Director of Planning and Zoning or his/her designee shall establish and maintain a list of the required criteria necessary for the submittal of a Landscape Plan.

(C) *Preparation of a Landscape Plan.* Landscape Plans shall be prepared by a *Landscape Architect* or a member in good standing of the American Society of Landscape Architects (ASLA) unless otherwise permitted by the Director of Planning and Zoning.

~~Landscape plans shall be submitted to the director of planning on all sites required to submit a site plan for approval by the planning and zoning commission and city council.~~

SUBSECTION 43.02: APPROVAL OF A LANDSCAPE PLAN

(A) *Administrative Approval.* Landscape Plans that are submitted in conjunction with a Site Plan or an Amended Site Plan that can be reviewed and acted upon at an administrative level -- as defined in [Section 3, Site Plans, of Article XI, Development Applications and Review Procedures](#) -- may be approved, approved with condition, or denied by the Director of Planning and Zoning or his/her designee.

(B) *Approval by the Planning and Zoning Commission.* The Planning and Zoning Commission may approve a Landscape Plan in accordance with the procedures for approving a Site Plan or an Amended Site Plan as stipulated by [Section 3, Site Plans, of Article XI, Development Applications and Review Procedures](#).

~~Landscape plans shall be approved or denied by the director of planning or, at his discretion, referred to the planning and zoning commission for approval or denial.~~

SUBSECTION 4.03. PLAN CONTENT

~~The landscape plan shall be submitted in the form and number as prescribed by the city and must contain the following information:~~

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- (1) Date, scale, north arrow, and the names, addresses, and telephone numbers of both the property owner and the person preparing the plan.
- (2) Project name, street address, and lot and block description.
- (3) Location of existing boundary lines and dimensions of the lot, street address, approximate centerline of existing water courses and the location of the 100-year floodplain, if applicable; the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys, utility easements, driveways and sidewalks on or adjacent to the lot.
- (4) Location, height, and material of proposed screening and fencing (with berms to be delineated by one-foot contours).
- (5) Locations and dimensions of proposed landscape buffer strips.
- (6) Complete description of plant materials shown on the plan, including names, locations, quantities, container or caliper sizes at installation, heights, spread, and spacing. The location and type of all existing trees on the lot over six inches in caliper must be specifically indicated.
- (7) Complete description of landscaping and screening to be provided in or near off-street parking and loading areas, including information as to the amount (in square feet) of landscape area to be provided internal to parking areas, the total square footage included in the parking area, and the number and location of required off-street parking and loading spaces.
- (8) Location and description, by type and size, of existing trees proposed to be retained. Such trees shall be marked and dripline of said trees shall be protected prior to and during all construction, including all dirt work.
- (9) Size, height, location and material of proposed seating, lighting, planters, sculptures, water features and landscape paving and other site amenities.
- (10) Identification of visibility triangles on the lot for all driveway intersections with public streets.

SECTION 4: APPROVED LANDSCAPING MATERIALS

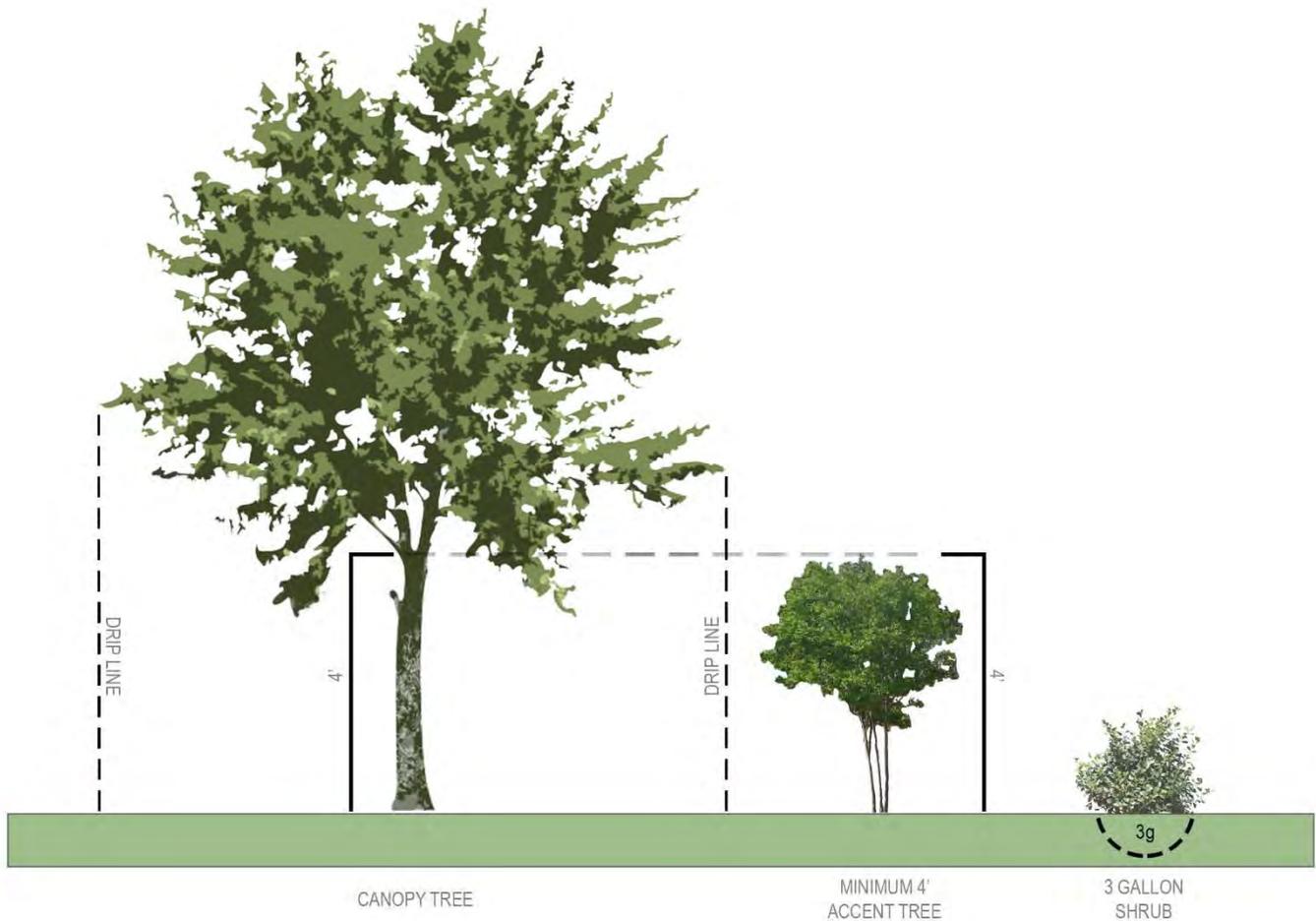
In satisfying the landscape requirements of this Article, it is recommended that all landscaping utilize high-quality, hardy plant materials. Such plant materials shall adhere to the following requirements:

(A) Approved Planting Materials.

- (1) All planting materials should conform to the recommended planting materials outlined in [Appendix F, Landscape Guidelines and Requirements](#); however, alternative tree, shrub, and grass varieties may be approved by the Director of Planning and Zoning pending the submission of a Landscape Plan and/or a written request.
- (2) Unless otherwise noted in this Unified Development Code (UDC), the minimum tree and shrub size at the time of installation shall be as follows:
 - (a) *Canopy Trees* shall be a minimum of four (4) caliper inches at DBH.
 - (b) *Accent Trees* shall be a minimum of four (4) feet in total height.
 - (c) Shrubs shall be a minimum of three (3) gallons in size.

Figure 1: Approved Planting Materials and Sizes

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(3) For the purposes of this section, the height of an Accent Tree shall be measured from the root flare or from the soil level if still in the container.

(4) DBH or *Diameter at Breast Height* is the standard dendrometric measurement for trees, and is measured at a height of four (4) feet above grade.

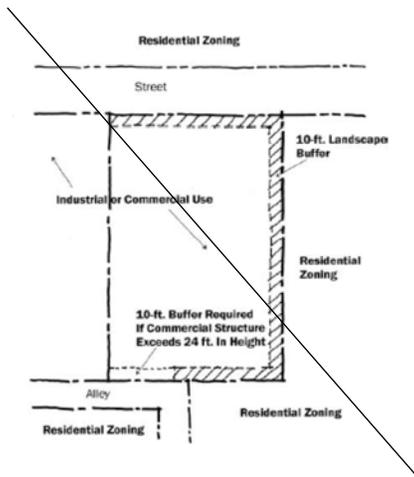
(5) The City of Rockwall encourages developments to incorporate xeriscaping/smartscaping to promote reduced water usage through the use of drought tolerant plants. The City's *Xeriscaping/Smartscaping Standards and Guidelines* are outlined in [Section 5.05, Xeriscaping and Smartscaping Standards](#).

(B) Prohibited Planting Materials.

(1) Artificial or synthetic plant materials (e.g. artificial grass, turf, trees shrubs) shall be prohibited.

SECTION 5: MANDATORY PROVISIONS LANDSCAPE STANDARDS

Exhibit 'D'
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SUBSECTION 5.01: LANDSCAPE BUFFERS-STRIP

The minimum requirements for landscape buffers shall be as follows:

(A) Residential Landscape Buffers in Subdivisions.

- (1) Abutting a Collector Street.** A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any residential lot or subdivision that abuts a collector street. All residential lots adjacent to a collector street shall incorporate one (1) canopy tree per 50-linear feet of frontage along the collector street inside the required landscape buffer. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.
- (2) Abutting a Perimeter Collector Street or Arterial Roadway.** A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any residential lot or subdivision that abuts a perimeter collector street or arterial roadway. All landscape buffers adjacent to a perimeter collector street or arterial roadway shall incorporate ground cover, a *built-up berm* and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a total minimum height of 30-inches. In addition, one (1) canopy tree and one (1) accent tree shall be required to be planted in the required landscape buffer per 50-linear feet of frontage along the perimeter collector street or arterial roadway. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.

Figure 2: Residential Landscape Buffers Example

Exhibit 'D'
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(B) Non-Residential Landscape Buffers.

Exhibit 'D'
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(1) *Abutting a Public Right-of-Way.* A minimum of a ten (10) foot wide landscape buffer shall be required along the entire length of any non-residential lot that abuts a public right-of-way (*i.e. collector street, arterial roadway, or alleyway*) or a residentially zoned or used property that is located directly across a public street (*regardless of the size of the street*). All landscape buffers adjacent to a public right-of-way shall incorporate ground cover, a *built-up berm* and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a total minimum height of 30-inches. In these areas a minimum of one (1) canopy tree and one (1) accent tree shall be incorporated into the landscape buffer per 50-linear feet of frontage along the adjacency. Clustering of trees shall be permitted as long as all required trees are situated within the landscape buffer.

(2) *Abutting Residential.* A minimum of a 20-foot wide landscape buffer shall be required along the entire length of any non-residential lot that abuts a residentially zoned or used property. For planting requirements in these landscape buffers see [Subsection 5.02\(B\), Screening from Residential](#).

Figure 3: Commercial Landscape Buffers Example

Exhibit 'D'
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(C) Buildings and Paving within a Required Landscape Buffer. Buildings and paving (e.g. parking lots) shall not be permitted within any required landscape buffer; however, sidewalks and trails shall be permitted.

A minimum ten-foot wide landscape buffer strip must be provided along the entire length of the portion of the perimeter of any commercial or industrial lot that abuts, without an alley or drive separation, or is directly across a public street from a residential zoning district, exclusive of driveways and access ways.

Exhibit 'D'
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If the proposed commercial structures exceed 24 feet in height adjacent to an alley, a ten-foot buffer shall also be required along the length of the alley.

SUBSECTION 5.02: SCREENING OF OFF-STREET LOADING DOCKS LANDSCAPE SCREENING

(A) **Loading Docks and Outside Storage Areas.** Off-street loading docks and outside storage areas shall be screened from all public streets, open space, adjacent properties and any residential zoning districts or residentially used properties that abut or are directly across a public street or alley from the loading dock or outside storage area in accordance with the requirements of [Subsection 1.05, Screening Standards, of Article V, District Development Standards](#). As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates one (1) of the following options:

- (1) **Alternative #1.** A wrought iron fence and three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) along the entire length of the adjacency. The canopy trees shall be placed on 20-foot centers.

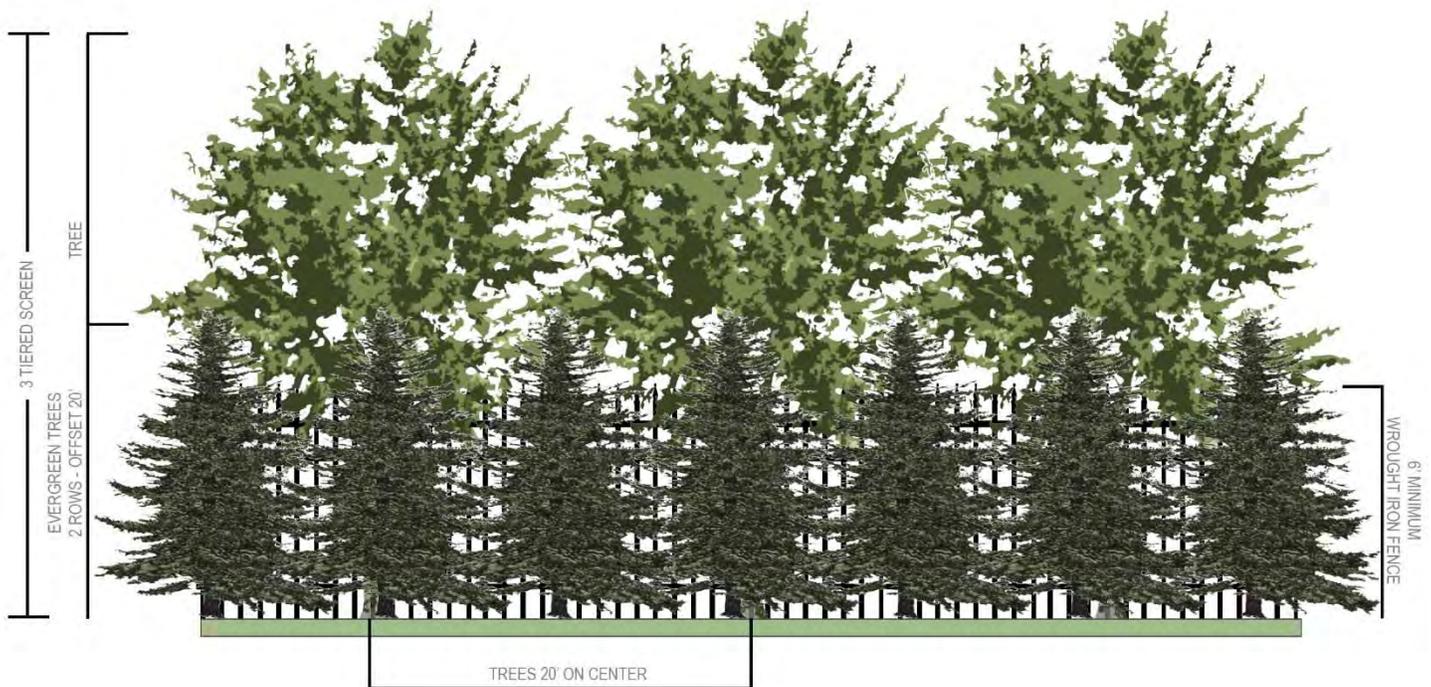
Figure 4: Alternative #1



- (2) **Alternative #2.** A wrought iron fence with a mix of two (2) rows of staggered mature evergreen trees and one (1) row of deciduous canopy trees (*a minimum six [6] caliper inches*) along the entire length of the adjacency. All trees will be planted on 20-foot centers.

Figure 5: Alternative #2

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(B) Screening from Residential. Any non-residential or multi-family land use or parking area that has a side or rear contiguous to any residentially zoned or used property shall be screened with a masonry fence a minimum of six (6) feet in height with canopy trees planted on 20-foot centers (as depicted in Figures 6 & 7 below). As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates a wrought iron fence and three (3) tiered screening (i.e. [1] small to mid-sized shrubs, large shrubs or accent trees, and canopy trees or [2] evergreen trees and canopy trees) along the entire length of the adjacency (as depicted in Figure 8, 9, & 10 below). The canopy trees shall be placed on 20-foot centers.

Figure 6: Masonry Fence with Canopy Trees in Plan View

Exhibit 'D'
*Article VIII, Landscape Standards, of the
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Figure 7: Masonry Fence with Canopy Trees in Perspective View

Exhibit 'D'
*Article VIII, Landscape Standards, of the
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Figure 8: Wrought Iron Fence with Three (3) Tiered Screening in Plan View

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Figure 9: Alternative #1 (Wrought Iron Fence with Three (3) Tiered Screening in Perspective View)

Exhibit 'D'
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Unified Development Code*



Figure 10: Alternative #2 (Wrought Iron Fence with Three (3) Tiered Screening in Perspective View)

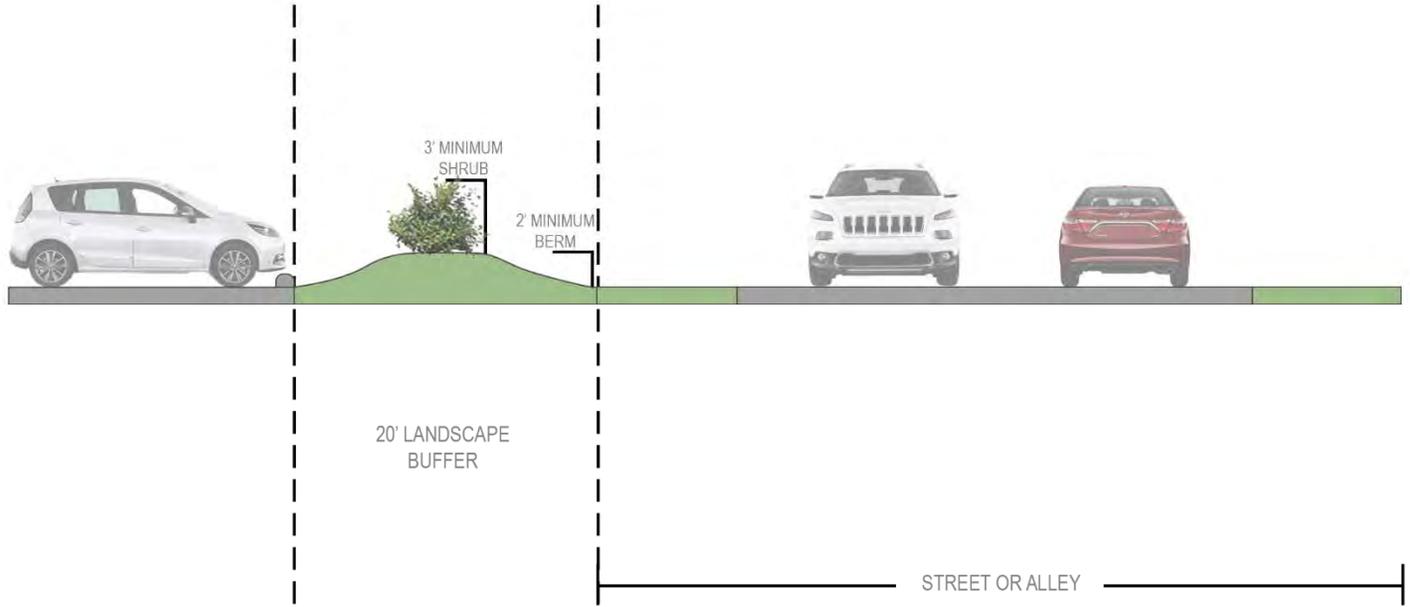


Exhibit 'D'
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(C) Headlight Screening. Head-in parking adjacent to a street shall incorporate one (1) of the following screening methods to mitigate the potential hazard that headlights may pose for on-street vehicular traffic:

(1) Alternative #1. A minimum of a two (2) foot berm with mature evergreen shrubs along the entire adjacency of the parking areas.

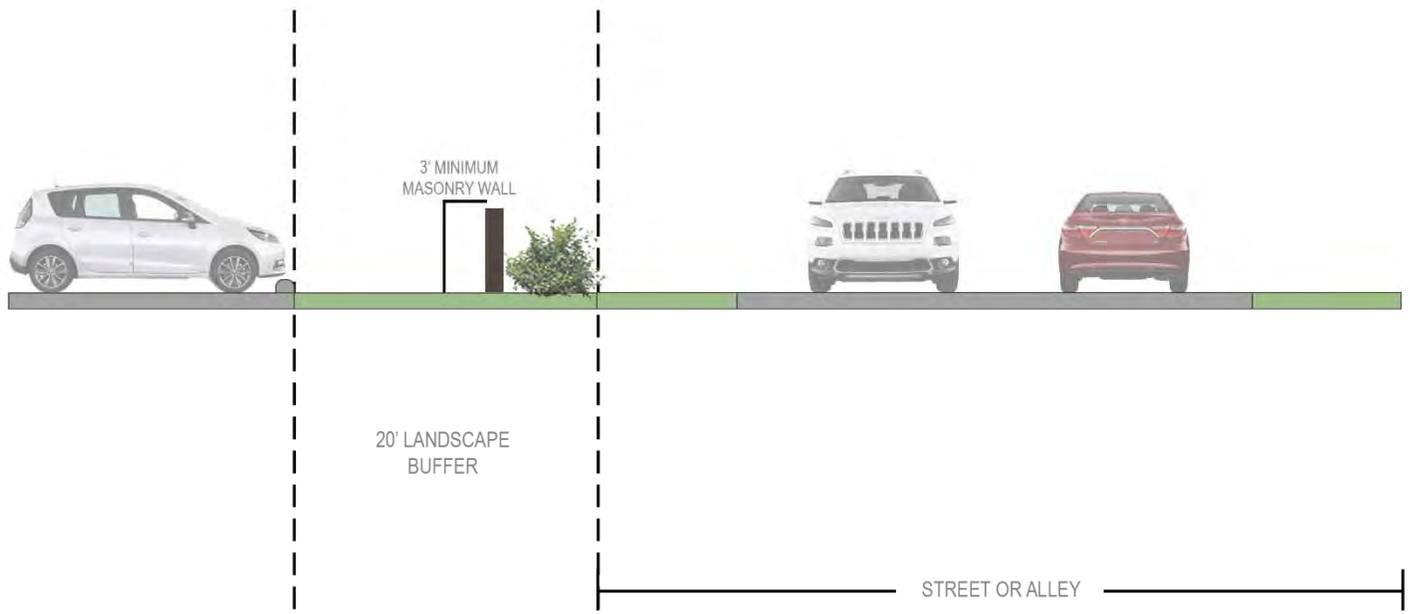
Figure 11: Alternative #1 (Headlight Screening using Landscaping and a Berm)



(2) Alternative #2. A minimum of a three (2) foot masonry wall with mature shrubs situated between the wall and the right-of-way along the entire adjacency of the parking areas.

Figure 12: Alternative #2 (Headlight Screening using a Masonry Wall and Landscaping)

Exhibit 'D'
*Article VIII, Landscape Standards, of the
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(D) General Screening Requirements. All screening shall meet the following requirements:

(1) *Approval of a Screening Plan.* Prior to construction of any required screening, a site plan and landscape plan shall be approved by the Planning and Zoning Commission showing the type of screening, the proposed materials, and the plant spacing. In approving screening plans, the Planning and Zoning Commission shall determine:

- (a) If the proposed screening plan will adequately screen the non-residential land use.
- (b) If the proposed screening plantings will withstand the pressures of time and nature.

(2) *Certificate of Occupancy (CO).* Prior to the issuance of a Certificate of Occupancy (CO), the proposed screening shall be installed and verified by the Director of Planning and Zoning or his/her designee.

A. Off-street loading docks in commercial zoning classifications must be screened from:

- (1) All public streets; and
- (2) Any residential district that abuts or is directly across a public street or alley from the lot.

B. Off-street loading docks in industrial zoning classifications must be screened from:

- (1) Arterial streets, as indicated on the city's thoroughfare plan; and
- (2) Any residential district that abuts or is directly across a public street or alley from the lot.

C. The screening required under subsections 5.2.A and B must be at least six feet in height and may be provided by using any of the methods for providing screening described in this section.

SUBSECTION 5.03: LANDSCAPE REQUIREMENTS

(A) Amount of Landscaping. The following landscaping percentages shall be required and shall apply to the total site area to be developed:

Exhibit 'D'
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ZONING DISTRICT	REQUIRED LANDSCAPING (%)	REQUIRED LANDSCAPING WITH MAXIMUM ELIGIBLE CREDITS (%)
Multi-Family 14 (MF-14) District	35	22½
Downtown (DT) District	See Subsection 4.07, Downtown (DT) District, of Article V, District Development Standards	
Residential Office (RO) District	30	17½
Neighborhood Services (NS) District	25	12½
General Retail (GR) District	20	7½
Commercial (C) District	20	7½
Heavy Commercial (HC) District	15	2½
Light Industrial (LI) District	15	2½
Heavy Industrial (HI) District	10	2½

(B) *Location of Landscaping.* A minimum of 50% of the required landscaping shall be located in the front of and along the side of buildings with street frontage in the Multi-Family 14 (MF-14), Residential Office (RO), Neighborhood Services (NS), General Retail (GR) and Commercial (C) Districts. A minimum of 100% of the total required landscaping shall be located in front of and along the side of buildings with street frontages in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts.

(C) *Minimum Size of Required Landscape Areas.* All required landscaping shall be no less than five (5) feet wide and be a minimum of 25 SF in area unless it is within ten (10) feet of a building on the same lot.

(D) *Detention Basins.* Detention basins shall be landscaped in a natural manner using ground cover, grasses, shrubs, berms, and accent and canopy trees. There shall be a minimum of one (1) Canopy Tree per 750 SF and one (1) Accent Tree of detention area.

(E) *Parking Lot Landscaping.* The following landscape requirements will apply to parking lots:

- (1) Parking lots with more than two (2) rows of parking spaces (*i.e. one [1] drive isle with rows of parking on either side*) shall have a minimum for five (5) percent or 200 SF of landscaping -- *whichever is greater* -- in the interior of the parking lot area. Such landscaping shall be counted toward the total required landscaping.
- (2) If the parking and maneuvering space exceeds 20,000 SF, one (1) large canopy tree for every ten (10) parking spaces shall be required to be planted internal to the parking areas.
- (3) No tree shall be planted closer than five (5) feet to the edge of pavement or five (5) feet from any water or wastewater line that is less than 12-inches. Water and wastewater lines that are 12-inches and greater require trees to be planted a minimum of ten (10) feet from the centerline of the pipe.
- (4) No required parking spaces may be located more than 80-feet from the trunk of a canopy tree.

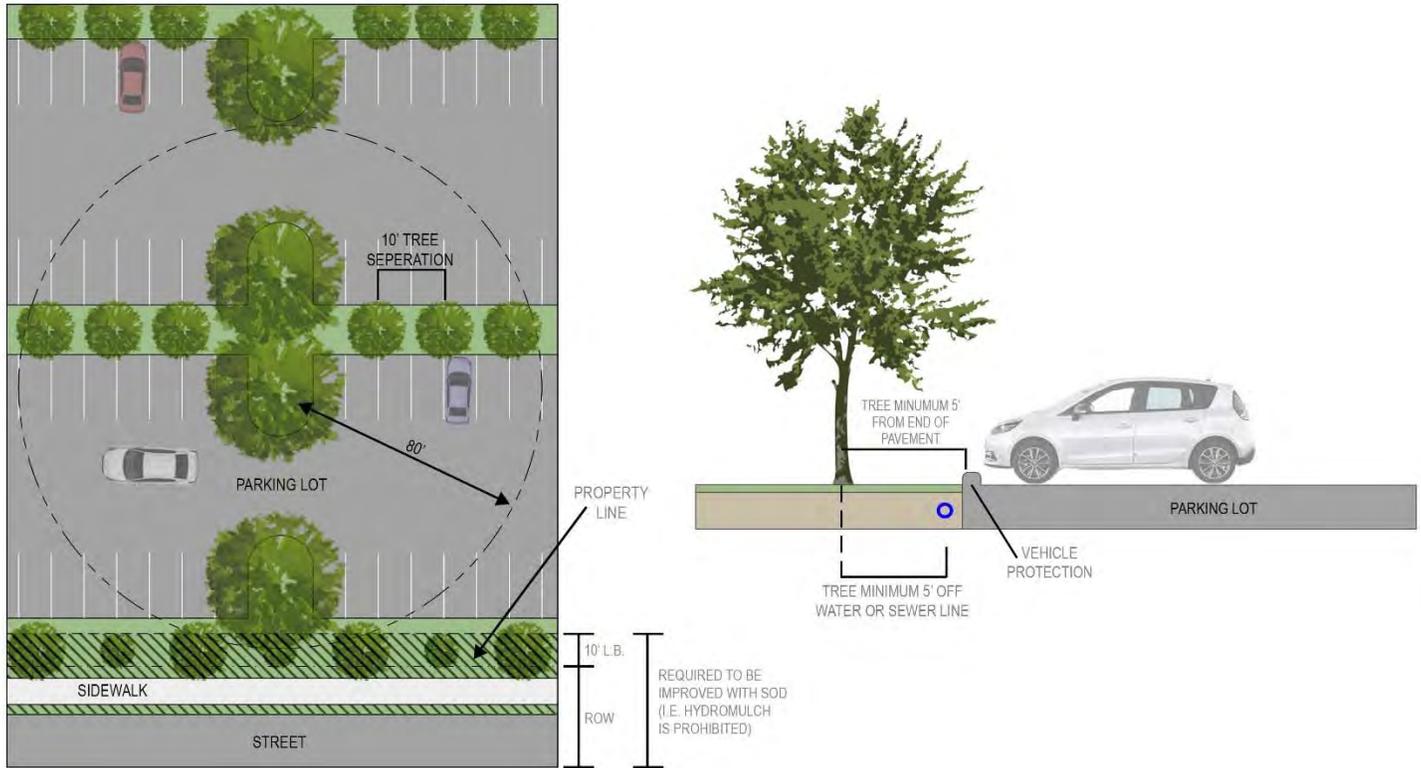
(F) *Protection of Landscape Areas.* Required landscape areas must be protected from vehicular traffic through the use of a concrete curb, or other permanent barrier.

(G) *Landscaping in Landscape Buffers and Public Right-of-Way.* All landscape buffers and public right-of-way located adjacent to a proposed development shall be improved with grass (*i.e. sod -- hydro mulch shall be prohibited in these areas*) prior to the issuance of a Certificate of Occupancy (CO). In addition, it shall be the responsibility of the developer to design the irrigation system within the lot to ensure that the grass placed in public right-of-way is watered and maintained, and to ensure that minimal water will be shed on to the street.

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The designer of the irrigation system shall base the systems design on the ultimate proposed width of the street. The plans for design of the irrigation system shall be approved by the Building Inspections Department prior to installation and acceptance of the project.

Figure 13: Landscape Requirements



SUBSECTION 5.03: ACCEPTABLE LANDSCAPE MATERIALS [MOVED TO SECTION 4]

- A. No artificial plant materials may be used to satisfy the requirements of this article.
- B. Plant materials used to satisfy the requirements of this article must comply with the following minimum size requirements at the time of installation:
 - ✓ Large trees must have a minimum caliper of three inches, or a minimum height of six feet, depending on the standard measuring technique for the species.
 - ✓ Shrubs shall be a minimum of three gallons in size.
- C. For purposes of this section, “height” is measured from the root crown or, if the plant is in a container, from the soil level in the container.
- D. In satisfying the landscaping requirements of this article, the use of high quality, hardy plant materials on the approved plant list below is recommended and encouraged. Plants found on the disapproved plant list below shall not be placed within the right of way or within the required building setback along a street.

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~~E. As an alternative, the xeriscaping standards in Section 5.10 of this Article have been adopted to encourage new and existing developments to implement landscaping standards targeted at reducing water usage by using drought tolerant plantings and plans.~~

~~F. Trees allowed in street landscape buffer areas. The following trees are allowed within the street landscape buffers along public streets:~~

- ~~(1) Afghan Pine.~~
- ~~(2) Bald Cypress.~~
- ~~(3) Burr Oak.~~
- ~~(4) Caddo Maple.~~
- ~~(5) Cedar Elm.~~
- ~~(6) Chinquapin Oak.~~
- ~~(7) Eastern Red Cedar.~~
- ~~(8) Homestead Elm.~~
- ~~(9) Lace Bark Elm.~~
- ~~(10) Leyland Cypress.~~
- ~~(11) Little Gem Magnolia.~~
- ~~(12) Live Oak.~~
- ~~(13) October Glory Maple.~~
- ~~(14) Pecan.~~
- ~~(15) Red Oak.~~
- ~~(16) Texas Ash.~~
- ~~(17) Texas Red Oak.~~

~~and various native understory trees such as:~~

- ~~(1) Desert Willow.~~
- ~~(2) Downy Hawthorn.~~
- ~~(3) Eastern Redbud.~~
- ~~(4) Eve's Necklace.~~
- ~~(5) Mexican Buckeye.~~
- ~~(6) Possumhaw Holly.~~
- ~~(7) Shantung Maple.~~
- ~~(8) Yaupon Holly.~~

~~(Ord. No. 06-14, 4-17-2006; Ord. No. 15-32, § 2, 12-7-2015)~~

~~**SUBSECTION 5.04: PROTECTION OF LANDSCAPE AREAS [MOVED TO SECTION 5.03]**~~

~~Required landscape areas must be protected from vehicular traffic through the use of concrete curbs, or other permanent barriers. Vehicular wheels shall be prevented from extending into landscaped areas.~~

~~**SUBSECTION 5.054: IRRIGATION REQUIREMENTS**~~

~~A. **Generally General Irrigation Requirements.** The owner shall be responsible for the health and vitality of plant material through the irrigation of all landscaped areas, turf and plant materials, and shall:~~

- ~~(1) Provide a moisture level in an amount and frequency adequate to sustain growth of the plant materials on a permanent basis.~~

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- (2) Be in place and operational at the time of the landscape inspection for Certificate of Occupancy (CO).
- (3) Be maintained and kept operational at all times to provide for efficient water distribution.

B. Irrigation Methods.

- (1) *Landscaped Areas.* One (1) of the following irrigation methods shall be used to ensure adequate watering of plant material in landscaped areas:
 - (a) *Conventional System.* An automatic or manual underground irrigation system which-that may be a conventional spray or bubbler type heads.
 - (b) *Drip or Leaky-Pipe System.* An automatic or manual underground irrigation system in conjunction with a water-saving system such as a drip or a leaky pipe system.
 - (c) *Temporary and Aboveground Watering.* Landscape areas utilizing xeriscape plants and installation techniques, including areas planted with native grasses and wildflowers, may use a temporary and above ground system, and shall be required to provide irrigation for the first two (2) growing seasons only.
- (2) *Natural and Undisturbed Areas.* No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.
- (3) *Compliance with State Law.* All irrigation systems shall comply with the irrigation code of [Chapter 10, Buildings and Building Regulations, Article XVI, Irrigation Code, of the City of Rockwall Code of Ordinances](#), and all applicable state laws, as may be amended.

(Ord. No. 09-23, 6-15-2009)

~~SUBSECTION 5.06: SCREENING FROM RESIDENTIAL USES [MOVED TO SECTION 5.03]~~

~~A. Any commercial or industrial use or parking lot that has a side or rear contiguous to any residential district, or any multi-family use with more than five dwelling units or parking lot that has a side or rear contiguous to any single-family, townhouse, or duplex district, shall be screened with a masonry fence (tilt wall or concrete block are prohibited; however, precast walls may be approved by the planning and zoning commission), six feet in height. As an alternative, berms in conjunction with a minimum of a six-foot wrought fence and a combination of trees and shrubs can be utilized to meet the screening requirements if the planning and zoning commission determines that the proposed alternative will provide sufficient screening. The screen shall be located no closer to the street than the property line. Any ordinances concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a street or driveway.~~

~~B. Prior to construction of any required screens, complete plans showing type of material, depth of beam, and structural support shall be analyzed by the building permit office to determine whether or not:~~

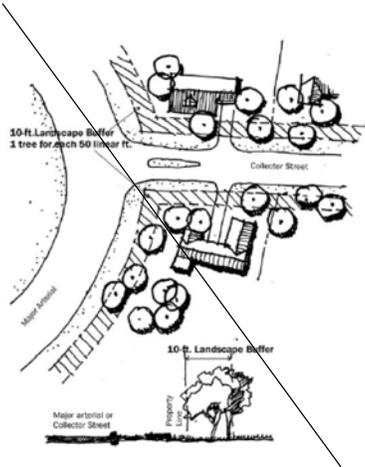
- ~~(1) The screen will withstand the pressures of time and nature;~~
- ~~(2) The screen adequately accomplishes the purpose for which it was intended;~~
- ~~(3) Plans shall be sealed by a registered engineer or they shall conform to the city's standard design for screening walls.~~

~~C. Such screen shall be constructed prior to the issuance of a certificate of occupancy for any building or portion thereof.~~

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D. The areas adjacent to the required screening wall, or areas adjacent to a public street or right-of-way, shall be maintained by the property owner in a clean and orderly condition, free of debris and trash in accordance with the applicable codes of the city.

(Ord. No. 15-32, § 2, 12-7-2015)



SUBSECTION 5.07: STREET LANDSCAPING [MOVED TO SECTION 5.03]

A street landscape buffer strip with a minimum width of ten feet, must be provided along the entire length of the property to be developed that is adjacent to a major arterial or collector street, as defined in the city's thoroughfare plan, exclusive of driveways and access ways. Large trees, as herein defined, shall be provided in the required buffer in numbers equal to one tree for each 50 feet of street frontage.

SUBSECTION 5.08: RIGHT-OF-WAY LANDSCAPING REQUIREMENTS [MOVED TO SECTION 5.03]

All street rights-of-way located adjacent to the proposed development shall be improved with grass or ground cover material and shall be maintained. It shall be the responsibility of the developer to design the irrigation system within the lot to ensure that the grass placed in the right-of-way is watered and maintained and to ensure that minimal water will enter the street itself. The designer of the irrigation system shall base the design on the ultimate proposed width of the street when designing the system. The plans for design of the irrigation system shall be approved by the city prior to installation.

SUBSECTION 5.09: PARKING LOT LANDSCAPING [MOVED TO SECTION 5.03]

A. Any parking lot with more than two rows of spaces shall have a minimum of five percent or 200 square feet, whichever is greater, in the interior of the parking lot in landscaping. Such landscaping shall be counted toward the total landscaping.

B. If the parking and maneuvering space exceeds 20,000 square feet one large canopy tree for every ten required parking spaces shall be required internal to the parking lot. No tree shall be planted closer than 2½ feet to the pavement.

(1) No required parking space may be located more than 80 feet from the trunk of a large canopy tree.

(2) No tree may be planted closer than 2½ feet to the pavement.

(3) All trees must be internal to the parking lot.

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SUBSECTION 5.0540: XERISCAPING/SMARTSCAPING STANDARDS

- (A) *Purpose.* The purpose of this section is to promote the establishment of water conscious landscaping through the implementation of xeriscaping/smartscaping principles. Additionally, this section is intended to provide an alternative to the typical landscape requirements for commercial properties.
- (B) *Principles.* All xeriscaping/smartscaping plans submitted to the city should demonstrate conformance with the following principles:
- (1) *Planning and Design.* Landscape designs and plans should take into account the regional and microclimatic conditions of the site, its existing vegetation and topographical conditions, the intended use, and the zoning (*i.e. vegetation zone*) of plant materials according to their unique water needs. Plans should take into account the various heights of landscaping materials. If the landscape plan is proposed in phases, to account for optimum planting times, all future phases should be included on the submitted landscape plan. In reviewing plans to ensure proper site planning and design, staff shall ensure that the plan: [1] preserves and protects existing vegetation, [2] preserves and protects topsoil, [3] stabilizes and covers all bare soil areas, and [4] incorporates energy/water conservation.
 - (2) *Soil Improvement.* Since soil tends to vary from site to site all soil should be analyzed to determine what plants are suitable to include on the landscape plan and if any soil amendments are required. Soil may require additional organic material be added to ensure the continued health of plants.
 - (3) *Appropriate Plant Selection.* Plant selection should be based on the plant's adaptability to the existing site conditions and need for supplemental watering. Most xeriscape/smartscaping plants will not require supplemental watering. In selecting plant materials, mature plants and shrubs should be used to ensure establishment after installation. A list of plants that are native and acceptable within the city has been provided in [Appendix F, Recommended Plantings](#), of the Unified Development Code; however, staff may approve alternate plantings if they are deemed appropriate for the site. In reviewing plans for conformance to this principle staff will consider the: [1] diversity of the plant species being proposed, [2] size, maturity and water requirements of the selected plantings, and [3] variation of height, spread and color.
 - (4) *Practical Turf Areas.* The type and location of turf areas are considered to be a major design element in xeriscape/smartscaping plans. Turf in this case involves typical varieties of Bermuda, St. Augustine, Ryegrass blends, etc. The maintenance needs of turf can be minimized by the shape, area, irrigation equipment, and turf type selected. Drainage areas and sloped areas are especially suited to the use of native grasses as opposed to turf. In reviewing plans to ensure that the turf areas being proposed are practical staff will review: [1] the design of the turf areas (with rounded, compact turf areas being more efficient), [2] turf areas should be designed to be on a separate zone from other landscaping, [3] turf should be appropriate for the selected location, [4] turf should be avoided on slopes and drainage areas in favor of native grasses, and [5] minimize turf areas by using native grasses, hardscape elements and alternatives.
 - (5) *Efficient Irrigation.* All landscaping is required to have an irrigation system that is designed by a licensed irrigator. Additionally, all irrigation systems should be designed to be water efficient utilizing low-flow irrigation equipment. The plan should show that turf areas should be watered separately, and plants should be grouped in separate zones based on water need. Finally, all irrigation systems are required to be maintained in proper working order.

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- (6) *Use of Mulches.* Mulches minimize evaporation, reduce weed growth, slow erosion and help maintain soil temperature. In reviewing the use of mulches in xeriscape/smartscape plans staff shall ensure: [1] the use of a deep layer of mulch in planting beds (*typically three to four inches*) is utilized, and [2] mulches should be locally or regionally derived materials. Additionally, mulches may include the use of pea gravel, crushed granite, rock or pebbles in unplanted areas.
- (7) *Appropriate Maintenance.* Proper pruning, weeding and fertilization as required with all landscape plans shall be required. Typically, xeriscape/smartscape plans require less maintenance, fertilizer and other chemicals and pesticides.

(C) *Standards.*

- (1) If approved with a *Landscape Plan* native grasses shall be exempt from the rules and requirements of [Section 16-43, Weeds, Brush and Grass, of Chapter 16, Environment, of the Municipal Code of Ordinances](#); however, the grass should be maintained to a height typical for the particular native grass.
- (2) Drainage or detention areas that utilize native grasses in lieu of turf shall be exempt from the requirements stipulated by [Section 5.03\(E\) section 5.12.C](#) (*i.e. one [1] tree per every 750 SF and one [1] accent tree per 1,500 SF of dry-land detention area*). Instead, a shrub or ornamental grass per every 750 SF of dry land area shall be required to be planted on the site or around the detention area.
- (3) A maximum of 30% percent mulches or hardscape is permitted to be incorporated into all xeriscape plans. This may be increased by the Planning and Zoning Commission if deemed appropriate and necessary for the proposed plan.

(D) *Approval of Xeriscape/Smartscape Plans.* All xeriscape/smartscape plans shall require approval by the Planning and Zoning Commission, upon a recommendation by staff concerning conformance to the requirements of this section, at the time of site plan approval.

(Ord. No. 15-32, § 2, 12-7-2015)

SUBSECTION 5.11: DIMENSIONS OF LANDSCAPING-*[MOVED TO SECTION 5.03]*

~~All required landscaping shall be no less than five feet wide and a minimum of 25 square feet in area unless it is within ten feet of the building.~~

SUBSECTION 5.12: REQUIRED LANDSCAPING-*[MOVED TO SECTION 5.03]*

~~A. Amount of landscaping.~~

- ~~1. Minimum square footage requirements for landscaping shall be provided and maintained in the zoning districts set forth as follows. The requirements shall be applied to the total site area to be developed.~~

	Percent Requirement	Net Percent Requirement with Maximum Credits
Multi-family	25	20
Residential-office	25	20
Neighborhood service	20	15
Research/technology	20	15

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General retail	15	10
Commercial	15	10
Heavy commercial	10	5
Light industrial	10	5
Heavy industrial	10	5

2. The total site area required for landscaping may be reduced by no more than five percent in accordance with the provisions of section 6. For example, the required percentage of 15 percent for commercial zoning could be reduced to a total of ten percent under the terms of section 6.

B. Location of landscaping. No less than 50 percent of the total requirement shall be located in front of and along side buildings with street frontage in the following zoning districts: "MF-14," "RO," "NS," "GR," "C" and "RT." One hundred percent of the total requirement shall be located in front of and along side buildings with street frontage in the following zoning districts: "HC," "LI," "HI."

C. Detention basins. Detention basins shall be landscaped in a natural manner using ground cover, grasses, shrubs and trees in all dry land areas. There shall be a minimum of one tree for each 750 square feet of dry land area.

(Ord. No. 06-14, 4-17-2006)

SECTION 6. - LANDSCAPE CREDITS

Credits toward achieving to the landscape requirements may be achieved as follows:

SUBSECTION 6.01: CREDIT FOR REQUIRED LANDSCAPE BUFFERS-STRIPS BETWEEN NON-RESIDENTIAL AND NON-RESIDENTIAL ZONING USED OR ZONED LAND

The overall landscaping requirement may be reduced by 2.5 percent when the buffer strip, whether required or not, has a minimum average width of 15 feet or greater and contains at least one large tree every 40 feet, or large shrubs at least every ten feet the entire length of the perimeter adjacent to property with residential zoning. This perimeter must equal at least 25 percent of the total perimeter of all adjacent private property.

The overall landscape requirement may be reduced by five (5) percent when the required landscape buffer between a non-residential or multi-family land use and a residentially zoned or used property is increased from 20-feet to 40-feet, and utilizes a berm along the entire length of the required landscape buffer. The length of the landscape buffer must be at least the length of the minimum lot depth of the zoning district for which the subject property is located as stipulated by [Article V, District Development Standards](#).

SUBSECTION 6.02: CREDIT FOR SURFACE PARKING SCREENING

The overall landscaping requirement may be reduced by 2.5 percent when a surface parking lot located adjacent to a public street is screened as follows:

- A. The screen must be voluntary, not required by this Unified Development Code.
- B. The screening must be located along the entire length of street frontage of the parking lot, exclusive of driveways, accessways, and visibility triangles. Visibility triangles will be maintained at all driveway intersections.

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~~C. The screening must be at least three feet in height utilizing only evergreen planting materials, berms, and/or masonry walls.~~

~~D. The adjacent street must be generally at the same grade level of the parking lot or below for such credit to qualify.~~

SUBSECTION 6.03: CREDIT FOR ~~RIGHT-OF-WAY LANDSCAPING REQUIRED LANDSCAPE BUFFER ADJACENT TO A PUBLIC STREET~~

The overall landscape requirement may be reduced by five (5) percent when the required landscape buffer adjacent to a public street is increased from ten (10) feet to 20-feet, and a minimum of two (2) Canopy Trees and four (4) Accent Trees are added per 100-linear feet of frontage. The landscape buffer shall also incorporate a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. The berm and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches.

~~The overall landscaping requirement may be reduced by 2.5 percent when the public right-of-way adjacent to a proposed development is landscaped meeting the following requirements:~~

~~A. All landscaping in the right-of-way shall be provided sufficient irrigation for maintenance.~~

~~B. Plants used in landscaping in the right-of-way shall only be varieties included on the approved plant list.~~

~~C. The plan for landscaping in right-of-way shall be submitted and approved by the city prior to any work being done in the right-of-way.~~

~~D. In certain cases, the city may determine that landscaping in the right-of-way may be infeasible and in such cases this credit shall not apply.~~

~~E. Landscaping shall include ground cover, shrubs, trees and/or other plant materials and must cover at least 50 percent of the adjacent right-of-way, exclusive of driveways, to qualify for this credit. Grass alone shall not qualify for this credit.~~

~~F. If the city has an adopted landscape plan for the street adjacent to the proposed project, any proposed improvements must be in compliance with said plan.~~

SUBSECTION 6.04: CREDIT FOR XERISCAPING/~~SMARTSCAPING~~

The overall landscaping requirement may be reduced by 2½% percent when the Director of Planning and Zoning or his/her designee determines that the standards stipulated by [Section 5.4005, *Xeriscaping/Smartscaping Standards*](#), of this Article have been satisfied.

(Ord. No. 15-32, § 2, 12-7-2015)

SECTION 7. - COMPLETION OF LANDSCAPING

SUBSECTION 7.01: IN ACCORDANCE WITH APPROVED PLANS

Except as otherwise provided in [Subsection 7.02](#), all landscaping must be completed in accordance with the approved *Landscape Plan* before a Certificate of Occupancy (CO) may be issued for any building on the lot; however, during drought or water emergency response stages the Director of Planning and Zoning or his/her designee can grant an applicant permission to delay the installation of required landscaping (independent of [Subsection 7.02](#)) upon receipt of a letter from the applicant stating that the landscaping will be installed by a specific date that is within a reasonable time period not to exceed six (6) months. The Director of Planning and

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Zoning may extend the agreement for successive terms if the City is still under drought or water emergency response stages.

(Ord. No. 15-32, § 2, 12-7-2015)

SUBSECTION 7.02: ESCROW AND ASSURANCE

If, due to circumstances beyond the property owner's control, the required landscaping cannot be installed prior to completion of the building and if the property owner provides the Chief Building Official with documented assurance that the landscaping will be completed within six (6) months and the funds required to complete the project are placed in escrow with the City, the Chief Building Official may issue one (1), six (6) month temporary Certificate of Occupancy (CO) and permit the property owner to complete his landscaping during the six (6) month period. For purposes of this subsection, "documented assurance" means a copy of a valid contract to install the landscaping in accordance with the landscape plan within the six (6) month period. The City shall hold the funds in escrow until such time as the landscaping is completed in accordance with the approved plan.

SUBSECTION 7.03: FORFEITURE OF ESCROW

If a temporary Certificate of Occupancy (CO) is issued under [Subsection 7.02](#). and, at the end of the six (6) month period, no permanent Certificate of Occupancy (CO) has been issued because the landscaping has not been installed in accordance with the landscape plan, the property owner shall be deemed in violation of this section, the funds placed in escrow shall be forfeited, and the City shall issue a citation for said violation, unless an extension is granted by the City Manager.

SECTION 8: ~~RESERVED FENCE STANDARDS~~

SUBSECTION 8.01: FENCE PERMIT

No fence shall be constructed within the City without the owner or authorized agent of the owner having secured a permit from the Chief Building Official or his/her designee. A fence repair permit shall be required for the replacement of 25-feet or more of fencing and/or the replacement of five (5) or more posts. The Chief Building Official or his/her designee shall establish and maintain an application for a fence permit that can be utilized for the purpose of issuing fence permits. The fees for such permits shall be established by resolution by the City Council.

SUBSECTION 8.02: GENERAL FENCE STANDARDS

The following general fencing requirements shall apply for all residential and non-residential fences:

(A) *Projections.* No fence guy wire, brace, light standard, sign, vee arm barbed wire base and arm, or any structure attached to a fence shall protrude over any property line.

(B) *Material Requirements.* Unless otherwise provided for in this section [*i.e.* [Section 8, Fence Standards](#)], the following material requirements shall apply to all residential and non-residential fences:

(1) Permitted fencing materials are limited to wood pickets, vinyl coated chain link, wrought iron, decorative metal (*i.e. with the appearance of wrought iron but is made of powder-coated steel, aluminum or covered with a corrosion protection finish*), brick, stone, split face CMU or burnished block, vinyl, fiberglass composite, and concrete with stone face/form liner.

(2) Steel pipe shall be allowed for residential fences as specified in [Subsection 8.03\(C\)](#).

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- (3) Barb wire fences may be used without restrictions when in conjunction with an agricultural related land use; however, no barbed wire fence shall be located on any property that is zoned or used as a residential property. In areas where barbed wire fences are allowed, arms or base and arms with barbed wire shall not have more than three (3) stands a fixed to the arm or base and arm. Constantine or razor wire is prohibited. Any projection of an arm or base for the purpose of affixing barb wire will be considered a part of the fence for the purposes of determining the maximum height.
- (4) It shall be unlawful for any person to construct or maintain any electrical fence or electrical attachment to a fence.
- (5) Precast, smooth face CMU, and corrugated or *R-Panel* fencing shall be prohibited.
- (6) Solid wood fencing exceeding 48-inches in height shall be constructed using metal posts set in concrete, or brick, stone or a combination of brick and stone columns.

(C) *General Fence Details.* Unless otherwise specified in this section, fences constructed in the City of Rockwall shall generally conform to the following minimum fence details:

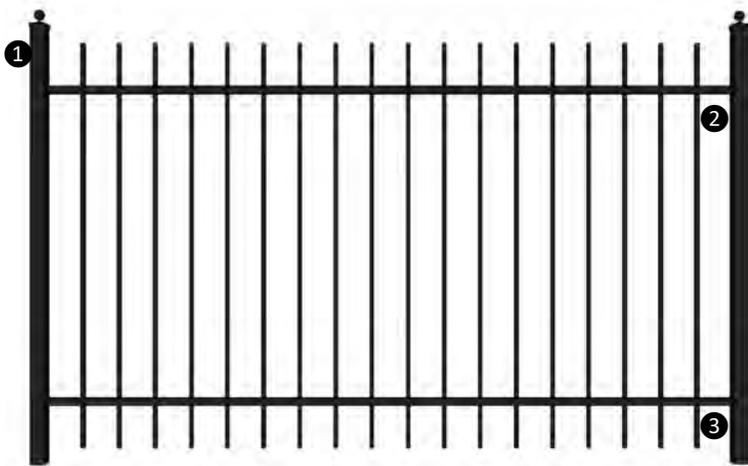
(1) *Wood Fences.*



- ① Top Rail; ② Galvanized or Stainless-Steel Post (*Recommended Minimum of 2³/₈"*); ③ Stinger Board (*Recommended Minimum of 2" x 3"*); ④ Minimum ½" Wood Screen.

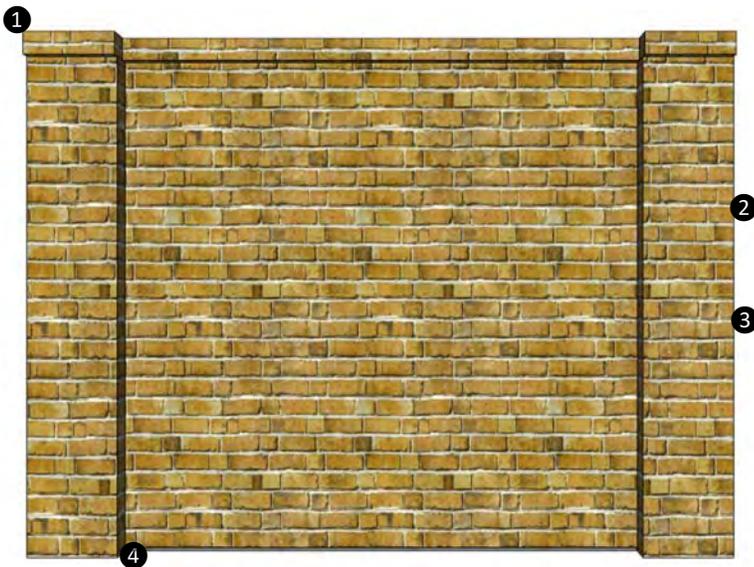
(2) *Wrought Iron Fence.*

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1 Painted or Powder Coated with a Decay Resistant Paint; 2 Top Rail; 3 Bottom Rail.

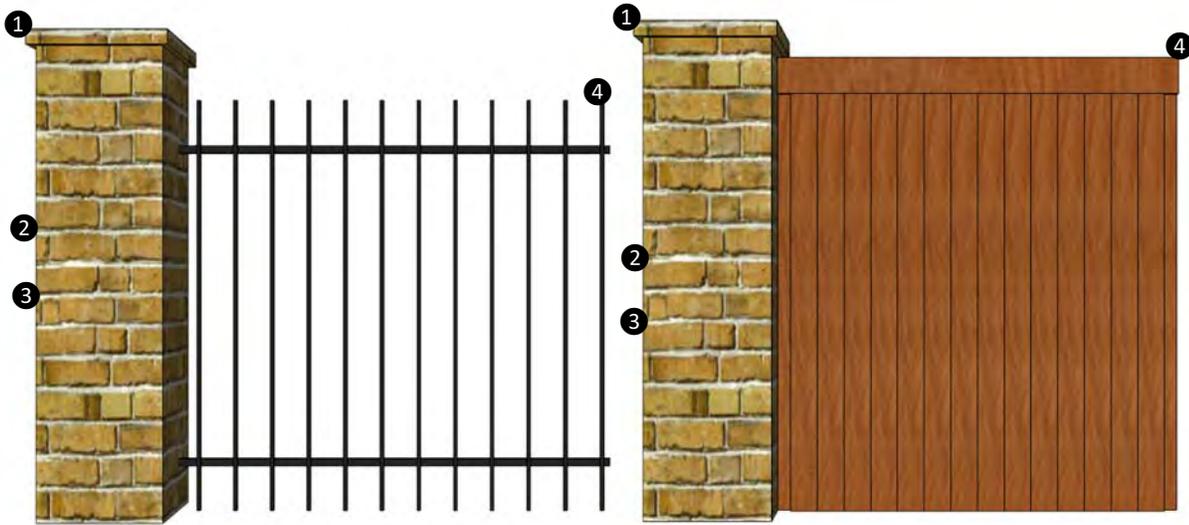
(3) Masonry Wall.



1 Rowlock Cap; 2 Running Bond; 3 3/8 Tooled Joints (Typical); 4 Concrete Footing/Mow Strip.

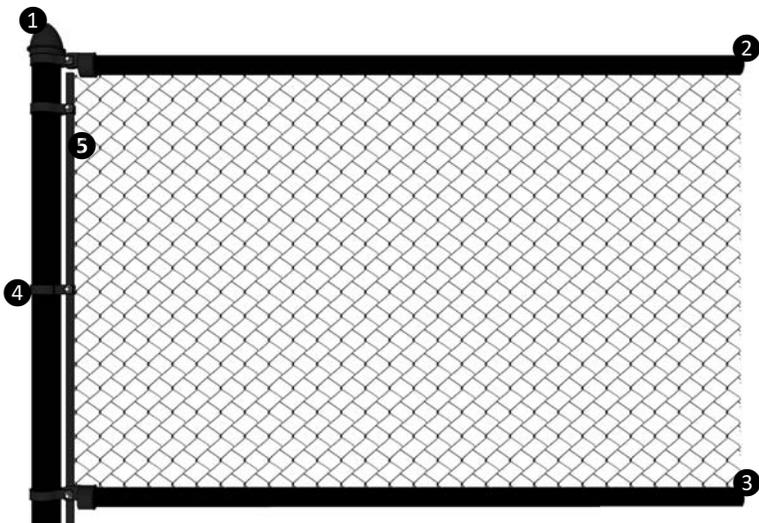
(4) Fence with Masonry Columns.

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① Rowlock Cap; ② Running Bond; ③ 3/8 Tooled Joints (Typical); ④ Wrought Iron or Board-On-Board Wood Fence.

(5) Vinyl Coated Chain-Link Fence.



① Post Cap; ② Top Rail; ③ Bottom Rail; ④ Tension Band; ⑤ Tension Bar.

(D) Fence Height Requirements. All fence heights shall be measured vertically from the inside natural or mean grade elevation of the yard, and shall adhere to the following height requirements:

- (1) Residential fencing shall have a maximum height of eight (8) feet.
- (2) Non-residential fencing shall have a maximum height of 12-feet.

(E) Temporary Fences. The Chief Building Official or his/her designee may permit temporary fencing for the purpose of protecting or securing a construction site. The temporary fences duration of use, location, height, and materials of the temporary fence shall be stated in the request to the Chief Building Official or his/her designee. Barbed wire fencing may be permitted for temporary use; however, Constantine or razor wire is prohibited.

SUBSECTION 8.03: RESIDENTIAL FENCES

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(A) Fence Standards for New Subdivisions. All individual residential fencing and walls proposed for new subdivisions shall be architecturally compatible with the design, materials, and colors of the primary structure or structures on the same lot or within the subdivision, and meet the following minimum standards:

(1) Solid Fencing. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the *public side (i.e. facing streets, alleys, open space, parks, and/or neighboring properties)*. All posts and/or framing shall be placed on the *private side (i.e. facing towards the home)* of the fence. All wood fences shall be smooth-finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.

(2) Transparent Fencing. All transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height. Transparent fencing is required adjacent to all perimeter roadways (*i.e. along the perimeter of the subdivision*), abutting open spaces, greenbelts and parks.

(3) Corner Lots. Corner lot fences (*i.e. adjacent to a street, open space, or parks*) shall provide masonry columns at 45-foot off center spacing that begins at the rear of the property line. A solid cedar *board-on-board* panel fence that is a minimum of six (6) feet in height and a maximum of eight (8) feet in height shall be allowed between the masonry columns along the side and/or rear lot adjacent to an interior street. The fence shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(4) Perimeter Subdivision Fencing. Perimeter subdivision fencing shall be constructed of six (6) foot tall tubular steel or wrought-iron type fencing with masonry columns, landscaping, and entry features. All common areas and perimeter subdivision fencing shall be maintained by a Homeowner's Association (HOA) as specified in the City's subdivision regulations.

(5) Exceptions. The Planning and Zoning Commission may consider alternative materials that are permitted by [Subsection 8.02\(B\)](#) (*e.g. vinyl or split rail fencing*) or alternative screening for perimeter fencing (*e.g. earthen berms with landscaping*) on a *case-by-case* basis at the time of preliminary plat and/or site plan for all new residential subdivisions. These exceptions will be subject to the approval criteria and voting requirements stipulated by [Section 9.01, Exceptions to the General Standards, of Article XI, Development Applications and Review Procedures](#).

(B) Fence Standards for Existing and Infill Single-Family and Duplex Properties. All fences being proposed in established residential areas (*i.e. established single-family or duplex subdivision or areas*) -- *that are not regulated by a Planned Development District ordinance* -- shall be architecturally compatible with the design, materials, and colors of the existing fences in the area; however, the following minimum standards shall apply to all fences requiring a fence permit in these areas:

(1) Solid Fencing. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the *public side (i.e. facing streets, alleys, open space, parks, and/or neighboring properties)*. All posts and/or

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framing shall be placed on the *private side (i.e. facing towards the home)* of the fence. All wood fences shall be smooth-finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.

(2) Transparent Fencing.

(a) *Wrought Iron Fences.* All new transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height.

(b) *Chain-Link Fences.*

(I) *New Chain-Link Fences.* New chain-link fences shall be prohibited.

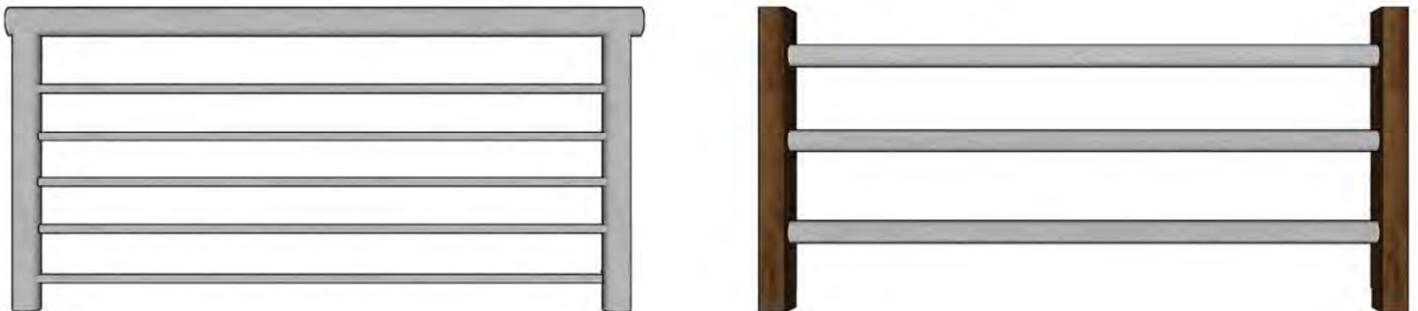
(II) *Replacement of an Existing Chain-Link Fence.* Existing chain-link fences maybe replaced with a new vinyl coated, chain-link fence that is a minimum of four (4) feet in height and a maximum of six (6) feet in height. Replacement chain-link fences may only be placed in the location of the existing chain-link fence.

(III) *Chain-Link Fences in Conjunction with an Accessory Use.* Chain-link fences that are integral to the design of an accessory use (e.g. dog run, batting cage, etcetera) maybe be permitted; however, the fence shall be placed a minimum of ten (10) feet from the property lines unless completely screened from adjacent properties, open spaces, right-of-way, and parkland by a structure, fence or solid landscape screen.

(3) *Special Exceptions.* The Planning and Zoning Commission may consider alternative materials that are permitted by [Subsection 8.02\(B\)](#) (e.g. vinyl or split rail fencing) on a case-by-case basis. These exceptions will be subject to the approval criteria and voting requirements stipulated by [Section 9.01, Exceptions to the General Standards, of Article XI, Development Applications and Review Procedures.](#)

(C) *Fence Standards for Agricultural and Single-Family Estate Properties.* Fences in the Agricultural (AG), Single-Family Estate 1.5 (SFE-1.5), Single-Family Estate 2.0 (SFE-2.0), and Single-Family Estate 4.0 (SFE-4.0) Districts shall meet all the requirements stipulated for [Subsections 8.03\(A\) & 8.03\(B\)](#); however, a metal split-rail or pipe fencing shall be permitted in these districts. Metal split-rail or pipe fencing shall be a minimum of four (4) feet and a maximum of eight (8) feet in height.

EXAMPLE OF METAL SPLIT-RAIL AND/OR PIPE FENCING



(D) Fence Placement.

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*Article VIII, Landscape Standards, of the
Unified Development Code*

(1) *Fences in the Rear and Side Yard.* Fences may be placed in the rear and side yards; however, the following conditions shall apply:

- (a) *Side Yard Fences.* Side yard fences shall not extend beyond the front façade of a single-family structure. In cases where a structure has a front porch or other encroachment, the fence shall not extend beyond where the front porch or encroachment meets the front façade of the single-family structure (as depicted in Figure 18).
- (b) *Abutting an Alleyway.* Fences abutting an alleyway are permitted to be constructed on the side or rear property lines (as depicted in Figure 14).
- (c) *Through Lots.* Fences proposed for *Through Lots* (i.e. lots that have street frontage adjacent to the front and rear yard property lines) may construct a fence on the rear yard property line if all lots within the block have the same lot configuration (i.e. if all lots are *Through Lots* fronting in the same direction) (as depicted in Figure 15). If a *Through Lots*' rear property line is adjacent to a house, the rear yard fence for the *Through Lot* shall not extend past the front yard building line (as depicted in Figure 17).
- (d) *Corner Lots.* Corner lots shall be permitted to construct a fence along the side yard property line adjacent to a street (as depicted in Figure 14); however, in cases where a house is facing in the same direction as the side yard of a corner lot, the side yard fence adjacent to the street shall not extend beyond the front yard building setback (as depicted in Figure 16).

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Figure 14: Corner Lots.



Figure 17: Through Lots.



Figure 15: Fences Back to a Street.

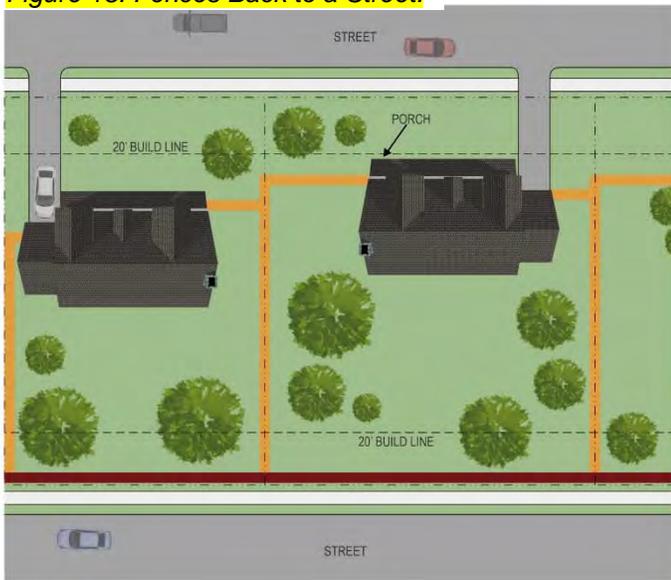


Figure 18: Fences with Common Rear Yards.

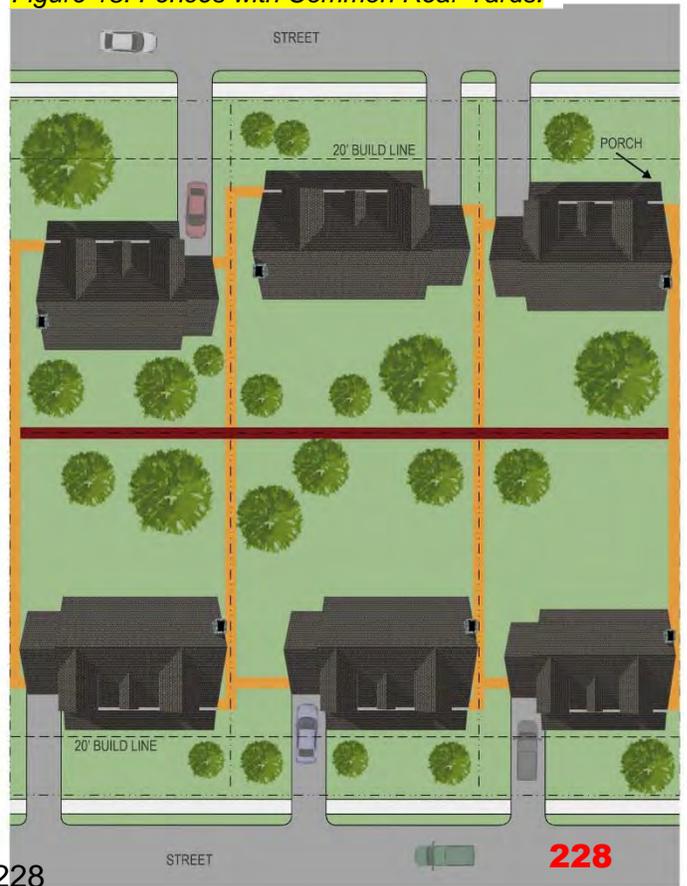


Figure 16: Fences Backing to a Side Yard.

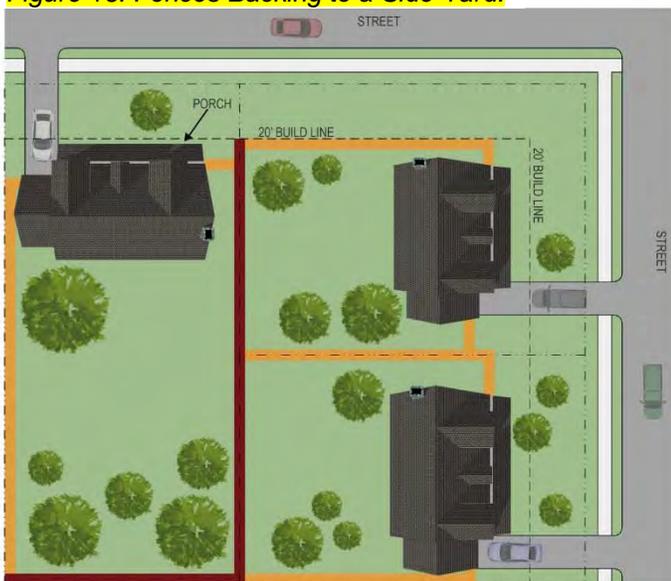


Exhibit 'D'
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(2) **Fences in the Front Yard.** No fence shall be constructed in the front yard of a residential property without being granted an exception from the Planning and Zoning Commission unless specifically permitted by [Subsection 8.03\(D\)\(3\)](#). For the purposes of this provision the front yard is defined as the area between the front façade of the primary structure and the front property line (as depicted in Figure 14). The Planning and Zoning Commission may authorize the issuance of an exception for the construction of a front yard fence subject to the following provisions:

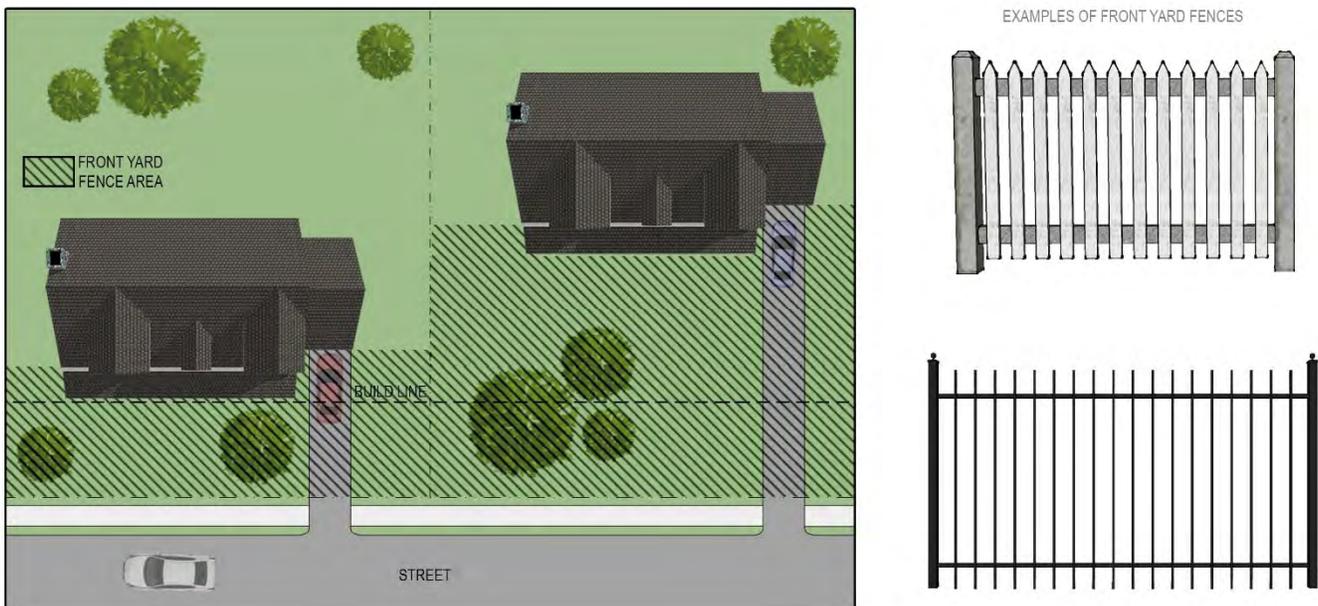
(a) **Wood Fences.** Wood fences that are 50% transparent (e.g. as depicted in Figure 14) shall not exceed 42-inches in height.

(b) **Wrought Iron or Decorative Metal Fences.** Wrought iron or decorative metal fences that are 50% transparent (e.g. as depicted in Figure 14) shall not exceed 48-inches in height.

(c) **Opaque Fences.** Opaque fences are prohibited in the front yard of residential properties.

In considering a front yard fence, the Planning and Zoning Commission may require applicants to provide additional information, plans, drawings, and/or other information concerning the proposed front yard fence. In addition, the Planning and Zoning Commission may establish additional conditions of construction for any fence.

Figure 19: Residential Front Yard Fences



(3) **Exemptions to the Front Yard Fence Requirements.** The following front yard fences are exempted from the exception process for front yard fences:

(a) **Model Homes.** Model homes that incorporate a fence that is 50% transparent (e.g. as depicted in Figure 14), and that does not exceed a maximum height of 42-inches may establish a front yard fence; however, these fences are considered to be temporary and must be removed at the time a permanent residence is established. Alternatively, an exception for a front yard fence can be approved in accordance with the procedures outline in [Subsection 8.03\(D\)\(2\)](#).

(b) **Single-Family Estate Properties.** Properties in a Single-Family Estate 1.5 (SFE-1.5), Single-Family Estate 2.0 (SFE-2.0), or Single-Family Estate 4.0 (SFE-4.0) District shall be permitted to construct a

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front yard fence that is 50% transparent (e.g. as depicted in Figure 14) and that does not exceed 48-inches in height as long as the fence is [1] architecturally harmonious with the development, and [2] constructed of metal split rail, wood picket, vinyl, wrought iron, and/or painted steel.

SUBSECTION 8.02: NON-RESIDENTIAL FENCES

(A) *Fence Standards for Properties in a Commercial District.* Non-required fences in the Neighborhood Services (NS), General Retail (GR), and Commercial (C) Districts, shall be constructed of the materials outlined in [Subsection 8.02\(B\)](#); however, wood and vinyl coated chain-link fences shall be prohibited.

(B) *Fence Standards for Properties in the Residential Office (RO) and Downtown (DT) Districts.* Fences in the Residential Office (RO) District and the Downtown (DT) District shall be constructed of the materials outlined in [Subsection 8.02\(B\)](#). Unless otherwise specified in [Subsection 4.07, Downtown \(DT\) District, of Article V, District Development Standards](#), wood fences proposed in a Residential Office (RO) District or Downtown (DT) District -- in conformance with the requirements of [Subsection 8.03\(B\)](#) -- shall be permitted on properties that have adjacency with a residential zoning district, residentially used property, or a property that has an existing wood fence.

(C) *Fence Standards for Properties in an Industrial District.* Non-required fences in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts, shall be constructed of the materials outlined in [Subsection 8.02\(B\)](#); however, wood fences shall be prohibited.

(D) Fence Placement.

(1) *Side and Rear Yard Fences.* Fences may be placed on the side and/or rear yard property line of any non-residential property; however, the Planning and Zoning Commission may require a fence location to be adjusted to account for site constraints through the site plan process.

(2) *Front Yard Fences.* No fence shall be constructed in the front yard of a non-residential property without being granted an exception from the Planning and Zoning Commission. For the purposes of this provision the front yard is defined as the area between the front façade of the primary structure and the front property line (as depicted in Figure 15). The Planning and Zoning Commission may authorize the issuance of an exception for the construction of a front yard fence subject to the following provisions:

(a) *Location.* Properties adjacent to IH-30, John King Boulevard, and SH-205 shall be prohibited from having a front yard fence.

(b) *Wrought Iron or Decorative Metal Fences.* Wrought iron or decorative metal fences (e.g. as depicted in Figure 15) shall not exceed eight (8) feet in height.

(c) *Vinyl Coated Chain-Link.* In the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) District a vinyl coated chain-link fence may be established in the front yard pending that it [1] is situated a minimum of ten (10) feet off of the front property line, and [2] three (3) tiered screening (i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees) is established in front of the proposed front yard fence along the entire length of the front property line.

(d) *Opaque Fences.* Opaque fences are prohibited in the front yard of non-residential properties.

In considering a front yard fence, the Planning and Zoning Commission may require applicants to provide additional information, plans, drawings, and/or other information concerning the proposed front yard fence. In addition, the Planning and Zoning Commission may establish additional conditions of construction for any fence.

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Figure 20: Non-Residential Front Yard Fences



SECTION 9: GENERAL MAINTENANCE

SUBSECTION 9.01: MAINTENANCE REQUIREMENTS FOR LANDSCAPING

Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all plantings as needed. Any plant that dies must be replaced with another approved plant variety, generally of the same size, that complies with the approved *Landscape Plan* within 90 days after notification by the City.

SUBSECTION 9.01: MAINTENANCE AND INSPECTION REQUIREMENTS FOR FENCES

For information concerning the inspection and maintenance of fences see [Article XI, Fences, of Chapter 10, Building and Building Regulations](#), of the Municipal Code of Ordinances.

SUBSECTION 9.023: UTILITY LINES AND RIGHTS-OF-WAY

Any damage to utility lines resulting from the negligence of the property owner, his agents, or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the landscaping materials, and return them to their prior locations after the utility work. If, nevertheless, some plant materials die, it is the obligation of the property owner to replace the plant materials.

Exhibit 'E'
*Article X, Planned Development Regulations, of the
Unified Development Code*

Additions: **Highlighted**

Deletions: ~~Highlighted, Strikeout~~

Staff Notes: **Highlighted, Red Text**

Links/References: Blue, Underlined

ARTICLE X, PLANNED DEVELOPMENT REGULATIONS, UDC

SECTION 1: ~~PLANNED DEVELOPMENT~~ GENERAL

SUBSECTION 1.01: PURPOSE

The purpose of this article is to provide for the creation of planned development zoning districts ("PD Districts"). PD Districts are intended to provide for the development of land as an integral unit for single or mixed use in accordance with a PD concept plan that may include uses, regulations and other requirements that vary from this Unified Development Code or from other ordinances, rules or regulations of the city. PD Districts are intended to implement the goals and objectives of the city's comprehensive plan, but may be accompanied by specific amendments to provisions of the comprehensive plan, the parks and open space plan or the thoroughfare plan. PD Districts are also intended to encourage flexible and creative planning, to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community by meeting one or more of the following purposes:

- To provide for a superior design of lots or buildings;
- To provide for increased recreation and/or open space opportunities for public use;
- To provide amenities or features that would be of special benefit to the property users or community;
- To protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes or hills and view corridors;
- To protect or preserve existing historical buildings, structures, features or places; or
- To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services.

(Ord. No. 10-14, § 55, 7-6-2010)

SUBSECTION 1.02: NATURE OF PD DISTRICTS ~~AND MINIMUM STANDARDS~~

Each ~~PD~~ **Planned Development (PD)** District is intended to be a freestanding zoning district in which land uses and intensities of land use may be tailored to fit the physical features of the site and to achieve compatibility with existing and planned adjacent uses. In order to ensure that a PD District implements the policies of the comprehensive plan, and to further ensure that the PD District is in accordance with a comprehensive plan of zoning regulation, it is necessary to establish minimum standards for residential and nonresidential uses proposed for the PD District that must be incorporated within an ordinance adopted by the council (the "PD ordinance").

~~(A) Land Use.~~

- ~~(1) Uses. Unless otherwise provided by the PD Planned Development (PD) District Ordinance, only those uses authorized by this Unified Development Code are permitted in PD Planned Development (PD) Districts.~~

~~(Ord. No. 10-14, § 56, 7-6-2010)~~

- ~~(2) Location. The location of all authorized uses shall be consistent with the PD concept plan and/or PD site plan submitted with the Planned Development (PD) District.~~

~~(B) Open Space Standards.~~

Exhibit 'E'
*Article X, Planned Development Regulations, of the
Unified Development Code*

Public and private open space. Unless otherwise provided by the PD ordinance, a minimum of 20 percent of the gross land area within the entire PD District shall be devoted to open space, except where a floodplain exists in the proposed development in which case the dedicated floodplain shall be allowed to count for up to 50 percent of the 20 percent open space requirement, and shall be consistent with the open space requirements of the city's parks and open space plan. Open space for PD Districts may be satisfied by either public or by a combination of public and private open space. Open space requirements specified in this subsection are in addition to requirements for site landscaping and buffering. Public open space shall be dedicated to the city.

(Ord. No. 07-18, 6-04-2007)

(1) Preservation of natural features. Unless otherwise provided by the PD ordinance or PD concept plan:

- (a) Floodplain areas shall be preserved and maintained as open space; and
- (b) Significant stands of native trees and shrubs shall be preserved and protected from destruction or alteration.

(2) Open space allocation. Open space requirements shall be satisfied for each phase of a multi-phased residential development. If open space is not to be provided proportionally among phases of development, the applicant must execute a reservation of open space in a form that will assure the city that such open space will be provided. The city may require that all open space within the district must be provided prior to completion of development within the district.

(3) In a residential planned development, all lots less than 12,000 square feet shall be located within 800 feet of a neighborhood-oriented park or open space corridor, which shall be landscaped and serve as a visual amenity and/or gathering place for socializing with neighbors.

(Ord. No. 07-18, 6-04-2007)

(C) Other minimum development standards:

(1) Dimensional and area standards. Unless otherwise provided by the PD ordinance, dimensional and area standards for uses shall be the most restrictive standards authorized by this Unified Development Code for the same or similar uses.

(Ord. No. 10-14, § 57, 7-6-2010)

(2) Density standards for residential use. Unless otherwise provided by the PD ordinance, a residential planned development shall allow for a density greater than one unit per gross acre and up to two units per gross acre with a mixture of uses and residential unit size with no minimum lot size. The planned development zoning may be allowed based on the following:

- Topographic conditions that will result in quality open space and building arrangements.
- Mix of unit types to accommodate elements of "life-cycle" housing.
- Amount and distribution of open space to enhance value creation.
- The overall master plan and arrangement of buildings and uses.
- The property should be 50 acres or more in size to adequately accommodate the transition to surrounding development.

Additionally, in a residential planned development, a density up to 2.5 units per gross acre may be allowed with the dedication and/or development of additional amenities that would exceed the minimum standards for residential planned developments which could include:

- Parks and open space.
- Golf course.
- Neighborhood amenity/recreation center.
- Integration of schools into the community fabric.

Exhibit 'E'
*Article X, Planned Development Regulations, of the
Unified Development Code*

- ~~Development of trails and parks in floodplains.~~
- ~~Development of municipal parks and recreation facilities.~~

~~(3) **Anti-Monotony Standards for Residential Use.**~~

- ~~(a) Exterior wall materials must comply with section 3.1, General Residential District Standards, of article V of this [Unified Development] Code. Additionally, masonry chimneys shall be required on all homes.~~
- ~~(b) Front elevations shall not repeat along any block face without at least four intervening homes of differing appearance on the same side of the street and two intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two intervening homes of differing appearance. Identical brick blends may not occur on adjacent (side by side) properties. Homes may differ in appearance in any two of the following ways:~~

- ~~Number of stories.~~
- ~~Garage location.~~
- ~~Roof type and layout.~~
- ~~Articulation of the front facade.~~

~~(4) **Fencing Standards.**~~

- ~~(a) Solid fencing shall be cedar standard fencing material (minimum one-half-inch thickness or more). Spruce fencing will not be allowed. All cedar pickets shall be placed on the "public side" facing a street or an alley. All posts and framing shall be placed on the "private side" of the fence. Other types of solid fencing (such as vinyl) may be considered on a case by case basis during the review of the PD development plan.~~
- ~~(b) Tubular steel or wrought iron type fencing shall also be allowed.~~
- ~~(c) Tubular steel or wrought iron type fencing shall be required on all lots located adjacent to perimeter roadways, open spaces, greenbelts and parks.~~
- ~~(d) Split rail fencing shall be allowed on lots containing 20,000 square feet or more.~~
- ~~(e) Fencing on corner lots constructed adjacent to the street shall provide masonry columns at 45 feet off center spacing that begins at the rear property lien corner and terminates at least 15 feet behind the front yard building setback line. A maximum six foot high, solid board on board "panel" cedar fencing or wrought iron type fencing shall be allowed between the masonry columns along the side and/or rear yard adjacent to a street.~~
 - ~~On corner lots which have rear lot liens adjacent to alleys or other rear lot lines, fences may be constructed along the side yard adjacent to the street, subject to a minimum five feet setback from the right-of-way. The property owner shall maintain that portion of the property outside of the fence.~~
 - ~~On corner lots which have rear lot lines adjacent to a side lot line of an adjoining lot(s), only tubular steel or wrought iron type fences not exceeding 42 inches in height may be constructed beyond the building line. Fences constructed on or behind the building line shall comply with the materials requirement in section 4.e above.~~
- ~~(f) All common areas and perimeter fencing shall be maintained by a homeowners association as specified in the city's subdivision regulations. Perimeter fencing shall be constructed of six-foot tall tubular steel or wrought iron type fencing with masonry columns and entry features. The planning and zoning commission may consider alternative perimeter screening such as earthen berms with landscaping during the review of the PD development plan.~~

~~(Ord. No. 07-18, 6-04-2007)~~

SUBSECTION 1.03: PD PLANS REQUIRED

There are three types of plans that may be required as part of the development process within a PD District. Each successive plan may modify the previous plan provided that it does not substantially change the general intent of the original PD district. Each successive plan becomes part of the zoning ordinance governing the property and replaces the previously approved plan.

Exhibit 'E'
*Article X, Planned Development Regulations, of the
Unified Development Code*

- (A) PD concept plan. The PD concept plan is mandatory and is intended to be used as the first step in the PD development process. It establishes the most general guidelines for the PD District by identifying the land uses and intensities, thoroughfare locations, and open space boundaries (including public trail systems). It may include images of intended style and type of development. The concept plan illustrates the integration of these elements into a master plan for the whole PD District. The PD concept plan establishes the development standards for the PD district.
- (B) PD development plan. A PD development plan is optional and is intended to be used where appropriate as the second step of the PD development process. It may be required by the PD ordinance, or it may be submitted voluntarily by the property owner. A PD development plan constitutes an amendment to the approved PD concept plan and PD ordinance and may be used where the developer requests, or the council requires, certain standards for the PD District to be specified after initial establishment of the PD District. A PD development plan includes more detailed information as to the specific development standards and land uses, including their boundaries. The purposes of a PD development plan are to allow flexibility in the development process by deferring specification of all development standards at the time of PD District creation and to enable developers to satisfy conditions imposed on creation of the District prior to submittal of a PD site plan.
- (C) PD site plan. A PD site plan is mandatory and is the final step of the PD development process. The purposes of a PD site plan are to ensure that the development of individual building lots, parcels, or tracts within the PD District are consistent with the approved concept plan and development plan, if any, and to ensure that the standards applicable within the PD District are met for each such lot, parcel or tract. A PD site plan shall continue to be valid for a period of two years after it is approved by the commission; however, such period may be extended by the council upon recommendation of the planning commission.
- (1) The site plan shall be accompanied by building elevations and landscape and master sign plans, which shall be reviewed by the architectural review board for consistency with the overall objectives of the district. The board's recommendation shall be forwarded to the planning and zoning commission for consideration in their recommendation to city council, if applicable.
- (2) A PD site plan shall terminate at the end of a two-year period (or more with an extension approved by the city council) unless, within such period, a preliminary or master plat as required by the city's subdivision ordinance has been filed with the city for all of the land covered by the PD site plan. In which case, the site plan will remain valid as long as there is an approved plat for the property. If a PD site plan terminates, development of the land covered by the terminated plan cannot occur until a new PD site plan has been approved for the land as provided by this article.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 1.04: PD COMPLIANCE WITH APPROVED PLANS

Except as otherwise provided by the subdivision provisions of this Unified Development Code, no development shall begin and no building permit shall be issued for any land within a PD District until a PD site plan that is consistent with the PD concept plan and applicable PD development plan has been approved. Each PD District shall be developed, used, and maintained in compliance with the approved PD site plans for the district. Compliance with the PD ordinance shall be construed as a condition precedent to granting of certificates of occupancy.

(Ord. No. 10-14, § 58, 7-6-2010)

SECTION 2: PLANNED DEVELOPMENT DISTRICT STANDARDS

SUBSECTION 2.01: GENERAL STANDARDS FOR PLANNED DEVELOPMENT DISTRICTS

All Planned Development (PD) District ordinances shall conform to the following general standards:

Exhibit 'E'
*Article X, Planned Development Regulations, of the
Unified Development Code*

- (A) **Size and Acreage Requirements.** A Planned Development (PD) District requires a minimum of 15 contiguous acres for non-residential PD Districts, and 25 contiguous acres for residential PD Districts; however, PD Districts may be less than the stated acreages when the Director of Planning and Zoning determines that the PD District will be in conformance with the policies and guidelines contained in the City's Comprehensive Plan or will serve the public's interest.
- (B) **Permitted Land Uses.** Unless otherwise provided by the Planned Development (PD) District ordinance, only those uses authorized by [Article IV, Permissible Uses](#), shall be permitted within a PD District.
- (C) **Base Zoning.** All Planned Development (PD) District ordinances shall reference an appropriate base zoning district that can provide standards for density and dimensional requirements not specifically addressed in the PD District ordinances. If the standards of the base zoning district are amended, then the amended standards shall apply to a PD District unless the standards are specifically addressed in the PD District ordinance. Any amendments to a base zoning district that affect a PD District do not require special notice to be provided to the properties within the PD District.

SUBSECTION 2.01: MINIMUM STANDARDS FOR RESIDENTIAL PLANNED DEVELOPMENT DISTRICTS

The minimum requirements for residential Planned Development (PD) Districts shall be in accordance with [Section 3, Residential Districts, of Article V, District Development Standards](#), unless otherwise specified below. If the subject property is situated within an established overlay district -- as noted in [Section 6, Overlay Districts, of Article V, District Development Standards](#) --, and a particular use or standard conflicts with the below minimum requirements then the more restrictive standard would apply.

- (A) **Density.** Residential Planned Development (PD) Districts shall allow for density in conformance to the density guidelines contained in the Comprehensive Plan or as otherwise approved by the City Council upon a recommendation from the Planning and Zoning Commission.
- (B) **Roof Pitch.** A minimum of an 8:12 roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a 4:12 roof pitch. Rear elevations may have a minimum of 6:12 roof pitch.
- (C) **Fencing Standards.** The fence standards contained in a Planned Development (PD) District ordinance shall -- at a minimum -- conform to the requirements contained in [Section 8, Fence Standards, of Article VIII, Landscape and Fence Standards](#).
- (D) **Landscape and Hardscape Standards.**
- (1) **Landscape Buffer.** A minimum of a 30-foot landscape buffer shall be provided adjacent to all perimeter roadways (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage.
 - (2) **Street Trees.** The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-foot vertical clearance height for any trees overhanging a public right-of-way.
 - (3) **Hardscape.** Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (E) **Open Space.** A minimum of 20 percent of the gross land area within the entire Planned Development (PD) District shall be devoted to public and private open space. Floodplains shall be counted towards open space requirement at a rate of ½-acre for every acre of dedicated floodplain. Open space for PD Districts may be satisfied by either public, private, or a combination of public and private open space. Open space requirements specified in this subsection are in addition to the requirements for site landscaping and buffering. Public open space shall be dedicated to the City. In addition, open space in a PD District shall adhere to the following:

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- (1) *Preservation of Natural Areas.* Floodplain areas shall be preserved and maintained as open space. Significant stands of native trees and shrubs shall be preserved and protected from destruction or alteration.
- (2) *Multi-Phase Developments.* Open space requirements shall be satisfied for each phase of a multi-phased residential development. If open space is not to be provided proportionally among phases of the development, the applicant must execute a reservation of open space in a form that will assure the City that such open space will be provided. The City may require that all open space within the district be provided prior to completion of development within the Planned Development (PD) District.
- (4) *Open Space Proximity Requirements.* In a residential Planned Development (PD) Districts, all lots less than 12,000 SF shall be located within 800-feet of a neighborhood-oriented park or open space (*i.e. private or public*). All open space areas shall be landscaped and serve as a visual amenity and/or gathering place for socializing with neighbors.
- (F) *Lighting Standards.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and positioned to contain all light within the developed area.
- (G) *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* necessary to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (H) *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas (*including drainage facilities*), irrigation, landscaping, amenity center, screening fences and neighborhood signage associated with this development.
- (I) *Variances.* The variance procedures and standards for approval that are set forth in [Section 9, Exceptions and Variances, of Article XI, Development Applications and Review Procedures](#) shall apply to all Planned Development (PD) Districts.

SUBSECTION 2.01: MINIMUM STANDARDS FOR NON-RESIDENTIAL PLANNED DEVELOPMENT DISTRICTS

Unless otherwise specified in the Planned Development (PD) District ordinance, the minimum standards for all non-residential development shall conform to the minimum standards for overlay districts, which are outlined in [Subsection 6.02, General Overlay District Standards, of Article V, District Development Standards](#). In cases where the standards differ by overlay district, the most restrictive standard shall apply.

SECTION 23: PLANNED DEVELOPMENT PROCEDURES

SUBSECTION 23.01: ESTABLISHMENT OF A PD DISTRICT

- (A) *Zoning amendment.* An application for the establishment of a PD District shall be made to the [planning and zoning] commission. The application shall:
- (1) Be accompanied by a PD concept plan;
 - (2) Be accompanied by a list of proposed PD District development standards;

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- (3) Identify the city's then-current zoning district which shall apply to the extent not otherwise provided by the PD concept plan or by the proposed PD District development standards;
 - (4) Be accompanied by a concept plan informational statement, and traffic impact analysis unless waived by the council.
 - (a) Except to the extent provided by the PD concept plan and the PD ordinance, development within the PD District shall be governed by all of the ordinances, rules, and regulations of the city in effect at the time of such development (including the standards of the city's zoning district so identified in the application). In the event of any conflict between:
 - (1) The PD concept plan and the PD ordinance; and
 - (2) The then-current ordinances, rules, and regulations of the city;
 - (3) the terms, provisions, and intent of the PD concept plan and PD ordinance shall control. In addition, prior to action by the commission on the establishment of the PD District, the applicant shall submit a traffic impact analysis.
- (B) PD concept plan. A PD concept plan (or, at the applicant's option, a PD development plan) shall be processed simultaneously with the zoning amendment application, and if the zoning amendment application is approved, the PD concept plan (or PD development plan) shall be incorporated as part of the PD ordinance. The graphic depictions contained on a PD concept plan shall be considered as regulatory standards. Each PD concept plan shall be prepared on one or more standard sheets of sizes of 30 inches by 42 inches or 24 inches by 36 inches and at an engineering scale of one inch equals 100 feet or larger. If multiple sheets are required, an overall plan shall be submitted as well (which may be to any scale). Unless waived by the council on recommendation of the zoning administrator, each PD concept plan shall graphically depict the following:
- (1) A diagram or drawing of the boundaries of the proposed PD District;
 - (2) Proposed and existing land uses by category (including, if applicable, proposed and existing land uses by category for any sub-areas to be developed within the PD District);
 - (3) Proposed density by type of residential uses, including the maximum numbers of dwelling units for residential uses other than single-family detached, and lot sizes for single-family detached;
 - (4) Proposed estimated total floor area and floor area ratios by category of nonresidential uses, together with residential view analysis, if any;
 - (5) Proposed configuration of public and private open space serving the development, showing the relationship to the city's parks and open space plan, including trail system and access points to the trail system, estimated dimensions and approximate area, and areas to be dedicated to the public or to a private maintenance organization, if known;
 - (6) Proposed and existing thoroughfares, boulevards and roadways;
 - (7) To the extent known for adjoining land, existing land uses (by zoning district), existing thoroughfares; and existing open space for such adjoining land; and
 - (8) A general plan for circulation of traffic and pedestrians within and external to the development, including designated points of access.
- (C) Concept plan informational statement. A PD concept plan shall be accompanied by an informational statement containing the information set forth below. If the zoning amendment application is approved, the informational statement shall not be binding on the applicant or the land owner and shall not be considered part of the PD concept plan or the PD ordinance. Informational statements shall be updated concurrently with any amendment to the PD concept plan and with each PD development plan. Each statement shall include the following:
- (1) A general statement setting forth how the proposed PD District will relate to the city's comprehensive plan;
 - (2) The total acreage within the proposed PD District;
 - (3) If the development is to occur in phases, a conceptual phasing plan that identifies the currently anticipated general sequence of development, including the currently anticipated general sequence for installation of major capital improvements to serve the development; and
 - (4) An aerial photograph with the boundaries of the PD concept plan clearly delineated.

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- (D) Proposed PD development standards. Proposed PD District development standards shall be processed simultaneously with the zoning amendment application, and if the zoning amendment application is approved, such standards shall be incorporated as part of the PD ordinance. Such proposed development standards may include (but shall not be limited to) uses; density; lot size; lot dimensions; setbacks; coverage; height; landscaping; lighting, fencing, parking and loading; signage; open space; drainage; and utility and street standards. Any graphic depictions used to illustrate such standards, unless otherwise provided in the PD ordinance, shall be considered as regulatory standards.
- (E) Traffic impact analysis. Prior to or simultaneous with submission of an application for the establishment of a PD District, the applicant shall submit to the city's transportation engineer a traffic impact analysis for the proposed PD District, unless waived by council. The analysis must be approved by the council prior to or concurrently with the approval by the council of the PD District. The traffic analysis shall not be considered part of the PD concept plan or the PD ordinance but may be used to condition the density or intensity of uses or the timing of development within the district based upon the existence of a supporting roadway network adequate to accommodate the traffic expected to be generated. The traffic impact analysis shall be updated with each PD site plan.
- (F) Complete application. No application for the establishment of a PD District shall be deemed to be filed with the city until the zoning administrator has determined that the PD concept plan is complete, that the proposed PD District development standards have been identified, a traffic impact analysis has been submitted, and that the informational statement is complete. Fifteen copies of all such materials shall be submitted.
- (G) Commission recommendation. The commission, after notice and public hearing in accordance with this Unified Development Code procedures, shall formulate its recommendation with respect to establishment of a PD District. The recommendation of the commission shall be forwarded to the council for decision.
- (Ord. No. 10-14, § 59, 7-6-2010)*
- (H) Council decision. Following receipt of the commission's recommendation, the council, after notice and public hearing in accordance with this [Unified Development Code] procedures, shall conduct a public hearing and shall approve, approve with conditions, or deny the application for establishment of the PD District.
- (I) Approval criteria. Based upon the PD concept plan, the commission, in making its recommendations to the council, and the council, in determining whether the PD District should be established, shall consider whether the following criteria have been met:
- (1) The plan of development is generally consistent with the city's comprehensive plan (as such plan may be amended prior to or concurrently with approval of the PD District);
 - (2) Proposed uses and the configuration of uses are compatible with existing and planned adjoining uses;
 - (3) The general arrangement of streets conforms to the city's thoroughfare plan (as such plan may be amended prior to or concurrently with approval of the PD District);
 - (4) Proposed uses, development densities and intensities, and development regulations are generally consistent with this article;
 - (5) The configuration of the proposed open space serving the development is consistent with the city's parks and open space plan (as such plan may be amended prior to or concurrently with approval of the PD District);
 - (6) The amenities proposed justify proposed densities or intensities;
 - (7) The proposed plan of development furthers the public health, safety and general welfare of the community; and
 - (8) The traffic impact analysis demonstrates that the capacity of the proposed roadways shown on the proposed PD concept plan, together with any roadways within related PD Districts and the supporting roadway network, are adequate to accommodate the traffic expected to be generated by the uses, densities and intensities of use shown on the PD concept plan in and authorized in the PD ordinance in a timely and efficient manner.
- (J) Conditions. The commission may recommend, and the council may require, such conditions to the establishment of a PD District and to the approval of a PD concept plan as are reasonably necessary to ensure that the purposes of the district and the approval criteria for the PD concept plan are met. Such conditions may include the requirement of a PD development plan.

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(K) Adopting ordinance. The PD ordinance shall include the PD concept plan as an exhibit to [this article] and shall include the following:

- (1) A statement of the purpose and intent of the PD District;
- (2) A metes and bounds description of the land within the PD District;
- (3) A list of the specific land uses permitted within the PD District, together with a description of the sub-areas, if any, in which such uses are allowed;
- (4) The maximum density or intensity of each permitted land use;
- (5) A list of all the PD District development standards, together with necessary graphic illustrations;
- (6) Identification of the city's then-current zoning district standards that shall apply to the extent not otherwise provided by the PD concept plan or PD ordinance;
- (7) Identification of the development standards, if any (whether in the PD ordinance or in the then-existing ordinances, rules, or regulations of the city), that may be deferred for specification until approval of a PD development plan or that may be varied by the council as part of the approval process for a PD site plan;
- (8) Unless otherwise identified on the PD concept plan, the general location and size of open space serving the development, including any proposed dedication of open space to the public or to a maintenance organization;
- (9) Provisions governing amenities, if any, to justify densities or intensities;
- (10) Such additional conditions as are established by the council to ensure that the PD District and PD concept plan are consistent with the purposes of the district and the approval criteria for the concept plan.

SUBSECTION 23.02: PD DEVELOPMENT PLANS

If the council requires as a condition of establishing the PD District and approving a PD concept plan that PD development plans be submitted prior to submittal of a PD site plan, a PD development plan may be prepared and submitted for the entire development at one time or for individual phases of development. Each required copy of the PD development plan shall be accompanied by (i) a development plan informational statement and (ii) a preliminary drainage study for the area covered by the proposed plan. If deemed necessary by the city's transportation engineer or zoning administrator, the applicant for a PD development plan shall also submit an updated traffic impact analysis prior to commission action.

(A) Submittal requirements for PD development plans.

- (1) Approximations of the following: site boundaries and dimensions, lot lines, site acreage and square footage, and distances to the nearest cross streets;
- (2) Location map, north arrow, title block and site data summary table;
- (3) Existing land uses and zoning classifications on adjacent properties;
- (4) Preliminary tree survey;
- (5) Any features omitted from the PD concept plan upon council authorization; and
- (6) Such additional features as are necessary to ensure compliance with conditions established by the council to be satisfied by the development plan.

(B) PD development standards. Development standards that were not specified in the PD ordinance, as authorized by the council, shall be submitted and approved as an amendment to the PD ordinance and incorporated therein, in conjunction with approval of the PD development plan.

(C) Development plan informational statement. Each PD development plan shall be accompanied by an informational statement containing the information set forth below. Informational statements shall be updated concurrently with any amendment to a PD development plan and with each PD site plan. Each informational statement shall include the following:

- (1) Name and address of landowner and date of preparation of the PD development plan;
- (2) Name and address of architect, landscape architect, planner, engineer, surveyor, or other persons involved in the preparation of the PD development plan;
- (3) A table listing the specific permitted uses proposed for the property, and, if appropriate, the boundaries of the different land uses and the boundary dimensions;
- (4) Development standards for each proposed land use, as follows:

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- (a) Minimum lot area;
 - (b) Minimum lot width and depth;
 - (c) Minimum front, side, and rear yard areas;
 - (d) Maximum height of building; and
 - (e) Maximum building coverage;
- (5) A list of the development standards, if any (whether in the PD ordinance or in the then-existing ordinances, rules, or regulations of the city that apply to development within the PD District), for which the applicant is seeking amendment by the council as part of the PD development plan approval process;
- (6) If council approval of any height increase is being requested, a view analysis of the impact of such requested variance on adjacent residential areas of the city;
- (7) Preliminary and approximate building locations and building footprints;
- (8) Preliminary elevations and perspectives to show the relationship of building heights to surrounding topography;
- (9) Location of parking areas and structures for multi-family and nonresidential uses, including areas for off-street parking;
- (10) A detailed description of how open space serving the development will be satisfied for the phase of development represented by the PD development plan, including any proposed dedications of open space to the public or to a private maintenance organization;
- (11) If the PD development plan is a phase of the project (as described in the applicant's original informational statement submitted with the PD concept plan), depiction of the area subject to the development in relation to the then-current phasing plan, together with any updates of the then-current phasing plan that was submitted as part of the applicant's original informational statement; and
- (12) A list identifying each proposed addition or amendment to the PD ordinance.
- (D) Preliminary drainage study. Each PD development plan shall be accompanied by a preliminary drainage study for the area covered by the study. The study shall be prepared by a professional engineer licensed in the State of Texas and experienced in the study of drainage issues.
- (1) Purpose. The purposes of the drainage design policies are to prevent flooding of adjacent properties, owned by third parties and to regulate water surface elevations and peak discharges. Development within the PD District shall not produce any increase in the water surface elevation (either upstream or downstream) due to a five-year, ten-year, 50-year, or 100-year storm. If the discharge from the area proposed for development would increase the water surface elevation above predevelopment conditions on any property owned by third parties due to any of such storms, then such peak discharge must be regulated to the extent necessary to eliminate the increased water surface elevation. The regulation of discharges to eliminate such increases may be achieved using either on-site or off-site stormwater management facilities (such as detention areas, retention areas, and infiltration and sedimentation ponds).
- (2) Content. The preliminary drainage study shall:
- (a) Contain a topographical map of the area proposed for development to a scale not smaller than one inch equals 200 feet;
 - (b) Generally describe how the proposed development will comply with the drainage design policies set forth below;
 - (c) Include all information deemed necessary by the preparing engineer to support his determination that the proposed development will comply with the drainage design policies; and
 - (d) Include all information reasonably requested by the city engineer to support his review of the preliminary drainage study.
- (E) Updated traffic impact analysis. If deemed necessary by the city's transportation engineer or if required by the PD ordinance, the applicant for a proposed PD development plan shall submit an updated traffic impact analysis prior to action by the commission. The purpose of the updated analysis is to determine whether the traffic estimated to be generated by the development shown on the proposed PD development plan will necessitate specific on-site or adjacent traffic improvements (e.g., turn lanes, stacking lanes, signalization, etc.) and to determine whether conditions attached to the concept plan based on the original traffic impact analysis have been met.

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(F) Commission recommendation. The commission, after notice and public hearing in accordance with this Unified Development Code procedures, shall recommend to the council whether to approve, approve with conditions, or disapprove each PD development plan, together with each proposed amendments to the PD ordinance.

(Ord. No. 10-14, § 60, 7-6-2010)

(G) Council decision. Upon receipt of the commission's recommendation, the council, after notice and public hearing in accordance with this Unified Development Code procedures, shall approve, approve with conditions, or disapprove each PD development plan and each proposed addition or amendment to the PD ordinance.

(Ord. No. 10-14, § 60, 7-6-2010)

(H) Approval criteria. The commission, in making its recommendation to the council, and the council, in acting upon each PD development plan and proposed addition or amendment to the PD ordinance, shall determine whether the proposed PD development plan and ordinance addition or amendment meets the following criteria:

- (1) The plan generally is consistent with the approved PD concept plan (including open space, trails, and thoroughfares);
- (2) The plan generally is consistent with the development standards set forth in the PD ordinance;
- (3) The plan satisfies any conditions established by the council in the PD ordinance relating to development plan approval;
- (4) The plan is generally consistent with the standards and conditions of this Unified Development Code and of other ordinances, rules and regulations of the city (to the extent that such standards and conditions are applicable to development within the PD District);
- (5) The traffic estimated to be generated by the plan is generally consistent with the original, council approved traffic impact analysis and any conditions to be satisfied at the time of the development plan approval have been met;
- (6) The plan includes the necessary on-site or adjacent traffic improvements to accommodate traffic generated by the plan (e.g., turn lanes, stacking lanes, signalization, etc.); and
- (7) The preliminary drainage study for the plan indicates that the proposed development can be achieved without increasing the upstream or downstream water surface elevation on property owned by third parties and that detention and drainage areas can be improved in a natural manner.

(Ord. No. 10-14, § 61, 7-6-2010)

(I) Conditions. The commission may recommend, and the council may require, such conditions to the approval of a PD development plan as are reasonably necessary to ensure that the approval criteria are met.

(J) Approving ordinance. The development plan shall be incorporated within an ordinance amending the PD ordinance and the concept plan. The amending ordinance shall set forth all standards necessary for development of the land subject to the development plan that were not included in the PD ordinance. The amending ordinance also shall repeal or amend any conditions that were attached to the PD ordinance that have been satisfied as a result of approving the development plan and associated amendments.

SUBSECTION 23.03: PD SITE PLANS

(A) Delegation to commission. The commission hereby is delegated the authority to approve, conditionally approve, or deny PD site plans and all amendments thereto, subject to appeal to the council. Any site plan subject to a request for variances or other modifications that are reserved for the council by these PD regulations shall be decided by the council upon recommendation of the commission.

(B) Submittal requirements. The following requirements apply to each application for PD site plan approval:

- (4) Size. PD site plans shall be prepared on one or more standard sheets of sizes of 30 inches by 42 inches or 24 inches by 36 inches and at an engineering scale of one inch equals 100 feet or larger. If multiple sheets are required,

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an overall plan shall be submitted as well (which may be to any scale). PD site plans shall be prepared by a registered engineer, architect, or landscape architect.

(5) General information.

- (a) North arrow;
- (b) Total site acreage;
- (c) Submission date;
- (d) Scale (written and graphic);
- (e) Vicinity map;
- (f) Names, addresses, and telephone numbers of designer, engineer, developer, and owner;
- (g) A boundary survey of the site with the location of proposed land uses;
- (h) Adjacent subdivision names and property lines; and
- (i) Adjacent land uses and structures.

(6) Structures.

- (a) Location, dimensions, and use of all existing facilities and proposed building sites;
- (b) Setback and separation distances between building sites;
- (c) Proposed construction type and facade materials for all multi-family and nonresidential buildings (the commission may require elevations and perspective drawings);
- (d) Proposed density of each use;
- (e) Proposed location of screening along public roadways shown on the PD concept plan;
- (f) Location and types of signs, including lighting and heights;
- (g) Elevation drawings citing proposed exterior finish materials; and
- (h) Location of solid waste collection facilities.

(7) Streets and sidewalks.

- (a) Location and width of all rights-of-way and easements;
- (b) Location and dimensions of all pavement and curbing;
- (c) Location and width of all sidewalks;
- (d) Location and width of all ingress/egress points;
- (e) Location and width of all medians and median breaks;
- (f) Location of any special traffic regulation facilities;
- (g) Location of fire lanes; and
- (h) Street names on proposed streets.

(8) Off-street parking and loading areas.

- (a) Number, location, and dimension of spaces;
- (b) Type of surface material of parking facility;
- (c) Dimension of aisles, driveways, maneuvering areas, and curb return radii;
- (d) Distance between spaces and adjacent rights-of-way;
- (e) Location of all existing and proposed fire lanes and hydrants; and
- (f) Proposed lighting diagram.

(9) Landscaping.

- (a) Location and size of major tree groupings and existing hardwood trees of four inches caliper or greater, and other protected trees as specified in article IX, Tree Preservation, noting whether they are to be removed or retained;

(Ord. No. 06-14, 4-17-2006)

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- (b) Location and size of proposed plant materials, including paving, together with type and species of plants;
- (c) Number and type of each landscape element;
- (d) Height and type of all fencing or buffering;
- (e) Height of all planters, sculptures, and decorative screens;
- (f) Location and type of trash receptacle screening;
- (g) Location and type of lighting for streets, signage, and parking areas; and
- (h) Location of visibility triangles, where required.

(10) Drainage.

- (a) Direction of water flow;
- (b) Quantity of on-site and off-site water generation;
- (c) Topographic contours at a minimum of five-foot intervals;
- (d) Points of concentrated water discharge;
- (e) Areas where special design and construction may be necessary due to slope or soil conditions;
- (f) Location and design of all water detention and drainage areas; and
- (g) Drainage ways, creeks, and limits of the 100-year floodplain and floodway as shown on current FEMA mapping or the city's master drainage plan, including location and acreage, together with a general plan for accommodating flood waters and drainage.

(11) Preliminary service plan.

- (a) A preliminary drainage plan of the area showing the size and location of each existing and proposed drainage way and retention or detention area. If no development plan has been required and approved by the council, the drainage plan shall incorporate the requirements of the preliminary drainage study;
- (b) The proposed method of providing water and sewer service; and
- (c) If no development plan has been required and approved by the council, an updated traffic impact analysis.

(12) Special exceptions. A list of the development standards, if any (whether in the PD ordinance or in the then-existing ordinances, rules, or regulations of the city that apply to development within the PD District), for which the applicant is seeking a special exception by the council as part of the PD site plan approval process.

(C) Commission decision. The commission shall approve, approve subject to conditions, or deny each PD site plan.

(Ord. No. 06-14, 4-17-2006)

(D) Approval criteria. The commission, in approving, conditionally approving, or denying a PD site plan, shall consider the following criteria:

- (1) The plan complies with the applicable PD concept plan or development plan, if any, and with the PD ordinance, expressly including conditions attached to the concept plan, development plan or PD ordinance;
- (2) The plan complies with the standards and conditions of this Unified Development Code and other ordinances, as well as other rules and regulations of the city (to the extent that such standards and conditions are applicable to development within the PD District);
- (3) If no development plan was required and approved by the council, the traffic estimated to be generated by the plan is generally consistent with the original council-approved traffic impact analysis;
- (4) If no development plan was required and approved by the council, the plan includes the necessary on-site or adjacent traffic improvements to accommodate traffic generated by the plan (e.g., turn lanes, stacking lanes, signalization, etc.);
- (5) If no development plan was required and approved by the council, the preliminary drainage study for the plan indicates that the proposed development can be achieved without increasing the upstream or downstream water surface elevation on property owned by third parties and that detention and drainage areas can be improved in a manner approved by the council; and
- (6) Landscaping promotes continuity and unity consistent with the landscape plan for the development and encourages views to public open space and public landmarks.

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(Ord. No. 10-14, § 62, 7-6-2010)

- (E) Conditions. The commission, or the council on appeal, may establish such conditions to the approval of a PD site plan as are reasonably necessary to ensure that the approval criteria are met.
- (F) Appeal from commission action. If the commission approves a PD site plan with conditions or if it disapproves a PD site plan, the applicant may appeal the decision to the council by filing a written request with the city secretary within ten days after the commission's decision.
- (G) Variances. The granting of variance for Planned Development District regulations shall be the purview of city council, not the board of adjustment. If the applicant requests a variance from PD ordinance standards or other ordinance requirements, the variance request will be forwarded to the council with the commission's recommendation for decision. Procedures and criteria for approval shall be those applicable to special exceptions under article II, section 8.5, Criteria for Granting Special Exceptions.

(Ord. No. 06-14, 4-17-2006)

SUBSECTION 23.04: AMENDMENT OF PD PLANS

- (A) PD concept plans. PD concept plans (excluding informational statements) are considered part of the PD ordinance. Any amendment to a PD concept plan shall be considered a zoning change, and the provisions of V.T.C.A., Local Government Code ch. 211 relating to notices, public hearings, and written protests for changes in zoning districts or regulations shall apply. If a PD District is established subject to approval of PD development plans, the provisions of this subsection 2.4.A shall apply to such PD development plan.
- (B) PD site plans. PD site plans are not considered part of a PD ordinance. Except as otherwise provided, any amendment to an approved PD site plan must be approved by the commission. However, "minor modifications" to any PD site plan may be approved by the zoning administrator. If the zoning administrator believes that a request for minor modification entails a significant change in the site plan, he may refer the request to the commission for determination. A "minor modification" to a PD site plan is defined as any modification that does not:
 - (1) Alter the basic relationship of proposed development to adjacent property;
 - (2) Change the uses permitted;
 - (3) Increase the maximum density, floor area, or height;
 - (4) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to [article] requirements; or
 - (5) Reduce the minimum yards or setbacks.

SUBSECTION 23.05: PERIODIC REVIEW

- (A) Applicability. Each tract of land not yet fully developed, for which (PD) Planned Development District zoning has been granted, shall be reviewed by the planning and zoning commission in order to make inquiry and ascertain the following:
 - (1) Whether a preliminary plan and/or development plan can reasonably be expected to be filed;
 - (2) If a preliminary plan and/or development plan can be reasonably expected to be filed at any time within the two-year interval as set out herein;
 - (3) Whether the granted uses for the tract of land under consideration continues to have a desired relationship with the surrounding area; and
 - (4) If such density and other design standards originally granted are in accordance with the current community growth patterns and values.
- (B) Determination. If, upon inquiry and review, the planning and zoning commission finds that a particular tract of land zoned (PD) Planned Development is not reflective of current community growth patterns or community design policies,

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or is not in accordance with the comprehensive plan, it may request the city council to initiate hearings on the particular tract of land to consider:

- (1) Reform or modification of the PD District on the particular tract; or
- (2) Change the zoning to a more suitable land use classification.

(C) Frequency. The planning and zoning commission shall review each tract of land for which Planned Development zoning has been granted beginning in January of each year, at least on two year intervals. The planning and zoning commission may review certain tracts (for which Planned Development zoning has been granted) more frequently if it determines such review is necessary.

SECTION 34: EFFECT ON EXISTING PDS

SUBSECTION 34.01: DISTRICT AMENDMENTS

If an amendment is proposed after the effective date of [the ordinance from which] this article [is derived] to any concept plan, development plan, site plan or planned development ordinance approved prior to the effective date of the ordinance from which this article is derived under prior development regulations, the provisions of this article shall apply to those amendments.

SUBSECTION 34.02: SITE PLANS

For any PD District established under prior planned development regulations for which at least one site plan has been approved pursuant to such prior regulations, the provisions of this article shall not apply, except that procedures related to approval of PD site plans pursuant to this [article] shall apply to any application for PD site plan approval submitted more than 30 days after the effective date of this article.

SECTION 45: AMENDMENTS TO APPROVED PD APPLICATIONS

SUBSECTION 45.01: PROCESSING AMENDMENTS

- (A) Amendments to all applications and approvals shall be processed in the same manner as the original application. However, the applicant shall submit a summary of all elements that are proposed to be changed along with the revised plans and application.
- (B) Notwithstanding the above, the zoning administrator may approve minor modifications in an approved site plan or PD site plan administratively, provided that they do not:
- (1) Alter the basic relationship of proposed development to adjacent property;
 - (2) Change the uses permitted;
 - (3) Increase the maximum density, floor area, or height;
 - (4) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to [article] requirements;
 - (5) Reduce the minimum yards or setbacks; or
 - (6) Detrimentally change or alter the characteristics of the elevation drawings or site plan as approved, but rather allow for some flexibility in minor modification to same.

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Additions: **Highlighted**

Deletions: ~~Highlighted, Strikeout~~

Staff Notes: **Highlighted, Red Text**

Links/References: Blue, Underlined

ARTICLE XI, ZONING-RELATED DEVELOPMENT APPLICATIONS AND REVIEW PROCEDURES, UDC

SECTION 1: GENERAL

SUBSECTION 1.01: FILING OF AN APPLICATION PRE-APPLICATION MEETING

An applicant proposing to [1] establish a land use requiring a Specific Use Permit (SUP) on a property or properties, [2] the subdivision or assembly of property or properties, [3] the change in zoning classification of a property or properties, or [4] any other development related activity in the City of Rockwall is encouraged to request a *Pre-Application Meeting* with the Development Review Committee (DRC). Prior to a *Pre-Application Meeting*, the applicant should submit a *Pre-Application Meeting Request* form and provide a concept plan showing the proposed development activities in as much detail as possible. Based on the information provided by the applicant, the DRC will provide initial comments concerning the merits of the proposed development and inform the applicant of any additional requirements that will need to be addressed in the preparation of a development application.

~~(A) Pre-application conference.~~

- ~~(1) An applicant for a change in zoning is encouraged to request a pre-application conference with a city official or the zoning administrator prior to formal application.~~
- ~~(2) At the pre-application conference, the applicant should present a draft concept plan with as much detail as possible.~~
- ~~(3) Based on the information presented, the city representative will provide initial comments concerning the merits of the proposed development and inform the applicant of any additional requirements for preparation of the formal zoning application.~~

~~(B) Application requirements. No application shall be reviewed which is not complete and accompanied by the payment of fees as established in this [Unified Development] Code or other ordinances of the City of Rockwall. All applications shall be filed with the city on forms available in the City of Rockwall offices.~~

~~(C) Timing. Applications for rezonings and plan approvals shall be submitted at least one month prior to the first scheduled hearing date. Special exception and variance applications shall be submitted at least two weeks prior to the first scheduled hearing date.~~

SUBSECTION 1.02: SUBMISSION OF PLANS SUBMISSION OF AN APPLICATION

(A) Authority to Submit an Application. Unless otherwise stated in this Article, the following shall apply when submitting an application for a request:

- (1) Development Application.** All zoning, site plan, platting, and miscellaneous cases shall be initiated by the owner of the affected property or his/her authorized representative who files a *Development Application* and pays the appropriate fee.

Exhibit 'F'
*Article XI, Zoning Related Applications, of the
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(2) *Historic Preservation Advisory Board Application.* All Certificate of Appropriateness (COA), small matching grant, and building permit fee waiver requests shall be initiated by the owner of the affected property or his/her authorized representative who files a *Historic Preservation Advisory Board Application*.

(3) *Board of Adjustments Application.* All variance and special exceptions to be considered by the Board of Adjustments (BOA) shall be initiated by the owner of the affected property or his authorized representative or any aggrieved party who files the required application and pays the appropriate fee, or by any person aggrieved by the decision of an administrative officer with authority over any matter that can be appealed to the Board of Adjustments (BOA) per Subsection 4.03, Jurisdiction, of Article II, Development Review Authority, by an officer of the City, or appropriate board/commission of the City.

[MOVED FROM SECTION 4; ARTICLE II, UDC]

(B) *Ownership.* In the event that the ownership stated on an application is different than the ownership shown on the City's *Certified Tax Roll*, the Director of Planning and Zoning may require additional written proof of ownership be provided with an application.

(C) *Submission Development Application.* All application requests to be considered by the Historic Preservation Advisory Board (HBAP), Board of Adjustments (BOA), Planning and Zoning Commission and/or the City Council, shall be initiated by filing an application with the Director of Planning and Zoning or his/her designee. All applications shall be required to be submitted on the official submittal date. Applications received on a date other than an official submittal date shall not be accepted and shall be returned to the applicant.

[MOVED FROM SECTION 3; ARTICLE II, UDC]

(D) *Completed Application.* To ensure the submission of adequate information, the Director of Planning and Zoning is hereby empowered to maintain and distribute a list of specific submittal requirements that constitutes a completed application. Any application that does not provide all items required by the Director of Planning and Zoning shall be considered to be incomplete, and shall not be accepted by the City. These requirements may be modified by the Director of Planning and Zoning as deemed necessary.

(E) *Plans and Exhibits.* All plans, surveys, plats, and/or other exhibits submitted as part of any application shall be prepared by a registered architect, engineer, landscape architect, surveyor, planner, or other design professional.

~~A. Preparation. All plans submitted pursuant to this Unified Development Code shall be prepared by a registered architect, engineer, landscape architect, or certified city planner.~~

~~(Ord. No. 10-14, § 63, 7-6-2010)~~

~~B. Quantity required. Plans shall be submitted in the form and number as required by the zoning administrator.~~

SUBSECTION 1.03: APPLICATION WITHDRAWAL

Any request for the withdrawal of an application must be submitted in writing to the Director of Planning and Zoning or his/her designee. If an application requires notice to be published in the newspaper and/or notifications of a public hearing sent to affected property owners, such request for withdrawal of an application must be placed on the public hearing agenda and acted upon by the applicable body. In all requests for withdraw, application fees will not be refunded except in cases where the Director of Planning and Zoning determines that an

Exhibit 'F'
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application was [1] submitted in error, or [2] the fee paid exceeds the amount due under the provisions of [Section 10, Fee Schedule](#). In cases where the fee paid exceeds the amount due, only the amount of the overpayment may be refunded.

~~[MOVED FROM SECTION 5; ARTICLE II, UDC]~~

SUBSECTION 1.04: DENIAL OF AN APPLICATION

Unless otherwise stated in this Article, if an application for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver is denied *with* prejudice by the Historic Preservation Advisory Board (HPAB), Planning and Zoning Commission, or City Council, a new application for the same request may not be submitted for the same lot or tract of land -- *or any portion thereof* - - for a period of one (1) year unless the request is deemed to be more restrictive or less intense than the previously denied request. A failure to indicate that a denial is *with* or *without* prejudice, in making a motion to deny, shall be consider a *denial with prejudice*.

SUBSECTION 1.05: REAPPLICATION

A request for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver which has been previously denied *with prejudice* by the Historic Preservation Advisory Board (HPAB), Planning and Zoning Commission, or City Council may be resubmitted within one (1) year if there is: [1] An actual change in condition relating to the lot or tract of land -- *or any portion thereof* -- or any surrounding properties, or [2] the new request is more restrictive or less intense than the previous request. In this event, the applicant must submit a written request to the Director of Planning and Zoning detailing the change in condition or the more restrictive/less intense request. The Director of Planning and Zoning or his/her designee will review the claim and report to the Planning and Zoning Commission whether or not such request meets the aforementioned criteria. Upon hearing this report, the Planning and Zoning Commission shall either grant or deny the request to refile an application for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver.

~~**SUBSECTION 1.03: CONSIDERATIONS IN REVIEW AND APPROVAL OF REZONING**~~

- ~~(A) Consistency with the comprehensive plan.~~
- ~~(B) Potential impact on adjacent development.~~
- ~~(C) Availability of utilities and access.~~
- ~~(D) Site conditions such as vegetation, topography, drainage and floodplain.~~
- ~~(E) Timing of development as it relates to the city's capital improvement plan.~~
- ~~(F) Other issues as may be deemed important.~~

SECTION 2: ZONING

SUBSECTION 2.01: AUTHORITY

- (A) *Authority to Amend the Zoning Map and Unified Development Code (UDC).*

The City Council may from *time-to-time* -- *on its own motion or at the request of the Planning and Zoning Commission or Director of Planning and Zoning* -- direct the Director of Planning and Zoning to prepare amendments, changes, and/or supplements to the regulations contained in the Unified Development Code (UDC), and/or the boundaries or designations specified on the City's Zoning Map.

Exhibit 'F'
*Article XI, Zoning Related Applications, of the
Unified Development Code*

(B) *Authority to Request Changes to the Zoning Map.* A request that proposes a change to the City's Zoning Map (i.e. zoning changes and Specific Use Permits) may be requested by the:

- (1) City Council;
- (2) Planning and Zoning Commission;
- (3) Director of Planning and Zoning;
- (4) Owner of real property located within the corporate boundaries of the City of Rockwall; or
- (5) Authorized representative of an owner of real property located within the corporate boundaries of the City of Rockwall.

(C) *Authority to Order Changes to the Unified Development Code.* Changes to the Unified Development Code (UDC) may be ordered by the:

- (1) City Council;
- (2) Planning and Zoning Commission; or
- (3) Director of Planning and Zoning.

SUBSECTION 2.02: SPECIFIC USE PERMITS (SUP) [MOVED FROM SECTION 4; ARTICLE IV, UDC]

(A) *Purpose.* The purpose of a Specific Use Permit (SUP) is to allow discretionary consideration of certain uses that would typically be considered incompatible within certain locations of a zoning district, but may become compatible with the addition of special provisions, conditions or restrictions. A SUP does not change the base zoning; it allows a particular use that would not normally be permitted in that zoning district. The SUP requirement for any land use is identified in the *Permitted Land Use* table contained in Article IV, *Permissible Uses*, of this Unified Development Code. The discretionary SUP procedure is designed to enable the Planning and Zoning Commission and the City Council to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a SUP when it is apparent that a proposed use or structure will or may occasionally harm the community or cause injury to the value, lawful use, and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.

(B) *Operational Conditions.* In considering a SUP, staff and/or the Planning and Zoning Commission may recommend and the City Council may adopt additional conditions and operational constraints to ensure compatibility with adjacent land uses. These additional conditions and operational constraints will be incorporated into the SUP ordinance, and may relate to: [1] a property's specific site conditions, [2] increased performance standards, [3] compatibility with adjacent properties, [4] mitigation of potentially negative or adverse effects of a request, and [5] anything that could have a negative impact on the public's health, safety and general welfare.

(C) *Compliance.*

- (1) In considering a special use permit application, the planning and zoning commission may recommend, and the city council may impose such conditions, safeguards and restrictions upon the premises benefited by the special use as may be necessary to avoid, minimize, or mitigate any potentially injurious effect of such special uses upon other property in the neighborhood, and to carry out the general purpose and intent of this ordinance. Such conditions shall be set out in the ordinance approving the SUP.
- (2) Prior to a SUP being issued, the property owner of the affected property shall agree, comply and be bound to the conditions and operational constraints approved by the City Council and contained in the SUP ordinance.

Exhibit 'F'
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(3) A SUP is considered to be transferable from property owner to property owner for a specific property; however, the conditions and operational constraints of the SUP shall remain in effect and be applicable to the new property owner(s) and/or occupant(s). SUPs cannot be transferred from property to property.

(D) Abandonment, Expiration and Revocation of a Specific Use Permit (SUP).

(1) *Abandonment.* A SUP approved by the City Council that remains vacant or inactive for a period of one (1) year shall be deemed to be abandoned and shall automatically expire. Vacancy or inactivity can be determined by the following:

- (a) The water and/or electrical services have been disconnected or discontinued on the property; and/or
- (b) The subject property (*e.g. lease space, parcel or parcels of land, lot, tract etc.*) is unoccupied; and/or
- (c) The use is abandoned due to the issuance of a Certificate of Occupancy (CO) for a use other than (and exclusive from) the use approved with the SUP.

(2) *Expiration.* A Specific Use Permit (SUP) shall automatically expire due to inactivity if:

- (a) A building permit has not been issued within one (1) year of the approval date of the SUP ordinance, and/or a Certificate of Occupancy (CO) has not been issued within one (1) year of a building permit due to inactivity on the site (*inactivity in this case is defined as no progress towards construction for six [6] months*), or one (1) year of the approval date of this ordinance if no building permit is necessary; or
- (b) A building permit or Certificate of Occupancy (CO) expires, is terminated or revoked under the requirements of the Codes of the City of Rockwall.

(3) *Revocation.* The City Council reserves the right to revoke or rescind any SUP in which the business, property or property owner operating under the guidelines of the SUP ordinance fails to meet the minimum operation requirements set forth in the Specific Use Permit (SUP) ordinance and/or outlined in the Unified Development Code or the Rockwall Municipal Code of Ordinances. The procedure for revocation or rescinding a Specific Use Permit (SUP) shall be the same procedure for requesting a new Specific Use Permit (SUP).

(E) *Extension of a Specific Use Permit (SUP).* Upon recommendation from the Planning and Zoning Commission, the City Council may grant a one (1) time extension to the expiration requirements stated above for a period not to exceed one (1) year. To apply for an extension a property owner shall file a written request with the Director of Planning or his designee at least ninety (90) days prior to the expiration date. Extension requests shall not require a public hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a SUP.

(F) *Existing Specific Use Permits (SUP) and Conditional Use Permits (CUP).* Specific Use Permits (SUP) and Conditional Use Permits (CUP) in existence at the time this section was adopted by the City Council shall automatically terminate one (1) year from the adoption date of this section if a building permit -- *or a Certificate of Occupancy (CO) if no building permit is necessary* -- has not been issued or an extension is not requested under [Subsection 2.02\(E\)](#).

SUBSECTION 2.03: PROCEDURES FOR ZONING APPLICATIONS

All zoning applications (*i.e. zoning changes, Specific Use Permits, and text amendments*) shall be subject to the following procedures:

Exhibit 'F'
*Article XI, Zoning Related Applications, of the
Unified Development Code*

(A) Notice of Public Hearing.

- (1) *Notice of Public Hearing for Zoning Changes and Specific Use Permits (SUP's).* Written notice of all public hearings for zoning changes and Specific Use Permits (SUP's) shall be sent to all property owners listed on the certified tax roll, and to the actual property address if the property owner does not reside at the physical address, for properties within a distance of at least 500-feet from the boundaries of the subject property at least ten (10) days prior to the public hearing date. Such notice shall be sent via first class mail and display a stamp on the outside of the envelope with the wording *Zoning Change Requested*. In cases that require notices to be sent to a multi-family property, written notice shall be sent to the property owner and the leasing office of the housing complex or apartment building (*i.e. individual notices to each unit are not required*). In addition, written notice shall be sent to all known Homeowners Association (HOA) representative(s) within 1,500-feet of the subject property at least ten (10) days prior to the public hearing date.
- (2) *Newspaper Notice for Zoning Changes and Specific Use Permits (SUP's).* Notice of all public hearing for zoning changes and Specific Use Permits (SUP's) shall be published in a newspaper of general circulation in the City announcing the time and date of the public hearing a minimum of ten (10) days prior to the date of the public hearing.
- (3) *Newspaper Notice for Text Amendments.* Notice of all public hearing for a text amendment to the Unified Development Code (UDC) shall be published in a newspaper of general circulation in the City announcing the time and date of the public hearing a minimum of 15-days prior to the date of the public hearing.

[MOVED FROM SECTION 6.01; ARTICLE II, UDC]

(B) Conduct of a Public Hearing. Subject to the presiding officer's inherent authority to conduct a meeting, a public hearing shall generally be conducted in the following manner:

- (1) A report outlining the details of the request shall be given from the Director of Planning and Zoning or his/her designee.
- (2) The presiding officer shall open the public hearing.
- (3) The applicant will be asked to provide a presentation or comment on the proposed request.
- (4) The presiding officer will ask for public comment, questions, and/or testimony.
- (5) The applicant will be given a rebuttal to address the public's comments, questions, and/or testimony.
- (6) The presiding officer will close the public hearing.
- (7) The Planning and Zoning Commission or City Council will be given a chance to discuss the request and ask questions of the Director of Planning and Zoning or his/her designee and/or the applicant.
- (8) The Planning and Zoning Commission or City Council will deliberate, make a motion and vote on the request.

[MOVED FROM SECTION 6.03; ARTICLE II, UDC]

(C) Postponement, Recess, and Continuation of a Public Hearing.

- (1) *Postponement.* A public hearing that was noticed in the manner prescribed by [Subsection 2.03\(A\)](#) may be postponed by announcing the postponement at the time and place of the noticed public hearing. The postponement of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A postponed public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a postponement at a public hearing shall be sufficient notice and no additional notice is required.
- (2) *Recess.* A public hearing may be recessed by the Planning and Zoning Commission or City Council any time after the public hearing has commenced.

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(3) *Continuation.* A public hearing may be continued by the Planning and Zoning Commission or City Council any time after the public hearing has commenced. The continuation of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A continued public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a continuation at a public hearing shall be sufficient notice and no additional notice is required.

[MOVED FROM SECTION 6.2; ARTICLE II, UDC]

(D) *Submitting Additional Information.* New matters of evidence not presented to the Planning and Zoning Commission shall not be heard or considered by the City Council with relation to public hearing for zoning changes, Specific Use Permits (SUP), or text amendments. In the event new evidence develops between the date of the public hearing by the Planning and Zoning Commission and the hearing of the City Council on any zoning change, Specific Use Permit (SUP), or text amendment, or if for any other valid reason a person wishes to present new evidence to the City Council -- *which was not presented to the Planning and Zoning Commission* -- the City Council shall refer the zoning change, Specific Use Permit (SUP), or text amendment back to the Planning and Zoning Commission for a further public hearing to consider the new evidence. Nothing contained herein shall be construed to prohibit anyone from speaking in a public hearing related to a zoning change, Specific Use Permit (SUP), or text amendment.

[MOVED FROM SECTION 17; ARTICLE II, UDC]

(E) *Failure to Appear at a Public Hearing.* If an applicant is not present at a meeting where a public hearing is scheduled, the Planning and Zoning Commission or City Council may deny the request.

(F) *Joint Public Hearings.* The City Council may hold a public hearing -- *after publishing the required notice* -- jointly and with any public hearing required to be held by the Planning and Zoning Commission; however, the City Council shall not act until it has received a recommendation from the Planning and Zoning Commission.

(G) *Protest of a Zoning Change.* Property owners adjacent to and within a radius of 200-feet of a property for which a zoning change or Specific Use Permit (SUP) is being considered have the right to file a written protest against the request. The land area of this 200-foot radius includes public right-of-way, open space and parkland. Whenever such written protest is signed by the owners of 20% or more of the area of the lots or land included in the request, or of the lots or land immediately adjoining the same and within the above mentioned 200-foot radius, or if such change is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval. For purposes of determining representation on this written protest, the written protest of any one (1) owner of land owned by two (2) or more persons shall be presumed to be the protest of all owners.

SUBSECTION 2.04: PLANNING AND ZONING COMMISSION RECOMMENDATION

(A) *Consideration of a Zoning Change or Specific Use Permit (SUP).* When considering a request for a zoning change or Specific Use Permit (SUP), the Planning and Zoning Commission shall consider the following:

(1) Whether the land uses proposed with the zoning change or Specific Use Permit (SUP) are consistent with the *Future Land Use Plan* contained in the Comprehensive Plan.

(2) Whether the proposed zoning change or Specific Use Permit (SUP) is in accordance with any existing or proposed plans for providing streets, water, wastewater, and/or other utilities or public facilities.

Exhibit 'F'
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- (3) The availability of existing infrastructure to properly serve any development proposed with the zoning change or Specific Use Permit (SUP), and the timing of the development compared to the City's Capital Improvements Plan (CIP).
- (4) The findings of any studies (e.g. *Traffic Impact Analysis [TIA] or Infrastructure Study*) submitted with the zoning change or Specific Use Permit (SUP).
- (5) The amount of vacant land that is currently designated for similar zoning/land uses in the vicinity of the zoning change or Specific Use Permit (SUP) or elsewhere in the City.
- (6) The rate at which land is being developed and the rates conformance with the policies and goals of the Comprehensive Plan.
- (7) The zoning change or Specific Use Permit's (SUP's) anticipated impact on the environment with regard to floodplains, topography, vegetation, drainage and detention.
- (8) The requests consistency with the Unified Development Code (UDC), Comprehensive Plan, Parks and Recreation Master Plan, and the Municipal Code of Ordinances.
- (9) Any other factors which will substantially affect the health, safety, and/or general welfare of the community.

(B) *Consideration of a Text Amendment.* When considering a request for a text amendment, the Planning and Zoning Commission shall consider the following:

- (1) Whether the proposed text amendment is in conformance with the goals and policies contained in the Comprehensive Plan.
- (2) How the proposed text amendment will affect the City's ability to attract and retain high quality development consistent with the City's existing community character.
- (3) The impact of the text amendment to the City's environment with regard to floodplains, topography, vegetation, drainage and detention.
- (4) The requests consistency with the Unified Development Code (UDC), Comprehensive Plan, Parks and Recreation Master Plan, and the Municipal Code of Ordinances.

(C) *Recommendation to the City Council.* In making a recommendation to the City Council on a zoning application (i.e. *zoning change, Specific Use Permit, or text amendment*), the Planning and Zoning Commission may recommend:

- (1) That the zoning change, Specific Use Permit (SUP) or text amendment be approved or enacted;
- (2) That the zoning change, Specific Use Permit (SUP) or text amendment be approved or enacted as modified to a more restrictive classification or subject to appropriate conditions as permitted by law; or
- (3) That the zoning change, Specific Use Permit (SUP) or text amendment be denied.

(D) *Justification for Denial.* If the Planning and Zoning Commission approves a motion to deny a zoning change, Specific Use Permit (SUP), or text amendment, it shall offer reasons for the denial that can be provided to the City Council.

(E) *Failure to Approve a Motion.* If the Planning and Zoning Commission fails to approve a motion by a majority vote for any zoning application (i.e. *zoning change, Specific Use Permit, or text amendment*), then a recommendation for denial shall be forwarded to the City Council.

[MOVED FROM SECTION 7.02; ARTICLE II, UDC]

SUBSECTION 2.05: CITY COUNCIL ACTION

Exhibit 'F'
*Article XI, Zoning Related Applications, of the
Unified Development Code*

(A) *Recommendation from the Planning and Zoning Commission.* The City Council shall not act upon any zoning change, Specific Use Permit (SUP), or text amendment prior to a recommendation being forwarded from the Planning and Zoning Commission.

(B) *Action by the City Council.* After the public hearing is closed the City Council shall take one (1) of the following actions with regard to a zoning application (*i.e. zoning change, Specific Use Permit, or text amendment*):

(1) *Approval.* The City Council may approve a request for a zoning change, Specific Use Permit (SUP), or text amendment either as requested or in a more restrictive form as subject to such appropriate conditions allowed by law. Such approval of any request for a text amendment to the Unified Development Code (UDC), or zoning change or Specific User Permit (SUP) as a map amendment shall be granted only if the City Council determines that the request or amendment is consistent with the Comprehensive Plan and/or the Unified Development Code (UDC). In the event of approval of any zoning change, Specific Use Permit (SUP), or text amendment, the City Council shall enact an ordinance amending the Unified Development Code (UDC) or official zoning map (*whichever is applicable*).

(2) *Denial.* The City Council may deny a request for a zoning change, Specific Use Permit (SUP), or text amendment *with or without* prejudice. If a request or amendment is denied *with* prejudice, a new application may *not* be submitted for the same lot or tract of land -- *or any portion thereof* -- for a period of one (1) year unless the request is for a more restrictive or less intense land use than the previously denied request and is submitted in conformance with [Subsection 2.05\(C\)](#). If a request or amendment is denied without prejudice, no restrictions on resubmitting an application shall apply (*i.e. an application for the same request may be filed at the applicant's discretion*). A failure to indicate a denial is *with or without* prejudice in making a motion to deny a request or amendment shall be consider a *denial with prejudice*.

(C) *Reapplication.* A request for a zoning change, Specific Use Permit (SUP), or text amendment which has previously been denied with prejudice by the City Council may be resubmitted within one (1) year if there is:

(1) An actual change in conditions relating to the lot or tract of land -- *or any portion thereof* -- or any surrounding properties; or,

(2) The new request is for a more restrictive or less intense land use that the previously denied requested.

In this event, the applicant must submit a written request to the Director of Planning and Zoning detailing the change in condition or the more restrictive/less intense land use. The Director of Planning and Zoning or his/her designee will review the claim and report to the Planning and Zoning Commission whether or not such request meets the aforementioned criteria. Upon hearing this report, the Planning and Zoning Commission shall either grant or deny the request to refile an application for a zoning change, Specific Use Permit (SUP), or text amendment.

[MOVED FROM SECTION 8.03; ARTICLE II, UDC]

SECTION 23: REQUIRED SITE PLAN (NON-PD) SITE PLANS

SUBSECTION 23.01: PURPOSE

The purpose of a site plan is to ensure compliance with the City's development standards, and/or other regulations enforceable by the City of Rockwall that may apply to a particular property. Site plans are also intended to be reviewed to promote the safe, efficient, and harmonious use of land through the application of the

Exhibit 'F'
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City's Unified Development Code (UDC), the Comprehensive Plan, City adopted design guidelines, and the Municipal Code of Ordinances.

~~The purpose of a site plan is to ensure that all of the provisions of this Unified Development Code (UDC) are adhered to while providing for design flexibility; that sensitive environmental issues such as slopes and vegetation are accommodated; and that services and facilities necessary to support the proposed development will be available on an appropriate time schedule.~~

(Ord. No. 10-14, § 64, 7-6-2010)

SUBSECTION 23.02: GENERAL APPLICABILITY

(A) *Site Plan.* A Site Plan shall be required to be submitted for all new development within the City of Rockwall with the exception of single-family and/or duplex land uses, temporary land uses not requiring a Specific Use Permit (SUP), and agricultural buildings or structures for non-commercial land uses.

(B) *Amended Site Plan.* An Amended Site Plan shall be required for:

(A) All expansions of an existing non-residential building or structure that increases the existing floor area by 30% or that adds 2,000 SF of floor area.

(B) All expansions of non-residential parking lots that increase the existing impervious area by 30% or that adds 2,000 SF of impervious coverage.

(C) *Waiver of a Required Site Plan or Amended Site Plan.* In certain circumstances the Director of Planning and Zoning or his/her designee may waive the site plan or amended site plan requirements when it is determined that requiring a site plan [1] is not necessary for the development of a property, and/or [2] it does not serve the public's interest.

SUBSECTION 23.03: GENERAL

(A) *Notification.* No public notification is required for the consideration of a site plan or an amended site plan, beyond posting an agenda for the Planning and Zoning Commission meeting.

(B) *Engineering Plans.* No engineering plans shall be submitted for a project prior to the approval of a site plan except when waived by the City Engineer or his/her designee.

(C) *Building Plans.* No building plans shall be submitted for a project prior to the approval of a site plan except when waived by the Director of Planning and Zoning or his/her designee.

(D) *Construction Permits.* No building, fence, or sign permits shall be issued for a property without an approved site plan being approved.

~~A. *Applicability.* Site plans are required for all new developments except individual single-family and duplex lots, and for expansion of existing development by 50 percent or more of the gross floor area.~~

~~B. *[Site plans.]* Site plans shall be accompanied by a completed application form and a proposed development schedule.~~

~~C. *No permits without site plan.* Site plans may be submitted at the time of building permit application, but no permit shall be issued for site grading or construction until a site plan has been approved.~~

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~~D. Notification. No public notification is required for consideration of a site plan, or amendment, beyond posting as an agenda item for the planning and zoning commission, if appealed or referred to it. This provision does not apply to PD site plans.~~

SUBSECTION 23.034: SITE PLAN SUBMITTAL REQUIREMENTS

~~(A) Site Plan Content. The Director of Planning and Zoning shall establish forms outlining the information, standards, content, and formatting required to constitute a complete application submittal for a site plan or amended site plan.~~

~~(B) Additional Requirements. When deemed necessary by the Director of Planning and Zoning or the Planning and Zoning Commission, the following plans may be required prior to the approval of a site plan:~~

- ~~(1) Traffic Impact Analysis~~
- ~~(2) Traffic Circulation Study~~
- ~~(3) Infrastructure Study~~
- ~~(4) Flood Study~~

~~The following requirements apply to each application for non-PD site plan approval:~~

~~1. Size. Site plans shall be prepared on one or more standard sheets of 30 inches by 42 inches or 24 inches by 36 inches and at an engineering scale of one inch equals 100 feet or larger. If multiple sheets are required, an overall plan shall be submitted as well (which may be to any scale). PD site plans shall be prepared by a registered engineer, architect, or landscape architect.~~

~~2. General information:~~

- ~~a) North arrow;~~
- ~~b) Total site acreage;~~
- ~~c) Submission date;~~
- ~~d) Scale (written and graphic);~~
- ~~e) Vicinity map;~~
- ~~f) Names, addresses, and telephone numbers of designer, engineer, developer, and owner;~~
- ~~g) A boundary survey of the site with the location of proposed land uses;~~
- ~~h) Adjacent subdivision names and property lines; and~~
- ~~i) Adjacent land uses and structures.~~

~~3. Structures.~~

- ~~a) Location, dimensions, and use of all existing facilities and proposed building sites;~~
- ~~b) Setback and separation distances between building sites;~~
- ~~c) Proposed construction type and facade materials for all multi-family and nonresidential buildings (the commission may require elevations and perspective drawings);~~
- ~~d) Proposed density of each use;~~
- ~~e) Proposed location of screening along public roadways shown on the PD concept plan;~~
- ~~f) Location and types of signs, including lighting and heights;~~
- ~~g) Elevation drawings citing proposed exterior finish materials; and~~
- ~~h) Location of solid waste collection facilities.~~

~~4. Streets and sidewalks.~~

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- a) Location and width of all rights-of-way and easements;
- b) Location and dimensions of all pavement and curbing;
- c) Location and width of all sidewalks;
- d) Location and width of all ingress/egress points;
- e) Location and width of all medians and median breaks;
- f) Location of any special traffic regulation facilities;
- g) Location of fire lanes; and
- h) Street names on proposed streets.

5. Off-street parking and loading areas.

- a) Number, location, and dimension of spaces;
- b) Type of surface material of parking facility;
- c) Dimension of aisles, driveways, maneuvering areas, and curb return radii;
- d) Distance between spaces and adjacent rights-of-way;
- e) Location of all existing and proposed fire lanes and hydrants; and
- f) Proposed lighting diagram.

6. Landscaping.

- a) Tree survey of major tree groupings and existing trees of six-inch caliper or greater, noting species and whether they are to be removed or retained;
- b) Location and size of proposed plant materials, including paving, together with type and species of plants;
- c) Number and type of each landscape element;
- d) Height and type of all fencing or buffering;
- e) Height of all planters, sculptures, and decorative screens;
- f) Location and type of trash receptacle screening;
- g) Location and type of lighting for streets, signage, and parking areas; and
- h) Location of triangles, where required.

7. Drainage.

- a) Direction of water flow;
- b) Quantity of on-site and off-site water generation;
- c) Topographic contours at a minimum of five-foot intervals;
- d) Points of concentrated water discharge;
- e) Areas where special design and construction may be necessary due to slope or soil conditions;
- f) Location and design of all water detention and drainage areas; and
- g) Drainage ways, creeks, and limits of the 100-year floodplain and floodway as shown on current FEMA mapping or the city's master drainage plan, including location and acreage, together with a general plan for accommodating flood waters and drainage.

SUBSECTION 23.04: SITE PLAN REVIEW

(A) *Procedure.* Site plans shall be reviewed, and a decision rendered, by the zoning administrator, or at his prerogative the planning and zoning commission, taking into consideration comments from the plan review committee. The applicant may appeal the decision of the administrator to the planning and zoning commission whose decision shall be final. Such appeal must be made in writing to the administrator within ten business days of the zoning administrator's notification of decision to the applicant. All site plans and

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amended site plans shall be subject to the following review procedures unless otherwise indicated within this Article:

(1) *Architectural Review Board (ARB)*. All site plans that [1] propose alterations to the exterior of an existing building, [2] propose the construction of a new building, or [3] that request approval of a variance or exception shall be subject to review and recommendation by the Architectural Review Board (ARB). In reviewing these site plans, the Architectural Review Board (ARB) shall recommend approval, approval with conditions, or denial of the site plan based on the merits of what is being proposed and the conformance of the site plan with the City's Unified Development Code (UDC).

(2) *Planning and Zoning Commission*. The Planning and Zoning Commission may approve, approve with conditions, or deny a Site Plan -- upon recommendation from the Architectural Review Board (ARB) if necessary -- based on the approval criteria listed in [Section 3.04\(B\)](#). The Planning and Zoning Commission shall not approve a site plan prior to review and recommendation by the Architectural Review Board (ARB) if necessary.

(B) *Criteria for Approval of a Site Plan* review. In approving, approving with conditions, or denying a site plan under this article, the following criteria shall be considered:

- (1) The extent to which the site plan fulfills the goals, objectives and standards in the City's Comprehensive Plan, Parks and Open Space Master Plan, and the Unified Development Code (UDC) thoroughfare plan.
- (2) Safety of the motoring and pedestrian public using the facility and the area surrounding the site.
- (3) Safety from fire hazards and measures of fire control.
- (4) Protection from flooding and water damage.
- (5) Noise and lighting glare effects on adjacent neighbors.
- (6) Relations of signs to traffic control and their effect on adjacent properties.
- (7) Adequacy of streets to accommodate the traffic generation of the proposed development.
- (8) Adequacy of off-street parking and loading facilities for the uses specified.
- (9) Landscaping and screening provisions appropriately placed per code requirements.
- (10) Siting Position of structures and other improvements relative to required setbacks, height limitations, and other density and dimensional requirements.
- (11) The impact of the proposed development on slopes, protected vegetation, the open space system, and adjacent properties.
- (12) Such other measures as might secure and protect the public health, safety, morals and general welfare.

SUBSECTION 23.05: EFFECT OF SITE PLAN APPROVAL

(A) *Site Plan Expiration*. If development of a lot or tract with an approved site plan has not been completed within two (2) years, or more with an extension, of its final approval, the site plan shall be deemed to have expired and a new review and approval of a site plan for development of the property shall be undertaken, and this new approval shall be required before a building permit is issued for development. This review and approval shall be evaluated according to the standards of the Unified Development Code (UDC) ~~this Unified Development Code~~, taking into account all changes to the Unified Development Code (UDC) ~~this Unified Development Code~~ which have occurred subsequent to the prior site plan approval.

(B) *Phasing Plan Expiration*. If the site plan is submitted in conjunction with an approved phasing plan for the development of the lot or tract, the site plan shall be deemed to have expired if any phase is not completed within the time period approved for such phase. No site plan phase may be planned to exceed three (3) years unless specifically authorized by the Planning and Zoning Commission ~~and City Council~~ when demonstrated that due to the size or complexity of the site the three (3) year time period would create a hardship. If any

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phase is not completed within the time period approved, the entire remaining uncompleted site plan shall be deemed to have expired and the provisions of [Subsection 3.05\(A\)](#) above shall be followed.

(C) *Extension of Site Plan.* Extension of an approved site plan may be granted by the Planning and Zoning Commission ~~and city council~~ upon submission of a request for such extension by the property owner at least 90 days prior to the expiration of the plan. The Planning and Zoning Commission ~~and city council~~ shall take into consideration any changes that have occurred in ~~the Unified Development Code (UDC)~~ [this Unified Development Code](#) subsequent to original approval of the plan and the property owner may be required to bring such plan into compliance with the current requirements. The period of time approved for any such extension shall be indicated in any approval, but in no case, shall the period for extension exceed three (3) years.

SUBSECTION ~~23.06: AMENDMENT OF AMENDED SITE PLANS~~

Minor modifications to a site plan may be approved by the Director of Planning and Zoning or his/her designee after the submission of a development application, application fee, and updated plans in accordance with [Subsection 1.02, Submission of an Application](#). In the event the Director of Planning and Zoning determines that the modifications entail a significant change in the site plan, the Director of Planning and Zoning may defer the approval of the site plan to the Planning and Zoning Commission.

~~Minor modifications to any site plan may be approved by the zoning administrator. However, if the zoning administrator believes that a request for minor modification entails a significant change in the site plan, he may refer the request to the commission for determination. A "minor modification" to a PD site plan is defined as any modification that does not:~~

- ~~(1) Alter the basic relationship of proposed development to adjacent property;~~
- ~~(2) Change the character of the development;~~
- ~~(3) Change the uses permitted;~~
- ~~(4) Increase the maximum density, floor area, or height;~~
- ~~(5) Decrease the amount of off-street parking, unless parking remains sufficient in number and conforms to [\[Unified Development Code\]](#) requirements; or~~
- ~~(6) Reduce the minimum yards or setbacks.~~

SECTION 4: PLATS

SUBSECTION 5.01: SUBDIVISION ORDINANCE

For the City of Rockwall's platting requirements within the corporate limits and the Extraterritorial Jurisdiction (ETJ) refer to [Chapter 38, Subdivisions, of the Municipal Code of Ordinances](#).

~~SECTION 4: UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS~~

~~SUBSECTION 4.01: PURPOSE AND AUTHORITY~~

~~The city council may, from time to time, on its own motion, or by request of the planning and zoning commission, the zoning administrator or the city engineer, amend, supplement, or change the regulations established in this Unified Development Code.~~

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~~(Ord. No. 10-14, § 65, 7-6-2010)~~

~~SUBSECTION 4.02: PROCEDURES~~

- ~~A. Action by the planning and zoning commission. The planning and zoning commission shall give appropriate notice and hold a public hearing. The commission shall approve, deny or modify the amendment and forward its report and recommendation to the city council.~~
- ~~B. Action by the city council. The council shall give appropriate notice and hold a public hearing and has final authority to adopt or deny any proposed amendment.~~

SECTION 5: MISCELLANEOUS CASE

- (A) *Purpose.* The purpose of a *Miscellaneous Case* is to allow certain requests (e.g. *variances, exceptions, Tree Preservation Plans, etc.*) to be considered by the Planning and Zoning Commission and/or City Council independent of a site plan for the purpose of facilitating development.
- (B) *Procedures.* Unless otherwise specified in the Unified Development Code (UDC), *Miscellaneous Cases* shall be subject to the procedures provided for in [Section 9, Exceptions and Variances](#).

SECTION 36: CERTIFICATES OF APPROPRIATENESS (COA)

SUBSECTION 36.01: GENERAL.

- (A) *Applicability.* ~~Prior to the commencement of any work in a Historic Overlay District which requires a certificate of appropriateness, the owner shall file with the historic preservation officer an application for such a certificate. Any person carrying out any work that requires a building permit for exterior alteration, restoration, reconstruction, new construction, moving or demolition of a property within a historic district that is visible must first obtain a Certificate of Appropriateness (COA) from the Historic Preservation Advisory Board (HPAB) as provided for in [Subsection 6.2, Historic Overlay District, of Article V, District Development Standards](#) of this Unified Development Code.~~
- (B) *Criteria for the Approval of a Certificate of Appropriateness (COA).* The Historic Preservation Advisory Board (HPAB) shall follow the design guidelines as adopted by the City Council in its consideration of all applications for a Certificate of Appropriateness (COA). These standards shall be made available to the property owners of historic landmarks or within a historic district. The Historic Preservation Officer (HPO) shall coordinate with the appropriate City Departments on all Certificate of Appropriateness (COA) applications.

[MOVED FROM SECTION 12.03; ARTICLE II, UDC]

- (C) *No Permits without COA Permits.* No building or fence permits shall be issued for site improvement or other construction until a Certificate of Appropriateness (COA) has been approved by the Historic Preservation Advisory Board (HPAB).

SUBSECTION 36.02: COA SUBMITTAL REQUIREMENTS.

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The procedures and requirements for a Certificate of Appropriateness (COA) are outlined in Subsection 6.2, Historic Overlay District, of Article V, District Development Standards.

(Ord. No. 06-14, 4-17-2006)

SECTION 7: BUILDING PERMIT FEE WAIVER

SUBSECTION 7.01: PURPOSE

The *Building Permit Waiver and Reduction Program* was established for eligible properties located within the City's Historic Districts for the purpose of encourage development and redevelopment within these districts. The program will be administered by the City's Historic Preservation Advisory Board (HPAB) under the direction of the Planning and Zoning Department of the City of Rockwall.

SUBSECTION 7.02: ELEGIBILITY

The *Building Permit Waiver and Reduction Program* is eligible for the following properties:

(A) Commercial Property.

- (1) Commercial properties located within the Old Town Rockwall (OTR) Historic District, Planned Development District 50 (PD-50), the Southside Residential Neighborhood Overlay (SRO) District, and the Downtown (DT) District are eligible for a 50% reduction in building permit fees for projects that include a substantial rehabilitation involving a minimum investment of \$50,000.00 that involves work that 1) changes the use of the property (*i.e. residential to commercial*) or 2) includes an addition, alteration or change that necessitates accessibility requirements to be met. New development projects shall not be eligible for fee reductions or waivers.
- (2) *Landmarked Properties* shall be eligible for a full waiver of building permit fees for projects that include a substantial rehabilitation involving a minimum investment of \$25,000.00 that involves work that 1) changes the use of the property (*i.e. residential to commercial*) or 2) includes an addition, alteration or change that necessitates accessibility requirements to be met.
- (3) To be eligible for the program, a project must include exterior improvements. Interior work may be included in the overall permitting cost; however, exterior improvements of a substantial nature are required.

(B) Residential Property.

- (1) Residential properties located within the Old Town Rockwall (OTR) Historic District or the Southside Residential Neighborhood Overlay (SRO) District are eligible for a 50% reduction or a full waiver of building permit fees for projects involving a minimum investment of \$5,000.00 that are associated with the rehabilitation or restoration of a property. New development projects shall not be eligible for fee reductions or waivers.
- (2) Properties classified as *Non-Contributing* shall be eligible for a 50% reduction of the require building permit fees.
- (3) Properties classified as *Contributing (i.e. High, Medium or Low Contributing)* shall be eligible for a full waiver of building permit fees.
- (4) To be eligible for the program, a project must include exterior improvements. Interior work may be included in the overall permitting cost; however, exterior improvements of a substantial nature are required.

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SUBSECTION 7.03: APPLICATION

All applications shall be submitted to City staff in accordance with the Historic Preservation Advisory Board's (HPAB's) submittal deadlines prior to or concurrently with the submittal of a building permit. Once a building permit has been issued for a project, that project is no longer eligible for the program. The HPAB may review the application concurrently with a building permit submittal; however, no building permit can be issued while a program application is in process. The HPAB has the ability to approve, deny or modify a request at their discretion. A complete application for the program will consist of 1) the application form, 2) a list of all improvements associated with the project, and 3) any additional information deemed necessary for the HPAB to make a determination. It shall be the Planning and Zoning Department's policy not to accept incomplete applications.

[CODIFIED FROM RESOLUTION NO. 16-08]

SECTION 8: SMALL MATCHING GRANTS

SUBSECTION 8.01: PURPOSE

Purpose. The *Small Matching Grants Program* was established for eligible properties located within the City's Historic Districts for the purpose of encouraging small improvement and beautification projects. The program will be administered by the City's Historic Preservation Advisory Board (HPAB) under the direction of the Planning and Zoning Department of the City of Rockwall.

SUBSECTION 8.02: ELIGIBILITY

The *Small Neighborhood Matching Grants Program* is eligible for the following properties:

(A) Residential Property.

- (1) Residential properties located within the Old Town Rockwall (OTR) Historic District or the Southside Residential Neighborhood Overlay (SRO) District are eligible for the program. The programs shall provide matching funds up to 50% of the total project cost.
- (2) Properties classified as Non-Contributing shall be eligible for a total grant amount up to \$500.00.
- (3) Properties classified as Contributing (*i.e. High, Medium or Low Contributing*) or as a Landmarked Property shall be eligible for a grant amount up to \$1,000.00.
- (4) Regardless of a properties status no matching grant shall be approved for an amount of less than \$100.00 (*i.e. a project minimum of \$200.00*).
- (5) Only projects proposing improvements to the exterior of a property that will be visible from the street shall be eligible for the program. Examples of these projects include but are not limited to landscaping, painting, replacement of windows, replacement of sidewalks and/or driveways, and etcetera.

SUBSECTION 8.03: APPLICATION

All applications shall be submitted to City staff in accordance with the Historic Preservation Advisory Board's (HPAB's) submittal deadlines prior to the commencement of the proposed project. Once a project has commenced, that project or the portion of project that has commenced shall no longer be eligible for grant monies. The HPAB has the ability to approve, deny or modify a request at their discretion. A complete application for the program will consist of 1) the application form, 2) a list of all improvements associated with

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the project, and 3) any additional information deemed necessary for the HPAB to make a determination. It shall be the Planning and Zoning Department's policy not to accept incomplete applications.

SUBSECTION 8.04: CERTIFICATION AND VERIFICATION PROCESS

Applications for the Small Neighborhood Matching Grants pursuant to [Subsection 8.03](#) of this resolution shall be filed with the Planning and Zoning Department. Upon receipt of a completed application, City staff shall process the request, verify that the improvements have not commenced, and prepare a memorandum to the Historic Preservation Advisory Board (HPAB) outlining the request. Within 60 days of the receipt of an application, the HPAB shall act to approve, deny or modify a request based on the requirements of this resolution. Upon action by the HPAB work may commence on the proposed project.

Once a proposed project has been completed, the applicant shall be required to submit a sworn statement of completion acknowledging that the project has been completed in accordance with the application submitted and approved by the HPAB. In addition, the applicant will be required to submit all receipts for the cost of the project. Within 15 days of the receipt of the sworn statement of completion, City staff shall verify that the improvements have been completed as required by the HPAB and document the improvements for the City's records. If the improvements have been completed as approved, staff will issue a check request in the applicant's name to the Finance Department for half the amount depicted on the receipts up to the full amount approved by the HPAB.

[CODIFIED FROM RESOLUTION NO. 16-09]

SECTION 9: EXCEPTIONS AND VARIANCES

SUBSECTION 9.01: EXCEPTIONS TO THE GENERAL STANDARDS

Unless otherwise specified by the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant an exception to the provisions contained in the Unified Development Code (UDC), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of the Unified Development Code (UDC) would create an undue hardship. In cases where an exception or exceptions is/are being requested, the applicant shall provide compensatory measures that directly offset the requested exception. These may include -- *but are not limited to* -- any two (2) of the following options:

- (A) Increased landscape buffer.
- (B) Increased landscaping (*i.e. additional canopy trees, accent trees, landscaping percentage, etc.*).
- (C) Increased open space.
- (D) The provision of trails above and beyond the requirements of the City's Master Trail Plan.
- (E) Increased building articulation.
- (F) The provision of four (4) sided architecture (*where not already required*).
- (G) Masonry building materials in percentages equal to or greater than surrounding properties. Where there are no properties adjacent to the subject property the percentage shall be 90% masonry (*i.e. brick, stone, or cultured stone*).
- (H) The inclusion of 20% natural or cultured stone.
- (I) Increased architectural elements (*i.e. canopies, awnings, porticos, arcades, peaked roof forms, arches, outdoor patio/plaza space, display windows, articulated cornice lines, varied roof heights, etc.*).
- (J) Undergrounding existing overhead utility lines.
- (K) Compliance with the General Overlay District Standards detailed in [Section 6, Overlay Districts, of Article V, District Development Standards](#).
- (L) Other additional standards that are above and beyond the general standards that appropriately offset the requested exception or exceptions.

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In requesting an exception or exceptions, the applicant shall provide a written appeal to the Director of Planning and Zoning or his/her designee outlining [1] the reason or reasons for the exception or exceptions being requested, [2] the unique or extraordinary condition that exist and/or the undue hardship created by strict adherence to the technical requirements, and [3] the proposed compensatory measures as detailed above.

If the Planning and Zoning Commission denies a request for an exception, the applicant may appeal the decision to the City Council by filing a written appeal to the Director of Planning and Zoning or his/her designee. Approval of any exception to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

SUBSECTION 9.02: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

Unless otherwise specified by the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in [Section 6.02, General Overlay District Standards](#), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship. In cases where a variance or variances is/are being requested, the applicant shall provide compensatory measures that directly offset the requested exception. These may include -- *but are not limited to* -- any two (2) of the following options:

- (A) Increased landscape buffer.
- (B) Increased landscaping (*i.e. additional canopy trees, accent trees, landscaping percentage, etc.*).
- (C) Increased open space.
- (D) The provision of trails above and beyond the requirements of the City's Master Trail Plan.
- (E) Increased building articulation.
- (F) Masonry building materials in percentages equal to or greater than surrounding properties. Where there are no properties adjacent to the subject property the percentage shall be 90% masonry (*i.e. brick, stone, or cultured stone*).
- (G) The inclusion of 20% natural or cultured stone.
- (H) Increased architectural elements (*i.e. canopies, awnings, porticos, arcades, peaked roof forms, arches, outdoor patio/plaza space, display windows, articulated cornice lines, varied roof heights, etc.*).
- (I) Undergrounding existing overhead utility lines.
- (J) Other additional standards that are above and beyond the general standards that appropriately offset the requested exception or exceptions.

In requesting a variance or variances, the applicant shall provide a written appeal to the Director of Planning and Zoning or his/her designee outlining [1] the reason or reasons for the variance or variances being requested, [2] the unique or extraordinary condition that exist and/or the undue hardship created by strict adherence to the technical requirements, and [3] the proposed compensatory measures as detailed above.

If the Planning and Zoning Commission denies a request for a variance, the applicant may appeal the decision to the City Council by filing a written appeal to the Director of Planning and Zoning or his/her designee. Approval of any variance to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.

SUBSECTION 9.03: CRITERIA FOR GRANTING A VARIANCE OR EXCEPTION

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In reviewing a request for a variance or an exception, the Planning and Zoning Commission should review the request to determine:

- (A) If the proposed compensatory measures sufficiently offset the requested variance or exception.
- (B) If such a request will substantially or permanently injure the appropriate use of adjacent property.
- (C) If such a request will adversely affect the health, safety, and/or general welfare of the public.
- (D) If such a request will be contrary to the public interest.
- (E) If such a request will authorize the operation of a use other than those uses specifically authorized for the district in which the subject property is located.
- (F) If such a request will be in harmony with the spirit and intent of the Unified Development Code (UDC), Comprehensive Plan, and/or other City policies.
- (G) If such a request will alter the essential character of the district in which the subject property is located.
- (H) If such a request will substantially weaken the general purpose of the zoning requirements established for the district in which the subject property is located.

SECTION 10: FEE SCHEDULE

(A) *Establishment of Fees.* Fees for all development related applications in the City of Rockwall shall be established by the City Council upon recommendation of the City Council. Such fees shall be for the sole purpose of recovering the administrative cost of processing development applications, advertising zoning requests, and holding public hearings required by this Article. Such fee shall *not* be designed to generate revenue for the City other than recovery of actual administrative costs.

[MOVED FROM SECTION 19; ARTICLE II, UDC]

(B) *Fees.* The fees for development related applications in the City of Rockwall shall be as follows:

(1) *Platting.*

- (a) *Master Plat:* \$100.00 + \$15.00/Acre
- (b) *Preliminary Plat:* \$200.00 + \$15.00/Acre
- (c) *Final Plat:* \$300.00 + \$20.00/Acre
- (d) *Replat:* \$300.00 + \$20.00/Acre
- (e) *Amending or Minor Plat:* \$150.00
- (f) *Plat Reinstatement Request:* \$100.00

(2) *Site Plan.*

- (a) *Site Plan:* \$250.00 + \$20.00/Acre
- (b) *Amended Site Plan:* \$100.00

(3) *Zoning.*

- (a) *Zoning Change:* \$200.00 + \$15.00/Acre
- (b) *Specific Use Permit (SUP):* \$200.00 + \$15.00/Acre
- (c) *Planned Development District (PD):* \$200.00 + \$15.00/Acre

(4) *Miscellaneous Case.*

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- (a) Variance/Special Exception: \$100.00
- (b) Tree Removal: \$75.00
- (c) All Other Miscellaneous Cases: \$0.00

(5) Historic Preservation Advisory Board.

- (a) Certificate of Appropriateness (COA): \$0.00
- (b) Small Matching Grants: \$0.00
- (c) Building Permit Fee Waiver: \$0.00

[TAKEN FROM DEVELOPMENT APPLICATIONS]

(C) Calculation of Fees. Fees that have a scaled fee structure (*i.e. that are based on the acreage of the property*) are calculated by multiplying the acreage of the property by the scalable fee and adding the base fee. For example, a 5.25-acre property that is requesting a zoning change would be calculated as follows:

$$5.25\text{-acres} \times \$15.00/\text{Acres} = \$78.75 + \$200.00 \text{ [Base Fee]} = \$278.75 \text{ [Fee Due]}$$

Properties that are less than one (1) acre in total size shall be calculated as one (1) acre. No other rounding methods shall be used in the calculation of a fee.

Exhibit 'G'
Article XIII, Definitions, of the
Unified Development Code

Additions: **Highlighted**
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ARTICLE XIII, DEFINITIONS

SECTION 1: **USAGE GENERAL**

SUBSECTION 1.01: USAGE

For the purposes of this Unified Development Code (UDC), certain terms and/or words are used and interpreted as defined below. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular. The word shall wherever used in this article will be interpreted in its mandatory sense and the word may shall be deemed as permissive. The word building includes the word structure unless otherwise indicated in the definition. The word lot also means plot or tract. The term used for includes the meaning designed for or intended for.

- A. ~~For the purpose of these regulations, certain numbers, abbreviations, terms, and words shall be used, interpreted and defined as set forth in this [Unified Development Code].~~
- B. ~~Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular.~~
- C. ~~The word "shall" wherever used in this article will be interpreted in its mandatory sense; the word "may" shall be deemed as permissive.~~
- D. ~~The word "building" includes the word "structure"; the word "lot" also means "plot" or "tract."~~
- E. ~~The term "used for" includes the meaning "designed for" or "intended for."~~

SECTION 2: **DEFINITIONS WORDS, TERMS, AND LAND USES DEFINED**

SUBSECTION 2.01: GENERAL DEFINITIONS

~~Accessory building or use. A subordinate building having a use customarily incident to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.~~

- (1) Adopted Policies. A written administrative directive discussed at a public meeting and officially adopted by a majority vote of the city council.
- (2) Agriculture. The planting, cultivating, harvesting and storage of grains, hay or plants, or vineyards, commonly grown in Rockwall County. The raising and feeding of livestock and poultry shall be considered an agricultural venture if the area in which the livestock or poultry is kept is three acres or more in area, and if such raising of livestock and poultry is incidental or supplemental to the raising of crops and is not primarily for the raising or fattening of livestock. A feed lot exclusively for the fattening of livestock is not considered an agricultural use.
- (3) Alley. A minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street; it is also public space or way, 20 feet or less in width, which has been dedicated or deeded for public use.

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- (4) Alteration. Any addition, removal, extension, or change in the location of any exterior wall of a main building or accessory building, or change or modification in construction or occupancy.
- (5) Apartment. A room or suite of rooms within an apartment house arranged, intended or designed for a place of residence of a single-family or group of individuals living together as a single housekeeping unit and who do their cooking therein. (See Dwelling unit.)
- (6) Apartment house or building. A building arranged, intended or designed for more than two families. (See Dwelling unit, "multiple.")
- (7) Associated recreation. Recreational uses which are an integral part of a common ownership or associated with high density residential development (example: homeowners association with a private club, swimming pool, and tennis courts).
- (8) Authorized agent. An architect, builder, developer, or other person empowered to act on behalf of other persons.

~~Automobile repair, major. Major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under Automobile repair, minor, and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90 days.~~

~~(Ord. No. 93-22, 7-6-1993)~~

~~Automobile repair, minor. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under Automobile repair, major, or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.~~

~~(Ord. No. 93-26, 8-2-1993)~~

- (9) Bar, cocktail lounge, tavern, saloon, cantina. An establishment where alcoholic beverages are sold for on-premises consumption, other than a restaurant as defined in this section.
- (10) Basement or cellar. A story having more than one-half of its height below the average level of the adjoining ground. A cellar shall not be counted as a story for the purposes of height measurement.

~~Bed and breakfast. A single family owner occupied house offering rooms with breakfast on a nightly basis for a fee.~~

- (11) Block. A piece or parcel of land entirely surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the building official shall determine the outline of the block.
- (12) Boardinghouse or lodginghouse. A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five or more persons for compensation, pursuant to previous

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arrangements, but not for the public or transients.

- (13) Buffer. A visual screen constructed of wood, concrete block, masonry, or landscape material including earthen berms in such a manner that adjacent property will be screened from the use contemplated, so noise, solid waste, or other objectionable influences will be avoided. Such buffer shall be horizontal to the ground, opaque, and a minimum of six feet in height.
- (14) Buildable area. The “buildable area” of the lot is the maximum amount of allowable space upon which a structure or building may be erected, after meeting the coverage, yard and other requirements of this [Unified Development Code].
- (15) Building. An enclosed structure, anchored to permanent foundation, and having exterior or party walls and a roof, designed for the shelter of persons, animals, or property. When divided by other than common or contiguous walls, each portion or section of such building shall be regarded as a separate building, except that two buildings connected by a breeze way shall be deemed as one building. Parking structures shall not be considered as buildings when calculating building coverage.
- (16) Building area. The building area of the lot is the gross area covered by the structures when placed on the lot.
- (17) Building coverage. Percentage of the lot that is occupied by the building area, including parking structures and accessory buildings.

(Ord. No. 06-14, 4-17-2006)

- (18) Building height. The height of the building shall be measured from the average elevation of the finished grade along the front of the building to the highest point of the roof or parapet of the building if it is a flat, mansard or shed roof; or to the midpoint of the roof if it is gable, hip or gambrel roof.
- (19) Building official. The duly authorized employee or representative of the city charged with implementation, inspection and enforcement of the building codes.
- (20) Building, principal. A principal building is one in which a main use of the lot on which it is located is conducted.
- (21) Building setback line. A line defining an area on the building lot between the street right-of-way line and all other property lines and the building line within which no building or structure shall be constructed (also referred to as a “yard”), encroach or project except as specifically authorized in an adopted ordinance of the City of Rockwall. In the GR, C, DT, HC, RT, LI, [and] HI districts, underground parking garages shall not be required to meet side or rear setback requirements, but may be constructed from lot line to lot line.

(Ord. No. 10-14, § 69, 7-6-2010)

- (a) Front building setback line (defining a front yard). A line parallel to the street right-of-way line which the building faces, and takes its primary access from. Where lots have multiple frontages on one or more streets, the required front yard shall be provided on each street (see examples).

(Ord. No. 06-14, 4-17-2006)

- (b) Side building setback line (defining a side yard). A line parallel to an adjacent lot which the building sides up to.

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(Ord. No. 06-14, 4-17-2006)

- (c) Rear building setback line (defining a rear yard). A line parallel to an adjacent lot or alley, which the building backs up to and has its rear or secondary access from.

(Ord. No. 06-14, 4-17-2006)

(22) Caliper. The diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the total caliper of all of its trunks at the elevation being measured.

(23) Canopy or shade tree. A species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.

(24) Carport. A structure which is open on at least 2 sides, covered with a roof and constructed specifically for the storage of one or more automobiles; utility room may be included.

(25) Certificate of occupancy. A certificate issued by the zoning administrator or his authorized representative stating that the proposed use of the land and/or building conforms to the requirements of this [Unified Development Code].

(26) City. The City of Rockwall, Texas.

(27) Clinic. An institution, public or private, or a station for the examination and treatment of outpatients by a group of doctors, dentists, opticians, ophthalmologists, orthopedists, or other similar professional physicians.

(28) Cluster development. A method of development of land that permits variation in lot sizes without an increase in overall density of population or development. The use of permanent, open space may be one method used to offset the increased density of smaller residential lots.

~~Cold storage plant. A commercial establishment where foods are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. There is no slaughtering of animals on the premises.~~

(29) Commercial Development. Any development on private land that is not classified as industrial or residential development (i.e. that consists of development being performed within the Residential Office [RO], Neighborhood Services [NS], General Retail [GR], Heavy Commercial [HC], or Commercial [C] Districts and that is based in office, retail, personal services, or similar land uses).

(30) Commission. The planning and zoning commission of the City of Rockwall, Texas.

(31) Comprehensive plan. The comprehensive plan of the City of Rockwall and includes any unit or a part of such unit separately adopted and any amendment to such plan or parts thereof.

(32) Condominium. A multi-family dwelling unit, within which designated dwelling units are conveyed fee simple title, with an undivided interest in the building's common elements, to include, but not be limited to, halls, stairs, elevators, roof, parking space, and the land when the building is not constructed on leased land.

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- (33) Court. An open unoccupied space, other than a yard, on the same lot with a building and which is bounded on two or more sides by the building.
- (34) Curb level. The level of the established curb in front of the building measured at the center of such front, or in the case of a corner lot, along the abutting street where the mean curb level is the highest. Where no curb has been established, the city engineer shall establish such curb or its equivalent for the purpose of this [Unified Development Code].

~~Day care center or day nursery. A place for the care of children. Services usually include a staff nurse and a hot meal is normally served.~~

- (35) Density. The ratio of dwelling units per gross acre of platted area being developed.
- (36) District. A zone or geographic area within the municipality within which certain zoning or development regulations apply.

~~Drive-in eating establishments. Any structure and premises specifically designed for the preparation and dispensing of food and meals for consumption either indoors or in a vehicle parked on the premises or taken away for consumption in the home or other places.~~

- (37) Dwelling unit. Any building or portion thereof which is designed for or used primarily for residential occupancy, but not including hotels, boardinghouses or mobile homes, trailers, motor coaches or other recreational vehicles.

~~Single family. A building designed for and/or occupied exclusively by one family as a separate dwelling unit.~~

~~Duplex. A building designed and/or occupied exclusively by two families living independently of each other.~~

- (a) Triplex. A building designed for and/or occupied exclusively by three families living independently of each other.
- (b) Fourplex. A building designed for and/or occupied exclusively by four families living independently of each other.
- (c) Multiple. A building designed for and/or occupied exclusively by five or more families living independently of each other.
- (d) The determination of whether one family is living independently of another is based on one or more of the following criteria:
- (1) Separate sanitary facilities.
 - (2) Separate kitchen facilities.
 - (3) Separate entrances.
 - (4) Separate utilities.

- (38) Dwelling unit, minimum square footage. The minimum square footage required in each zoning district shall not include garages, porches, eaves and/or other areas not part of the main, air-conditioned living space of the dwelling unit.

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(39) Enhanced pavement. Any permeable or non-permeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.

(40) Evergreen tree or shrub. A tree or shrub of a species which normally retains its leaves throughout the year.

(41) Family. One or more persons who are related by blood, adoption or marriage, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than five (excluding servants) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a nonprofit, cost-sharing basis.

(42) Fence. Any wall or structure of any material for which the purpose is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building, or structure.

~~Filling, retail service station. An establishment where gasoline, oil and grease, or automobile accessories are sold, supplied or dispensed to the vehicle trade or where motor vehicles received limited repair, are equipped for service, or where electric storage batteries are recharged and cared for, or a place where any two or more such activities are carried on or conducted as the principal use of the establishment. (The storage, sale, lease, or rental of more than one boat or mobile home, or more than five hauling trailers is prohibited.)~~

(43) Floor area ratio. The relationship of the gross floor area of all buildings on a lot to the total lot area. Parking structures shall be excluded in the calculation of the floor area ratio.

(44) Frontage. All the property abutting on one side of a street between two intersecting streets, measured along the street line.

(45) Garage apartment. A dwelling unit attached to a private garage.

~~Garage, commercial. A commercial garage is any premises and structures used for housing more than three motor driven vehicles or where any vehicles are kept for remuneration, hire, or sale and where a retail service station may be maintained as a secondary use.~~

(46) Garage, community. A building or portion thereof, other than a public, private or storage garage as defined below, providing storage for motor vehicles with facilities for washing, but no other services, such garage to be in lieu of private garages within a block or portion of a block.

~~Garage, detached or private. An accessory building for storage only of motor vehicles and home laundry.~~

(47) Garage, public. A building or portion thereof, designed or used for the storage, sale, hiring, care or repair of motor vehicles, which is operated for commercial purposes.

(48) Garage, storage. A building or portion thereof, except those defined as private, a public, or a community garage providing storage for more than four motor vehicles, with facilities for washing but no other services.

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(49) Ground cover. Natural mulch or plants of species which normally reach a height of less than two feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

~~Group housing project. A dwelling project consisting of three or more buildings, to be constructed on a plot of ground which is not subdivided into customary streets or lots, or where the existing or contemplated street or streets or lot layouts make it impractical to apply the requirements of this [Unified Development Code] to the individual building units in such housing project.~~

~~Guesthouse. An accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as a separate domicile.~~

(50) Height of yard or court. The vertical distance from the lowest level of such yard or court to the highest point of any boundary wall.

~~Home occupations. A "home occupation" is a commercial use customarily carried on in the home by members of the occupant family without structural alterations in the principal building or any of its rooms, without offering any commodity or service for sale on premises, without the installations of machinery or additional equipment other than that customary to normal household operations, without the employment of additional persons, without the use of a sign to advertise the occupations, and which does not cause the generation of other than normal noise, and pedestrian and vehicular traffic.~~

~~Hospital, sanitarium, nursing or convalescent homes. A building or any portion thereof, used or designed for the housing or treatment of the sick, mentally ill, injured, convalescent or infirm persons; provided that this definition shall not include rooms in any residential dwelling, hotel, apartment hotel not ordinarily intended to be occupied by said persons.~~

~~Hotel. A building or group of buildings used as a temporary dwelling place for individuals in exchange of financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Hotel room units are accessed through doorways into an internal hallway, courtyard, or lobby. Financial consideration for hotel room units is generally calculated on a nightly basis.~~

~~(Ord. No. 08-56, 10-20-2008)~~

~~Hotel, full service. A building or group of buildings designed for and occupied as a temporary dwelling place. Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops. A full service hotel shall also include the following:~~

- ~~(a) A minimum room count of 250 rooms.~~
- ~~(b) Each guestroom shall have a minimum area of 380 square feet.~~
- ~~(c) A full service restaurant with full kitchen facilities and which provides service to the general public.~~
- ~~(d) On-site staff required 24 hours a day, seven days a week.~~
- ~~(e) The following amenities are required to be provided:~~

- ~~(1) A minimum of 10,000 square feet of meeting or conference room space; and~~
- ~~(2) A swimming pool with a minimum area of 1,000 square feet.~~

~~(Ord. No. 08-56, 10-20-2008)~~

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~~Hotel, residence. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Residence hotel room units are designed to be suitable for long-term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical residence hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.~~

~~(Ord. No. 08-56, 10-20-2008)~~

(51) Impervious cover. Roads, parking areas, buildings and other impermeable construction covering the natural land surface that prevent absorption of the water. Water quality basins, swells and other conveyances for overland drainage shall not be calculated as impervious cover.

(52) Industrial Development. Any development on private land that is not classified as commercial or residential development (i.e. that consists of development being performed within the Light Industrial [LI] or Heavy Industrial [HI] Districts and that is based in warehouse, research/technology, light or heavy manufacturing, or similar land uses).

(53) Institutional use. A nonprofit organization or building, public or private, for the benefit of the public including YMCA, YWCA, Boys Clubs, Scouts; educational facilities and schools, including day care centers and kindergartens; churches, temples, cemeteries, mausoleums or crematories for the deposit of the human dead; hospitals, civic clubs, private parks, private libraries, museums, etc.

~~Kenel. Any premises in which more than three dogs or three cats or three other domesticated animals over the age of three months, not including livestock or poultry, are housed, boarded, raised, or trained as a commercial enterprise. This definition does not include pet shops.~~

~~(Ord. No. 90-5, 3-19-1990)~~

(54) Kindergarten. A school for more than five children of preschool age, in which constructive endeavors, object lessons or educational games are prominent features of the curriculum.

(55) Landscape architect. A person licensed to practice or teach landscape architecture in the State of Texas pursuant to state law.

(56) Landscape buffer. A strip of land:

(a) Which serves a buffer function on the perimeter of a building site adjacent to another building site or to a public or private street or alley; and

(b) At least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials (excluding screening).

(57) Landscaping. Trees, shrubs, ground cover, earthen berms, vines, grass, water, decorative features such as fountains, or other material approved by the city council.

(58) Large shrub. A shrub which normally reaches a height of six feet or more upon maturity.

(59) Large tree. A tree of a species which normally reaches a height of 30 feet or more upon maturity.

(60) Legislative or governing body. The city council of the City of Rockwall, Texas.

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(61) Loading space. A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks and having a minimum dimension of 12 [feet] by 65 feet and a vertical clearance of at least 14 feet.

(Ord. No. 06-14, 4-17-2006)

(62) Lot. An undivided tract or parcel of land having frontage on a public street, or upon an approved open space, having direct street access, and which is, or in the future may be, offered for sale, conveyance, transfer, or improvement, which is designated as a distinct and separate tract, and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed of record.

(63) Lot area, minimum. Includes internal sidewalks, recreation areas, floor space, parking area, open space and utility easements, but does not include any public right-of-way street easements or alley easements.

(64) Lot, corner. A lot abutting upon two or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the building official, or as specified on an approved plat.

(65) Lot depth. The length of a line connecting the midpoints of the front and rear lot lines.

(66) Lot[, double frontage[,] or through lot. A lot abutting on two nonintersecting public streets as distinguished from a corner lot.

(67) Lot, frontage. The length of street frontage between property lines.

(68) Lot, interior. A lot whose side lot lines do not abut upon any street.

(69) Lot, irregular. Any lot not having equal front and rear lot lines, or equal side lot lines; a lot, the opposite lot lines of which vary in dimension and the corners of which have an angle of either more or less than 90 degrees. A lot fronting on a sharp curve or cul-de-sac.

(70) Lot lines. The lines bounding a lot as defined herein.

(a) Front lot line. The property line between the front yard(s) and the contiguous street right-of-way boundary.

(Ord. No. 06-14, 4-17-2006)

(b) Rear lot line. The boundary line which is opposite and most distinct from the front street line; except that in the case of uncertainty the building inspector shall determine the rear line.

(c) Side lot line. The property line between two adjacent lots. Where lots have multiple frontages on one or more streets, the required front yard shall be provided on each street.

(Ord. No. 06-14, 4-17-2006)

(71) Lot of record. A parcel of land which is part of a subdivision, the map or plat of which has been recorded in the office of the county clerk of Rockwall County; or a parcel of land not a part of an urban or town lot subdivision, the deed of which has been recorded in the office of the county clerk of Rockwall County prior to the adoption date of the ordinance from which this Unified Development Code is derived which has not been divided since recording.

(72) Lot, reverse corner. A corner lot whose front line faces at right angles to the front lot lines of the interior lots or whose rear lot line abuts the side lot lines of interior lots.

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- (73) Lot width. The horizontal distance between side property lines, measured at the front setback line.
- (74) Lots in separate ownership at the time of the passage of this [Unified Development Code]. A lot whose boundary lines, along their entire length touched lands under other ownership as shown by plat or deed recorded in the office of the county clerk of Rockwall County on or before the date of the adoption of the ordinance from which this Unified Development Code was derived.
- (75) Maneuvering space. The space entirely on private property required for maneuvering vehicles in such a manner as to preclude the backing of any vehicle into any street right-of-way.
- (76) Manufactured home or HUD-code manufactured home. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.

(Ord. No. 10-14, § 71, 7-6-2010)

- (77) Masonry. Masonry construction shall be defined as construction composed of materials in the categories listed below and shall not include hollow clay tile or exposed lightweight block such as cinder block.
- (78) Modular.
- (a) Brick.
 - (b) Natural or quarried stone.
 - (c) Cast or cultured stone.
 - (d) Glass block or glass.
 - (e) Tile.
 - (f) Custom concrete masonry units (normal or heavy weight blocks with an integral color that is sandblasted, burnished or has a split face).

~~Mini-warehouses. Small individual storage units for rent or lease, restricted to the storage of items that are not for sale on the premises.~~

- (79) Mobile home. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.

(Ord. No. 10-14, § 72, 7-6-2010)

- (80) Modular homes. Any permanent, single-family dwelling unit which has been prefabricated or factory constructed as a single unit or in sections or modules, and assembled at the factory or construction site and moved to a permanent location as a unit or in sections or modules, as a permanent single-family dwelling unit placed on a permanent foundation at such site and connected with all required utility services.

~~Motel. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Each motel room unit has direct access to the outside. Financial consideration for motel room units is generally calculated on a nightly basis.~~

~~(Ord. No. 08-56, 10-20-2008)~~

- (81) Municipal uses. Facilities owned or controlled by the City of Rockwall, including, but not limited to, office buildings, maintenance shops, treatment plants; community centers.

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~~Nightclub, discotheque, disco or dance hall. An establishment whose primary activity is the provision of facilities for dancing, including a dance floor and live entertainment or amplified music. Such establishment may or may not provide on premises consumption of alcoholic beverages. Schools of dance are exempted from this definition.~~

(82) Nonconforming use, building or yard. A use, building or yard, which does not, by reason of design, use or dimensions, conform to the regulations of the district in which it is situated. It is a legal nonconforming use if established prior to the passage of this [Unified Development Code].

(83) Non-permeable coverage. Coverage with non-permeable pavement.

(84) Parking area. Space used exclusively for the parking of vehicles and where no other business is conducted paved to city specifications.

(85) Parking space. Area, not closer than six feet from the back edge of the curb, the width and length of which shall exceed by a minimum of two feet the dimensions of the type of vehicle normally to be parked in the space, and connected to a street or alley by a driveway affording satisfactory ingress and egress. The minimum dimension of a parking space shall be in accordance with the adopted ordinances of the City of Rockwall regarding off-street parking.

(86) Patio home. A single-family, residential dwelling unit that is most often a one-story L-shaped or U-shaped home utilizing the entire lot with an enclosed garden court for open space area. Fire retardant walls are utilized and additional open space is often provided by clustering the units.

(87) Paving. Material which provides an all-weather surface for the parking of vehicles. All required paving shall meet the standards specified by applicable city specifications.

(88) Permitted use. A use specifically allowed in one or more of the various districts without the necessity of obtaining a use permit.

(89) Person. Any individual, association, firm, corporation, governmental agency or political subdivision.

~~Personal service shop. An establishment for the purpose of supplying limited personal services such as, but not limited to, barber, shoe, boot, saddle, shine shop.~~

(90) Place. An open, unoccupied space other than a street or alley permanently established or dedicated as the principal means of access to property abutting thereon.

(91) Planned development (PD). Includes a combination of different dwelling types and/or a variety of land uses which creatively complement each other and harmonize with existing and proposed land uses in the vicinity, and comply with provisions of the ordinances governing planned developments.

(92) Planned shopping center. A group of architecturally unified commercial establishments built on a site which is planned, developed, owned and managed as one operating unit related in its location, size, and type of shops to the trade area that the unit serves. The unit provides on-site parking in definite relationship to the types and total size of the stores.

(93) Planning consultant. A private practitioner in planning, who is a member of the American Institute of Certified Planners (AICP).

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- (94) Plat. A map of a subdivision or site plan that represents a tract of land, showing the boundaries and location of individual properties and streets.

~~Portable building. A temporary building that may or may not have a foundation and is transportable.~~

~~(Ord. No. 86-56, 6-16-1986)~~

~~Private club. An establishment providing social and dining facilities as well as alcoholic beverage service to an association of persons and otherwise falling within the definition of and permitted under the provisions of that portion of V.T.C.A., Alcoholic Beverage Code § 32.01 et seq., as it be hereafter amended and as it pertains to the operation of private clubs.~~

- (95) Recreational vehicle or travel trailer. A vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projections;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

(Ord. No. 10-14, § 73, 7-6-2010)

~~Restaurant or cafe. A building or portion of a building, where the primary business is the on-premises sale of prepared food, with adequate facilities for the preparation of the food to be sold, the adequacy of said kitchen facilities to be based upon the seating capacity of the restaurant and the type of menu offered.~~

- (96) Residential Development. Any development on private land that is not classified as industrial or commercial development (*i.e. that consists of development being performed within the Agricultural [AG], Single-Family Estate 1.5 [SFE-1.5], Single-Family Estate 2.0 [SFE-2.0], Single-Family Estate 4.0 [SFE-4.0], Single-Family 1 [SF-1], Single-Family 16 [SF-16], Single-Family 10 [SF-10], Single-Family 8.4 [SF-8.4], Single-Family 7 [SF-7], Zero Lot Line [ZL-5], Two-Family [2F], or Multi-Family 14 [MF-14] Districts that is based in residential land uses*).

- (97) Restaurant (limited service). A building or portion of a building, where the primary business is the on-premises sale of prepared food where patrons generally order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to customers' location. Drive-through "pickup/order" window permitted provided that there is no public address system or speakers.

- (98) Retail. The sale of goods directly to a consumer. Engaged in, pertaining to, or relating to the sale of merchandise at retail. To sell by individual items or by the piece, directly to a consumer.

- (99) Retail food store. A retail establishment selling meats, fruits, vegetables, bakery products, light hardware, and other similar items which are purchased for use and consumption off the premises (may be drive-in or supermarket type).

- (100) Right-of-way line. A dividing line between a lot, tract, or parcel of land and the public right-of-way.

- (101) Screening. Screening that complies with the construction and maintenance regulations in section 5, Mandatory Provisions, except as those regulations may be expressly modified in this article.

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~~**Self-storage facility.** Small individual storage units for rent or lease, restricted solely to the storage of items. The conduct of sales, business or any other activity within the individual storage units, other than storage, shall be prohibited. One caretaker/security residence shall be permitted in association with a self-storage facility.~~

(102) **Semi-public uses.** Public facilities including sanitary landfills, water treatment and supply facilities, and wastewater treatment facilities, but not including facilities owned or controlled by the city.

~~**Servant's quarters.** An accessory building or portion of a main building located on the same lot as the main building and used as living quarters for servants employed on the premises and not rented or otherwise used as a separate domicile.~~

(103) **Setback.** See Building setback line.

(104) **Sign.** A name, identification, image, description, display or illustration which is affixed to, painted, or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business which is visible from any street, right-of-way, sidewalk, alley, park or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not signs.

(105) **Site.** A combination of continuous lots that may or may not be owned separately, that will be developed under one unified plan, as if it were a single parcel of land.

(106) **Site plan.** The development plan for one or more lots on which is shown the existing and proposed conditions of the lot including: topography, vegetation, drainage, floodplain, marshes and waterways; open spaces, walkways, means of ingress and egress, utility services, landscaping, structures and signs, lighting, and screening devices; any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

(107) **Small tree.** A tree of a species which normally reaches a height of less than 30 feet.

(108) **Soil.** A medium that plants will grow in.

(109) **Space.** A plot of ground within a mobile home or recreational vehicle park designated for the accommodation of one mobile home or one recreational vehicle, together with such open space as required by this chapter.

(110) **Storage.** The accumulation, stocking, or depositing of materials or items. These may include materials for the eventual use or sale in a commercial enterprise, but does not include the storing of a personal car or truck on an individual residential lot.

~~**Storage building.** Any building either portable or constructed on site, utilized for storage purposes, and not requiring plumbing and electrical wiring, and not used for residential purposes.~~

(111) **Story.** That part of a building included between the surface of one floor and the surface of the floor next above, or, if there be no floor above, that part of the building which is above the surface of a floor and the ceiling next above. A top story attic is a half-story, when the main line of the eaves is not above the middle of the interior height of such story. The first story is a full story when over 50 percent of its exterior walls are exposed to outside light and air entirely above grade and which exterior walls contain windows or doors permitting entrance of daylight and outside air.

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- (112) Street. A public or approved private thoroughfare which affords the principal means of access to abutting property, excluding alleys, and as defined in the city's thoroughfare plan.
- (113) Street line. The dividing line between the street right-of-way and the abutting property.
- (114) Structural alterations. Any alteration involving a change in or addition to the supporting members of a building, such as bearing walls, columns, beams or girders.
- (115) Structure. Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, signs, and excluding utility poles, fences and retaining walls.
- (116) Subdivision. The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale, development or lease.

~~Townhouse. A single family dwelling unit constructed in a series, or a group of units having common walls, each on a separate lot.~~

- (117) Urban Agriculture. An industry located within or on the fringe of a town, a city or metro-area, which grows and raises, processes and distributes a diversity of food and non-food products, using largely human and natural resources, products and services found in and around the urban area, and in turn supplying human and material resources, products and services largely to the urban area.
- (118) Variance. Relief from or variation of the provisions of these regulations, other than use regulations, as applied to a specific piece of property, as distinct from rezoning, as further set out hereinafter in powers and duties of the board of adjustment.

~~Veterinary clinic. An establishment where animals and pets are admitted for examination and medical treatment and boarding of animals is limited to short term care incidental and subordinate to the clinic use.~~

~~(Ord. No. 90-5, 3-19-1990)~~

- (119) Visibility Triangle. The term "visibility triangle" as defined in article V, section 1.9 of this Unified Development Code.
- (120) Wall, exterior. Any wall or element of a wall, or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of 60 degrees or greater with the horizontal plane.
- (121) Wholesale. The sale of commodities for the purpose of resale, as to retailers or jobbers rather than to consumers directly; opposed to retail. Of, pertaining to, or engaged in sale at wholesale.
- (122) Xeriscaping. A type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.

~~Zero lot line house. A single family detached residential dwelling unit with one side wall coincident with the side lot line and a five-foot maintenance easement coincident with the opposite side lot line.~~

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SUBSECTION 2.02: LAND USE DEFINITIONS

(A) Agricultural and Animal Related Land Uses.

- (1) **Agricultural Uses on Unplatted Land.** Any area used for growing farm products, vegetables, fruits, trees, and grain and/or for the raising of farm animals (e.g. horses, cattle, sheep, etc.) -- including the necessary accessory uses for raising, treating, and storing products raised on the premises -- , but not including the commercial feeding, cultivation of offal (i.e. entrails or internal organs) to swine or other animals and not including any type of agriculture or cultivation that is specifically prohibited by this federal, state, or local law.
- (2) **Animal Boarding/Kennel.** Any premises in which more than three (3) dogs or three (3) cats or three (3) of any other domesticated animal over the age of three (3) months -- not including livestock or farm animals -- are housed, boarded, raised or trained as a commercial enterprise. This definition does not include pet shops.
- (3) **Animal Clinic for Small Animals without Outdoor Pens.** An establishment where small animals and pets are admitted for examination, medical treatment, and boarding of animals is limited to short-term care incidental and subordinate to the clinic use.
- (4) **Animal Hospital or Clinic.** A facility for the diagnosis, treatment, or hospitalization of animals.
- (5) **Animal Production or Husbandry.** An agricultural operation specifically concerned with the raising of animals for meat, milk, eggs, or other products. *Animal Production or Husbandry* includes the day-to-day care, selective breeding and the raising of livestock.
- (6) **Animal Shelter or Loafing Shed.** An agricultural structure that is typically built inside a pasture or paddock area that provides livestock with shade, water, and/or food.
- (7) **Barn or Agricultural Accessory Building.** A barn or agricultural accessory building is a building that is located on a property that is a minimum of ten acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.
- (8) **Crop Production.** An area for raising or harvesting agricultural crops such as wheat, field forage, and other plant crops intended to provide food or fiber.
- (9) **Commercial Horse Corral or Stable.** A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, hired, trained, sold, or bred as a commercial activity. The definition includes accessory uses such as riding lessons, clinics, and similar activities.
- (10) **Private Horse Corral or Stable.** A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, trained, or bred for the private use of the property owner.
- (11) **Community Garden.** A use in which an area of land is managed and maintained by a group of individuals to grow and harvest food and/or horticultural products for personal or group consumption or for sale or donation. A community garden area may be divided into separated garden plots for cultivation by one or more individuals, or may be farmed collectively by members of the group. A community garden may include common areas (e.g., hand tool storage sheds) maintained and used by the group.

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(12) Urban Farm. A use in which plants are grown for sale as products, and in which the plants or their biproducts are sold at the lot where they are grown or off-site, or both, and in which no other items are sold (e.g. flower and vegetable raising, orchards and vineyards, etc.).

(13) Wholesale Nursery (i.e. without Retail Sales On-Site). An establishment for the cultivation and propagation, display, storage and wholesale of large plants, shrubs, trees and other materials used in the indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape materials as an accessory use.

(B) Residential and Lodging Land Uses.

(1) Residential Accessory Building or Structure. A subordinate building having a use customarily incidental to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.

(2) Bed and Breakfast. A single-family owner-occupied house offering rooms with breakfast on a nightly basis for a fee.

(3) Caretakers Quarters/Domestic or Security Unit. A residence located on premises with a main residential or non-residential use and occupied only by a caretaker or guard employed on the premises.

(4) Convent, Monastery, or Temple. A facility or building occupied by a community of monks, nuns, priests, or similar sects living under religious vows.

(5) Duplex. A building designed and/or occupied exclusively by two (2) families living independently of each other on one (1) lot or parcel of land.

(6) Commercial Garage. Any premises and/or structures used for housing more than three (3) motor vehicles or where any vehicles are kept for remuneration, hire, or sale and where a retail service station may be maintained as a secondary use.

(7) Residential Garage. A residential accessory building used for the storage motor vehicles. These structures are typically attached to the primary structure; however, they may also be a detached structure.

(8) Guest Quarters/Secondary Living Unit. An accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as a separate domicile.

(9) Home Occupation. A commercial use customarily carried on in the home by members of the occupant family without structural alterations in the principal building or any of its rooms, without offering any commodity or service for sale on premises, without the installations of machinery or additional equipment other than that customary to normal household operations, without the employment of additional persons, without the use of a sign to advertise the occupations, and which does not cause the generation of other than normal noise, and pedestrian and vehicular traffic.

(10) Limited-Service Hotel. A building or group of buildings used as a temporary dwelling place for individuals in exchange of financial consideration where customary hotel services such as linen, maid

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service, and telephone are provided. Hotel room units are accessed through doorways into an internal hallway, courtyard, or lobby. Financial consideration for hotel room units is generally calculated on a nightly basis.

- (11) Full-Service Hotel. A building or group of buildings designed for and occupied as a temporary dwelling place. Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security-controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops.
- (12) Residence Hotel. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Residence hotel room units are designed to be suitable for long-term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical residence hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.
- (13) Motel. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Each motel room unit has direct access to the outside. Financial consideration for motel room units is generally calculated on a nightly basis.
- (14) Multi-Family Structure or Development. A development consisting of at least three (3) single-family dwelling units grouped into a single building or multiple buildings on an individual parcel of land. Examples of a *Multi-Family Development* include Triplexes, Quad or Fourplexes, apartments, condominiums, and etcetera.
- (15) Portable Building. A temporary building that may or may not have a foundation and is transportable.
- (16) Residential Infill in or Adjacent to an Established Subdivision. The new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.
- (17) Single-Family Attached Structure. A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).
- (18) Single-Family Detached Structure. A single-family residential structure that is occupied by one (1) family, is situated on a single parcel of land, does not share a common wall or wall with any adjacent structures, and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).
- (19) Single-Family Zero Lot Line Structure. A single-family detached structure that has a wall or walls that comes up to, or very near to, the edge of the property line on one (1) side of the property.
- (20) Private Swimming Pool. A swimming pool constructed for the exclusive use of the property owner and/or residents of a single-family, duplex, multi-family structure or development. A private swimming pool shall not be operated as a business.
- (21) Private Tennis Court. A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for night play in residential areas

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except as may be otherwise permitted.

- (22) Townhouse. A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (i.e. one [1] dwelling unit per lot). These units are typically constructed in a series or group of units.
- (23) Urban Residential. A development situated within the City's Downtown (DT) District -- which is also referred to as the urban core -- that allows for multiple single-family dwelling units grouped into a single building. This type of structure typically contains a mix of office, retail, and residential land uses.

(C) Institutional and Community Service Land Uses.

- (1) Assisted Living Facility. A facility that is licensed under Chapter 247, *Assisted Living Facilities*, of the Texas Health and Safety Code that furnishes -- in one (1) or more buildings -- food, shelter, and limited assistance to persons who are unrelated to the proprietor of the establishment, and also provides personal care services.
- (2) Blood or Plasma Donation Center. A facility that allows for a person or persons to donate or sell blood or plasma for use in medical or other products.
- (3) Cemetery/Mausoleum. A land used intended to be used for the burial of the human or animal remains and dedicated for cemetery purposes, including crematories, mortuaries and funeral chapels if operated in connection with and within the boundaries of such cemetery.
- (4) Church/House of Worship. A facility or area where people gather together for public worship, religious training, or other religious activities including a church, temple, mosque, synagogue, convent, monastery, or other structure, together with its accessory structures, including a parsonage or rectory. This use does not include home meetings or other religious activities conducted in a privately occupied residence.
- (5) College, University, or Seminary. An institution established for educational purposes offering courses for study beyond the secondary education level. This land use shall exclude *Trade Schools*.
- (6) Convalescent Care Facility/Nursing Home. A facility providing primarily inpatient health care, personal care, or rehabilitative services on a 24-hour basis over a long period of time to persons chronically ill, aged, or disabled who need ongoing health supervision, but not hospitalization.
- (7) Congregate Care Facility/Elderly Housing. A facility for long-term residence -- exclusively for persons 62 years of age or older -- who may need limited assistance with daily living activities, and which includes at a minimum each of the following amenities and personal care services: [1] private living quarters that are designed for a maximum of double occupancy and which no full kitchen facilities are permitted (i.e. no dishwasher or oven); [2] daily prepared meals in a common dining area; [3] housekeeping, laundry service, and private bus transportation service; [4] dedicated areas for social activities; and [5] dedicated areas for indoor and outdoor recreation activities.
- (8) Crematorium. A facility licensed, or qualified to be licensed, by the State of Texas for the cremation of human remains.

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- (9) Daycare with Seven (7) or More Children. A state licensed facility -- other than a public, parochial, or private school -- providing care for seven (7) or more children under the age of 14 years old for less than 24-hours per day (typically daytime hours only) at a location other than a residence.
- (10) Emergency Ground Ambulance Services. A facility that houses Emergency Medical Service (EMS) motor vehicles or ambulances that are dispatched to offer emergency paramedic services that require an urgent medical response.
- (11) Group or Community Home. A home for disabled persons whose ability to care for themselves, perform manual tasks, learn, work, walk, see, hear, speak or breath is substantially limited because the person has an orthopedic, visual, speech, or hearing impairment, Alzheimer's disease, pre-senile dementia, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, autism, or emotional illness.
- (12) Government Facility. An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to: City services/offices, employment offices, police and fire stations, and/or motor vehicle licensing and registration services.
- (13) Halfway House. A facility where persons are aided in readjusting to society following a period of imprisonment, hospitalization, homelessness, or institutionalized treatment.
- (14) Hospice. A facility designed to provide a centralized program for palliative and supportive services to dying persons and their families in the form of physical, psychological, social, and spiritual care either directly or on a consulting basis.
- (15) Hospital. An institution providing health services primarily for human inpatient medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central services facilities, and staff offices which are an integral part of the facilities.
- (16) Public Library, Art Gallery, or Museum. An institution for the collection, display and distribution of objects of art, science, or library sciences and which are sponsored by a public or quasi-public agency that is open to the general public.
- (17) Mortuary or Funeral Chapel. A place for the storage of human bodies prior to their burial or cremation, or a building used for the preparation of a deceased for burial and/or the display of the deceased through ceremonies prior to burial or cremation.
- (18) Local Post Office. A local branch of the United States Postal Services or a private commercial venture engaged in the distribution of mail, packages, and incidental services.
- (19) Regional Post Office. A branch of the United States Postal Services or a private commercial venture engage in the regional distribution of mail and packages to local post offices.
- (20) Prison/Custodial Institution. A facility responsible for the incarceration of adults that provides 24-hour supervision by professionals. These types of facilities include prisons, jails, and probation facilities.
- (21) Public or Private Primary School. A school that is either owned and operated by the independent school district or a private commercial organization for children from five (5) to 11-years of age to receive their primary or elementary education.

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- (22) Public or Private Secondary School. A school that is either owned and operated by the independent school district or a private commercial organization for children from 11 to 18-years of age to receive their secondary or high school education.
- (23) Temporary Education Buildings for a Public or Private School. A temporary building for classrooms, recreation and administrative needs for the independent school district or a private commercial organization as defined by Section 1202, *Industrialized Housing and Buildings*, of the Texas Occupations Code.
- (24) Rescue Mission or Shelter for the Homeless. A non-profit housing shelter operating as an accessory use to a religious facility, providing temporary free lodging for indigent individuals or families with no regular home or residential address. A *Rescue Mission or Shelter for the Homeless* shall house a maximum of 15 individuals for a period not to exceed a maximum of 30-days.
- (25) Social Service Provider (Except Rescue Mission or Shelter for the Homeless). Any organization operating under a non-profit charter, the activities of which are devoted exclusively to charitable, benevolent, patriotic, employment related, or educational purposes not currently listed elsewhere in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).

(D) Office and Professional Land Uses.

- (1) Financial Institution. A facility that is open to the public for the deposit, custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds and that is licensed by the appropriate state or federal agency as a bank, savings and loan association, or credit union. Accessory uses may include automatic teller machines, drive through service, offices, and parking. This excludes bail bonds, pawnshops, payday advance/loan businesses, and motor vehicle title loan businesses.
- (2) Office Building. A facility that provides executive, management, administrative, or professional services not specifically listed elsewhere in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#), but not involving the sale of merchandise except as incidental to a permitted use. Typical examples include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

(E) Recreation, Entertainment and Amusement Land Uses.

- (1) Temporary Carnival, Circus, or Amusement Ride. A temporary, traveling show or exhibition that has no permanent structure or installation, and is intended to attract people to a site where there may or may not be an admission charge. These activities include: carnivals, circuses, rides, entertainment, gaming booths, food stands, exhibitions, and animal displays. Outdoor or indoor commercial amusement provided on a temporary basis.
- (2) Indoor Commercial Amusement/Recreation. Any enterprise whose main purpose is to provide the general public with a variety of amusing or entertaining activities, including such activities as skating rinks, bowling alleys, video arcades, billiard tables and similar enterprises, but does not include theaters and auditoriums.

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- (3) Outdoor Commercial Amusement/Recreation. An amusement enterprise that offers entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open.
- (4) Public or Private Community Recreation Club as an Accessory Use. (1) Public: A facility or area that is owned and/or operated by a nonprofit organization and that provides for sports, leisure, and recreation activities operated for the general public. (2) Private: A recreation facility operated for the exclusive use of private residents or neighborhood groups and their guests, and not the general public.
- (5) Private Country Club. A facility or area laid out for recreational, athletic, and social purposes, with limited membership, and the use of which is primarily restricted to members and their guests. A golf course may be included as an additional principal use. Accessory uses may include retail sales, a club house, and other recreational facilities.
- (6) Golf Driving Range. An area improved with trees, greens, fairways, hazards, and which may include a clubhouse, dining room, and accessory recreational uses.
- (7) Temporary Fundraising Events by Non-profit. An event sponsored by a recognized legal nonprofit organization, intended to attract people to a site where there may or may not be an admission charge.
- (8) Gun Club with Skeet or Target Range. A facility or area for the sport of shooting at targets to test accuracy in rifles, pistols, or archery practice, owned or operated by a corporation, association, or persons.
- (9) Health Club or Gym. A public or private facility operated to promote physical health and fitness. Activities may include exercise, physical therapy, training, and education pertaining to health and fitness. Uses or combinations of uses or facilities would typically include -- *but are not limited to* -- game courts, weight lifting and exercise equipment, aerobics, swimming pools and spas, and running or jogging tracks.
- (10) Private Club, Lodge or Fraternal Organization. (1) Private Club. Private quarters for a private organization, a principal purpose of which is the preparation and service of food and/or drink for members and their guests only and falling within the definition of and permitted by Chapter 32, Private Club Registration Permit, of the Texas Alcoholic Beverage Code. (2) Lodge or Fraternal Organization. A facility or area for a special purpose organization or for the sharing of sports, arts, literature, politics, or other similar interests, but not primarily for profit or to render a service that is customarily carried on as a business, excluding churches, synagogues, or other houses of worship or religious assembly.
- (11) Private Sports Arena, Stadium, and/or Track. An athletic field or stadium that is not owned or operated by a public agency such as a city or school and operated for the exclusive use of its members and their guests and not the general public
- (12) Public Park or Playground. A facility or area for recreational, cultural, or aesthetic use owned or operated by a public agency and available to the general public. This definition may include -- *but is not limited to* -- lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, pavilions, wooded areas, and water courses.
- (13) Sexually Oriented Businesses. See Article XI, Sexually Oriented Businesses, of Chapter 12, Businesses and Sales, of the Municipal Code of Ordinances.

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(14) Tennis Courts (i.e. Not Accessory to a Public or Private Country Club). A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances. This would be the primary use for a property and not attached to a Public or Private Country Club.

(15) Theater. A structure that is open to the public and is used for dramatic, operatic, musical, motion picture, or other performance or entertainment-related activities, where admission is charged per performance or event, and where there is no audience participation other than as spectators. Such establishments may include incidental services such as food and beverage sales and other concessions.

(F) Retail and Personal Service Land Uses.

(1) Antique/Collectible Store. A retail establishment that engages in the selling of works of art, furniture or other artifacts of an earlier period.

(2) Astrologer, Hypnotist, or Psychic. An establishment providing predictions or readings of the future based on intuitive or mental powers, astrology, card or tea reading, crystal gazing, palmistry, or spiritual reading.

(3) Banquet Facility/Event Hall. An establishment that is leased on a temporary basis before the day of the event by individuals or groups who reserve the facility to accommodate private functions, including, but not limited to, banquets, weddings, anniversaries, receptions, business and organizational meetings, and other similar functions, to which the general public is not admitted and for which no admission charge is imposed. Such establishments may include kitchen facilities for the preparation of food or catering of food and areas for dancing, dining, and other entertainment activities that customarily occur in association with banquets, weddings, or receptions.

(4) Portable Beverage Service Facility. A portable beverage service facility is an establishment that sells beverages from a structure that can be moved from place to place but that stays at one location during a normal business day; food sales are prohibited in these facilities.

(5) Brewpub. A brewpub is a restaurant that incorporates a craft or microbrewery as an accessory use. The craft or microbrewery in conjunction with the restaurant allows for the manufacturing of beer -- *in limited quantities* -- for both on-premise and off-premise consumption.

(6) Business School. A business organized to operate for profit that offers instruction and training in a service or art such as secretarial school, barber college, beauty school or commercial art school, but not including manual trade schools.

(7) Catering Service. A food establishment without on-site banquet facilities that provides, prepares, and/or serves food at off-site locations for groups, where all food and service expenses are paid by the group and not for individual sale.

(8) Temporary Christmas Tree Sales Lot and Similar Uses. A building or land area that provides seasonal uses such as the sale of Christmas trees, pumpkins, and other temporary uses which occur at certain times of the year.

(9) Copy Center. An establishment that reproduces, in printed form, individual orders from a business, profession, service, industry, or government organization.

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- (10) Craft/Micro Brewery, Distillery and/or Winery. A craft/microbrewery is a small-scale brewing facility designed for the production of malt liquors such as beer and ale, using grains such as oats, hops, rice, wheat, and barley, designed and managed to brew no more than 75,000 barrels of beer per year. A distillery and/or winery is a small-scale facility designed for the manufacture, bottling, labeling, packaging, and sale of wine containing not more than 24% alcohol by volume, distilled spirits and other liquors.
- (11) Incidental Display. An outdoor retail sale or commercial promotion, not in excess of thirty (30) days during any 12-month period, adjacent to an existing permanent business operated in the city where the products displayed or sold outdoors are the same as those sold inside the existing permanent business and where such activity is incidental to the normal conduct of business operated by the same merchant or his employer in an on-site building for which a valid Certificate of Occupancy (CO) exists and when permitted by the City.
- (12) Food Truck/Trailer. A food truck or trailer is a mobile food vendor that sells food and/or beverages that are either pre-packaged or prepared in the confines of a portable truck/trailer, which can be moved from place to place, but is typically in a fixed location for extended periods of time.
- (13) Garden Supply/Plant Nursery. An establishment for the cultivation and propagation, display, storage and sale (*i.e. retail and wholesale*) of large plants, shrubs, trees and other materials used for in indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape material as an accessory use.
- (14) General Personal Service. Establishments primarily engaged in providing services generally involving the care of the person and/or his/her apparel including but not limited to barber and beauty shops, dressmaking, shoe shining, dry-cleaning and laundry pick-up stations, tailor or seamstress, and reducing salons/health clubs.
- (15) General Retail Store. A facility or area for the retail sale of general merchandise or food to the public for direct consumption and not for wholesale. Typical general merchandise includes clothing and other apparel; equipment for hobbies or sports; gifts; flowers and household plants; dry goods; groceries, convenience, and specialty foods; toys; furniture; books and stationery; pets; drugs; hardware; and similar consumer goods. This use does not include uses that are specifically addressed in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (16) Hair Salon and/or Manicurist. A business that provides customers with beauty treatments including -- *but not limited to* -- haircuts, manicures, pedicures, and other similar treatments.
- (17) Laundromat with Dropoff/Pickup. A personal service shop that specializes in cleaning clothes that may or may not include coin-operated washing machines and dryers for public use.
- (18) Self-Service Laundromat. A facility where patrons wash, dry or dry clean clothing and other fabrics in machines operated by the patron.
- (19) Massage Therapist. Any building, room, place, or establishment other than where regularly licensed non-medical or non-surgical manipulative exercises or devices are practiced upon the human body manually or otherwise by a licensed massage therapist, physician, surgeon, dentist, occupational or physical therapist, chiropractor, or osteopath, with or without the use of therapeutic, electrical, mechanical, or bathing devices.

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- (20) Private Museum or Art Gallery. An institution for the collection, display and distribution of objects of art or science, and which is sponsored by a public or quasi-public agency in a facility that is open to the general public.
- (21) Night Club, Discotheque, or Dance Hall. An establishment, facility, or room that offers or provides entertainment of any kind for remuneration, whether through fees, ticket sales, cover charges, membership, dues, or portion of funds generated in any other manner, usually collected at the time of customer entry into the establishment. Such establishments may provide accommodations for patron dancing; dispense alcoholic beverages for consumption on the premises; provide live, recorded, or televised music or comedy performances; and/or serve food as an ancillary service. *Night Club* shall not include indoor theaters, auditoriums and stadiums with fixed row seating, private clubs, bars, teen clubs, banquet halls, or establishments defined elsewhere in [Section 1, Land Use Schedule](#).
- (22) Pawn Shop. A retail operation which provides for the lending of money with personal items held as collateral, or the purchasing, or the repurchasing of gold, silver, jewelry, watches, and gems in addition to other merchandise.
- (23) Permanent Cosmetics. A cosmetic technique which employs permanent pigmentation of the dermis as a means of producing designs that resemble makeup, such as eye-lining and other permanent enhancing colors to the skin of the face, lips, and eyelids.
- (24) Pet Shop. A *Pet Shop* is a retail business which sells different kinds of animals to the public. A variety of animal supplies and pet accessories are also sold in *Pet Shops*. The products typically sold in these establishments include -- *but are not limited to* -- food, treats, toys, collars, leashes, cat litter, cages and aquariums.
- (25) Temporary Real Estate Sales Office. ~~Temporary on-site~~ *Temporary Real Estate Sales Offices* located on property being sold, shall be limited to the period of sale of the lots with a two (2) year initial period and one (1) year extensions being authorized by the Chief Building Official.
- (26) Rental Store without Outside Storage and/or Display. A retail business that sells, rents, or leases tools, equipment, or other goods on a short-time basis to customers to the extent that the item is actually used by the customer.
- (27) Restaurant with Drive Through or Drive-In. A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premises and/or in a personal vehicle or where facilities are provided on the premises that encourages the serving and consumption of food in a personal vehicle on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.
- (28) Restaurant without Drive Through or Drive-In. A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premise and does not provide facilities that allow the serving and consumption of food in personal vehicles on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.
- (29) Retail Store with Gasoline Sales. An establishment that engages in the sale of fuel, lubricants, and/or accessories for motor vehicles, and that may have ancillary retail sales of convenience goods. A dispenser in a *Retail Store with Gasoline Sales* is assumed to serve two (2) standard motor vehicles.

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- (30) Second Hand Dealer. An establishment for the sale of any goods, materials, or other articles of merchandise that are not new (e.g. *consignment stores*). This definition includes items that have been used or worn previously by another.
- (31) Art, Photography, or Music Studio. A workplace for the teaching, preparation, or practice of an art such as animation, ceramics, dance, graphic design, music, painting, photography, pottery, scrapbooking, and sculpture.
- (32) Tailor, Clothing, and/or Apparel Shop. An establishment engaged in custom making, altering, or the repair of clothing.
- (33) Tattoo and/or Body Piercing. An establishment whose principal business activity, either in terms of operation or as provided to the general public, is the practice of one (1) or more of the following: [1] placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin, by means of the use of needles or other instruments designed to contact or puncture the skin; [2] creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.
- (34) Taxidermist Shop. A facility engaged in the preserving of an animal's body via mounting or stuffing for the purpose of display or study.

(G) Commercial and Business Services Land Uses.

- (1) Bail Bonds. An establishment that solicits, negotiates, and executes bonds or other security to guarantee the appearance in court of a person accused of a crime.
- (2) Building and Landscape Material. An establishment for the sale of materials customarily used in the construction of buildings and other structures, including sales of lumber, drywall and similar construction materials.
- (3) Building Maintenance, Service, and Sales. A facility or area for contracting services such as building repair and maintenance; the installation of plumbing, electrical, air conditioning, and heating equipment; janitorial services; and exterminating services. The retail sale of supplies is permitted as an accessory use.
- (4) Commercial Cleaners. A facility or area for cleaning items in bulk quantities such as clothes and linens. This definition includes cleaning for hospitals, restaurants, hotels, diaper cleaning services, and other similar accounts, as well as rug and dry-cleaning plants where on-premise retail services to individual households are incidental to the operation of the plant.
- (5) Custom and Craft Work. A facility or area in which finished, personal, or household items that are either made to order or that involve considerable handwork are produced. Examples include but are not limited to textiles, pottery, furniture repair or refinishing, wood working, upholstery, sculpting, and other work or wood products on an individualized single item basis. Cabinetmaking and cabinet assembly shops are not included in this definition. The use of mechanized assembly line production is excluded from this definition.
- (6) Electrical, Watch, Clock, Jewelry, and Similar Repair. An establishment that designs, makes, sells or repairs small consumer goods.

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- (7) Feed Store, Ranch Supply. An establishment for the selling of corn, grain, and other food stuffs for animals and livestock, and including other implements and goods related to agricultural processes, but not including farm machinery.
- (8) Furniture Upholstery/Refinishing and Resale. A furniture upholstery refinishing or resale business is a business that engages in the act of reupholstering, repairing, stripping, refinishing, restoring or rebuilding furniture for the purpose of retailing the finished good.
- (9) Gunsmith Repair and Sales. An establishment that specializes in the repair and/or sale of small fire arms (e.g. handguns and shotguns) for individuals.
- (10) Heavy Machinery and Equipment Rental, Sales, and Service. A building or open area, other than a right-of-way or a public parking area, used for the display, sale, rental, and storage of heavy machinery, either machines in general or as a functioning unit. Heavy machinery includes -- *but is not limited to* -- tractors, farm machinery, bulldozers, street graders, and paving devices.
- (11) Locksmith. A business that works with locks, keys and security systems.
- (12) Machine Shop. A shop wherein there are facilities and tools, which are utilized in the shaping and forging, welding or fabricating of metal products and/or related items.
- (13) Medical or Scientific Research Lab. A facility or area for conducting medical or scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. This definition also includes labs for the manufacture of dentures and prostheses.
- (14) Manufactured Homes Sales. The offering for sale, storage, or display of new and/or used manufactured homes on a parcel of land but excluding the use of such facilities as dwellings either on a temporary or permanent basis.
- (15) Research and Technology/Light Assembly. An indoor facility that includes laboratories and experimental equipment for medical testing, prototype design and development, and product testing.
- (16) Shoe and Boot Repair and Sales. A business that specializes in the sale and repair of shoes and boots.
- (17) Trade School. Establishments, other than public or parochial schools, private primary or secondary schools, or colleges, offering training or instruction in a trade, art, or occupation.
- (18) Temporary On-site Construction Office. A structure or shelter used in connection with a development or building project for housing on the site of temporary administrative and supervisory functions and for sheltering employees and equipment.

(H) Auto and Marine-Related Land Uses Conditions.

- (1) Major Auto Repair Garage. Major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under Automobile repair, minor, and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90-days.

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- (2) Minor Auto Repair Garage. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under Automobile repair, major, or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.
- (3) Automobile Rental. A business that engages in the rental of light load motor vehicles for short periods of time for a fee. This use excludes the truck and heavy equipment rental.
- (4) Boat and Trailer Dealerships (New and Used). A business that buys and sell boats and boat trailers that are both new and used.
- (5) Car Wash. A facility or area for the cleaning or steam cleaning, washing, polishing, or waxing of passenger vehicles by machine or hand-operated facilities. A car wash may be [1] a single unit type that has a single bay or a group of single bays with each bay to accommodate one vehicle only; or [2] a tunnel type that allows washing of multiple vehicles in a tandem arrangement while moving through the structure.
- (6) New and/or Used Indoor Motor Vehicle Dealership/Showroom. The indoor storage of operable automobiles in a fully enclosed building for the purpose of holding such vehicles for sale, lease, distribution, or storage.
- (7) Motor Vehicle Dealerships for Cars and Light Trucks. Retail sales of new automobiles or light load vehicles, including, as a minor part of the business, the sales of used automobiles or light load vehicles and the service of new or used vehicles within an area or enclosed building.
- (8) Commercial Parking Lot. An area or structure intended for parking that is operated as a business enterprise with a service charge or fee being paid to the owner or operator for the storage or parking of privately-owned vehicles, and is not reserved or required to accommodate occupants, clients, customers, or employees of a particular establishment or premises.
- (9) Non-Commercial Parking Lot. An area, structure, or shared area that is open to the general public for the temporary parking of operable personal and light commercial vehicles.
- (10) Recreational Vehicle (RV) Sales and Service. An establishment that engages in the sale and/or leasing of new and/or used recreation vehicles (including as an accessory use) and the repair and service of these vehicles.
- (11) Service Station. An establishment where gasoline and other petroleum products are sold as the principal use of the property. Light maintenance activities such as engine tuneups, lubrication, and minor repairs may also be provided if incidental to such principal use.
- (12) Towing and Impound Yard. Any lot that two (2) or more motor vehicles of any kind of for the purpose of holding such vehicles in reserve or incapable of being operated due to condition or lack of license have been placed for the purpose of obtaining parts for recycling or resale.
- (A) Conditional Standards.

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- (13) Towing Service without Storage. Establishment that provides for the removal of vehicles but does not include disposal, permanent disassembly, salvage or accessory storage of inoperable vehicles.
- (14) Truck Rental. The display and rental of new or used heavy commercial vehicles or trucks in operable condition.
- (15) Truck Stop with Gasoline Sales and Accessory Services. An area for parking heavy commercial vehicles and/or trucks for storage purposes including the retail dispensing and/or sales of truck and automobile fuels, lubricants and/or accessories as an accessory use and not including automotive repair services.

(I) Industrial and Manufacturing Land Uses.

- (1) Asphalt or Concrete Batch Plant. A permanent manufacturing facility for the production of concrete or asphalt.
- (2) Temporary Asphalt or Concrete Batch Plant. A temporary manufacturing facility for the production of concrete or asphalt during construction of a project and to be removed when the project is completed.
- (3) Bottle Works, Milks, or Soft Drinks. A facility for food or beverage processing that uses mechanized assembly line production for canned or bottled goods.
- (4) Brewery or Distillery. A brewery or distillery is an industrial facility where the primary purpose of the facility is the manufacturing of malt, brewed and/or distilled beverages produced on the premises for sale or distributed for off-premise consumption.
- (5) Carpet and Rug Cleaning. A personal service business that specializes in the cleaning of carpet and rugs in both residential and non-residential structures.
- (6) Environmentally Hazardous Materials. Any solid, liquid, or gaseous matter which is present in sufficient quantities to endanger health, safety, or comfort of persons in the vicinity or which may cause injury or damage to property.
- (7) Food Processing with No Slaughtering. A facility or area in which food for human consumption in its final form, such as candy, baked goods, tortillas, and ice cream is produced, and the food is distributed to retailers or wholesalers for resale on or off the premises. Food or beverage processing using mechanized assembly line production of canned or bottled goods is excluded from this definition. Sales may either be retail or wholesale, and are generally made to businesses rather than to individual households.
- (8) Light Assembly and Fabrication. A business where parts, manufactured elsewhere, are assembled with the assistance of power-driven machines and materials-handling equipment, and manipulated primarily by hand which produces low dust and fiber, and all materials are assembled and stored within an enclosed building.
- (9) Heavy Manufacturing. A facility or area for generally mass-producing goods usually for sale to wholesalers or other industrial or manufacturing uses. A heavy manufacturing use is one which employs the following or similar types of processes: [1] the milling of grain as retail sales and service; [2] producing animal food and tanning animal hides; [3] production of large durable goods such as but not limited to motorcycles, cars, manufactured homes, or airplanes; [4] canning or bottling of food or beverages for human consumption using a mechanized assembly line; [5] manufacturing of paint,

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oils, pharmaceuticals, cosmetics, solvents, and other chemical products, and use of a foundry for metals; [6] production of items made from stone, clay, metal, or concrete; and, [7] tire recapping or retreading.

- (10) Light Manufacturing. A facility or area for producing goods without the use of chemical processing of materials. Light manufacturing activities include -- *but are not limited to* -- the following activities: [1] assembly, finishing, and/or packaging of small items from component parts made at another location (examples include but are not limited to cabinetmaking, or the assembly of clocks, electrical appliances, or medical equipment); [2] production of items made from materials derived from plants or animals, including but not limited to leather, pre-milled wood, rubber, paper, wool, or cork, or from textiles or plastics; [3] electrical component manufacturing; [4] reproduction, cutting, printing, or binding of written materials, drawings, or newspapers on a bulk basis using lithography, offset printing, blue printing, and other similar methods; [5] machine or welding shop where material is processed by machining, cutting, grinding, welding, or similar processes; and, [6] spray painting or motor vehicle conversion.
- (11) Metal/Electro Plating. The process that uses an electric current to reduce dissolved metal cations so that they form a thin coherent metal coating on an electrode.
- (12) Mining and Extraction (Sand, Gravel, Oil and Other). The process of extracting natural resources from the earth that includes -- *but is not limited to* -- sand, gravel, stone, and petroleum.
- (13) Printing and Publishing. An establishment whose primary service is long-run printing including -- *but not limited to* -- book, magazine, and newspaper publishing.
- (14) Indoor Salvage or Reclamation of Products. An indoor facility for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term "scrap or discarded materials" includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes indoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.
- (15) Outdoor Salvage of Products. An outdoor or partially outdoor facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term "scrap or discarded materials" includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes outdoor or partially outdoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.
- (16) Sheet Metal Shop. A company that specializes in the creation of metal structures by cutting, bending and assembling processes.
- (17) Tool, Dye, Gauge, and Machine Shop. A workshop where metal fabrication tools, including but not limited to lathes, presses, and mills, are used for making finishing, or repairing machines or machine parts.
- (18) Welding Repair. A technique in which a cracked material is removed by arc gouging and the element is welded to re-join the material on either side of the crack.

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(19) Winery. A winery is the industrial manufacturing, bottling, labeling and packaging of wine in accordance with the Texas Local Government Code (TLGC).

(J) Wholesale, Distribution and Storage Land Uses.

(1) Cold Storage Plant. A commercial establishment where foods are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. There is no slaughtering of animals on the premises.

(2) Heavy Construction/Trade Yard. A land or structure used primarily for the storage of equipment, vehicles, machinery, building materials, paint, piping, or electrical components being used by the owner or occupant of the premises in the conduct of a building trade.

(3) Landfill. A tract of land used for the burial of farm, residential, institutional, or commercial waste that is not hazardous, medical, or radioactive.

(4) Mini-Warehouse. A *Mini-Warehouse (or self-storage facility)* is an enclosed storage facility containing independent, fully enclosed bays that are generally leased to individuals for long-term storage of their household goods or personal property.

(5) Outside Storage and/or Outside Display. The permanent or continuous keeping, displaying, or storing of unfinished goods, material, merchandise, equipment, service vehicles or heavy vehicles outside of a building on a lot or tract overnight of for more than 24-hours.

(6) Recycling Collection Center. An enclosed trailer used for the collection and temporary storage of empty beverage containers, aluminum, glass, plastic, paper, clothing, or similar materials for recycling purposes. This definition includes automated can banks that crush cans as they are deposited. This definition does not include donation boxes for clothing, toys, household goods, and similar items.

(7) Warehouse/Distribution Center. A building used primarily for the storage and distribution of goods, merchandise, supplies, and equipment including wholesalers which display, sell, and distribute merchandise to business representatives for resale but excluding *Truck Terminal*.

(8) Wholesale Showroom Facility. An establishment that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50% of the total floor area.

(K) Utilities, Communications, and Transportation Land Uses.

(1) Airport, Heliport, or Landing Field. An area used or intended for use for the landing and takeoff of aircraft and other aviation uses; An appurtenant area used or intended for use for an airport building or other airport facility or right-of-way, including a building or facility for the shelter, supply, repair, and maintenance of aircraft and related purposes; An airport building or facility located on an appurtenant area; Facilities for the fueling of aircraft; Buildings for office use; and Related uses and buildings and other uses and buildings incidental to any of the foregoing.

(2) Accessory Antenna. Any structure or device used to collect, receive, transmit, or radiate electromagnetic waves. Antennae may be mounted on towers or on buildings, and may be concealed

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or unconcealed.

- (3) Commercial Antenna. Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or for financial gain.
- (4) Antenna for Amateur Radio. Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business and/or for financial gain.
- (5) Antenna Dish. An antenna that is parabolic or bowl-shaped and that receives and/or transmits signals in a specific directional pattern
- (6) Commercial Freestanding Antenna. A self-supporting, tubular-shaped antenna support structure which consists of a single vertical pole fixed into the ground and/or attached to a foundation.
- (7) Mounted Commercial Antenna. Any exterior transmitting or receiving device mounted on or within a support structure, building, or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals, television signals, or other communications signals.
- (8) Bus Charter and Service Facility. A facility for the loading and discharging of train or bus passengers.
- (9) Helipad. An area of land or water or a structural surface which is used, or intended for use, for the landing and taking-off of helicopters, and any appurtenant areas which are used, or intended for use, for heliport buildings and other heliport facilities.
- (10) Non-Municipally Owned or Controlled Utilities. The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are non-municipally owned or controlled.
- (11) Municipally Owned or Controlled Facilities, Utilities, and Uses. The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are municipally owned or controlled.
- (12) Private Streets. A private vehicular access way shared by and serving 2 or more lots, which is not dedicated to the public and is not publicly maintained. Private streets and alleys may be established only under the terms of the Subdivision Ordinance. The term "private street" shall be inclusive of alleys.
- (13) Radio Broadcasting.
- (14) Railroad Yard or Shop. A facility used for the storage of railway cars, boxcars and engines and related equipment.
- (15) Recording Studio. A facility that provides an environment for the purposes of writing, collaborating, performing, instruction, preparing, or completing audio recordings.
- (16) Satellite Dish.

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- (17) Solar Energy Collector Panels and Systems. A ground- or building-mounted solar collection system consisting of solar photovoltaic cells, panels, or arrays and related equipment that relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation, and that supplies electrical power independently of an electrical production and distribution network.
- (18) Transit Passenger Facility. Any premises for the loading and unloading of passengers by a public or private transit company including the temporary parking of transit vehicles between routes or during stop overs and excluding overnight parking, storage, and maintenance of transit vehicles. This definition shall not include bus stops along rights-of-way.
- (19) Trucking Company. An area and building where cargo is stored and where trucks, including tractors and trailer units, load and unload cargo on a regular basis. May include facilities for the temporary storage of loads prior to shipment.
- (20) TV Broadcasting and Other Communication Services. The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.
- (21) Franchise Utilities. A non-public utility requiring special facilities in residential areas or on public property such as heating, cooling, or communications not customarily provided by the municipality or public utilities.
- (22) General Utility Installation. Permanent facilities and structures operated by companies engaged in providing transportation and utility services including -- but not limited to -- railroad track rights-of-way, sewage pumping stations, telephone exchanges, transit station turnarounds, water reservoirs and water pumping stations.
- (23) Utility/Transmission Lines. Facilities which serve to distribute and transmit electrical power, gas and water, including but not limited to electrical transmission lines, gas transmission lines, telephone lines and metering stations, whether operated by the city or private utility company.
- (24) Wireless Communication Tower. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennae that transmit information (audio, video, data) in the form of electromagnetic signals to one or more receivers without the use of a physical connection between the transmitting and receiving source. The term includes but is not limited to lattice towers, guyed towers, and monopole towers. The term does not include a clock tower, bell tower, steeple, light pole, power pole, water tower, or similar structure that incidentally supports antennae. Towers may be freestanding or building-mounted, and may be concealed or unconcealed.

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ARTICLE XIII, DEFINITIONS

SECTION 1: **USAGE GENERAL**

SUBSECTION 1.01: USAGE

For the purposes of this Unified Development Code (UDC), certain terms and/or words are used and interpreted as defined below. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular. The word shall wherever used in this article will be interpreted in its mandatory sense and the word may shall be deemed as permissive. The word building includes the word structure unless otherwise indicated in the definition. The word lot also means plot or tract. The term used for includes the meaning designed for or intended for.

~~A. For the purpose of these regulations, certain numbers, abbreviations, terms, and words shall be used, interpreted and defined as set forth in this [Unified Development Code].~~

~~B. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular.~~

~~C. The word "shall" wherever used in this article will be interpreted in its mandatory sense; the word "may" shall be deemed as permissive.~~

~~D. The word "building" includes the word "structure"; the word "lot" also means "plot" or "tract."~~

~~E. The term "used for" includes the meaning "designed for" or "intended for."~~

SECTION 2: **DEFINITIONS WORDS, TERMS, AND LAND USES DEFINED**

SUBSECTION 2.01: GENERAL DEFINITIONS

~~Accessory building or use. A subordinate building having a use customarily incident to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.~~

- (1) Adopted Policies. A written administrative directive discussed at a public meeting and officially adopted by a majority vote of the city council.
- (2) Agriculture. The planting, cultivating, harvesting and storage of grains, hay or plants, or vineyards, commonly grown in Rockwall County. The raising and feeding of livestock and poultry shall be considered an agricultural venture if the area in which the livestock or poultry is kept is three acres or more in area, and if such raising of livestock and poultry is incidental or supplemental to the raising of crops and is not primarily for the raising or fattening of livestock. A feed lot exclusively for the fattening of livestock is not considered an agricultural use.
- (3) Alley. A minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street; it is also public space or way, 20 feet or less in width, which has been dedicated or deeded for public use.
- (4) Alteration. Any addition, removal, extension, or change in the location of any exterior wall of a main building or accessory building, or change or modification in construction or occupancy.
- (5) Apartment. A room or suite of rooms within an apartment house arranged, intended or designed for a

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place of residence of a single-family or group of individuals living together as a single housekeeping unit and who do their cooking therein. (See Dwelling unit.)

- (6) Apartment house or building. A building arranged, intended or designed for more than two families. (See Dwelling unit, "multiple.")
- (7) Associated recreation. Recreational uses which are an integral part of a common ownership or associated with high density residential development (example: homeowners association with a private club, swimming pool, and tennis courts).
- (8) Authorized agent. An architect, builder, developer, or other person empowered to act on behalf of other persons.

~~Automobile repair, major. Major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under Automobile repair, minor, and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90 days.~~

~~(Ord. No. 93-22, 7-6-1993)~~

~~Automobile repair, minor. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under Automobile repair, major, or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.~~

~~(Ord. No. 93-26, 8-2-1993)~~

- (9) Bar, cocktail lounge, tavern, saloon, cantina. An establishment where alcoholic beverages are sold for on-premises consumption, other than a restaurant as defined in this section.
- (10) Basement or cellar. A story having more than one-half of its height below the average level of the adjoining ground. A cellar shall not be counted as a story for the purposes of height measurement.

~~Bed and breakfast. A single family owner-occupied house offering rooms with breakfast on a nightly basis for a fee.~~

- (11) Block. A piece or parcel of land entirely surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the building official shall determine the outline of the block.
- (12) Boardinghouse or lodginghouse. A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five or more persons for compensation, pursuant to previous arrangements, but not for the public or transients.
- (13) Buffer. A visual screen constructed of wood, concrete block, masonry, or landscape material including earthen berms in such a manner that adjacent property will be screened from the use contemplated, so noise, solid waste, or other objectionable influences will be avoided. Such buffer shall be horizontal to the

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ground, opaque, and a minimum of six feet in height.

- (14) *Buildable area*. The “buildable area” of the lot is the maximum amount of allowable space upon which a structure or building may be erected, after meeting the coverage, yard and other requirements of this [Unified Development Code].
- (15) *Building*. An enclosed structure, anchored to permanent foundation, and having exterior or party walls and a roof, designed for the shelter of persons, animals, or property. When divided by other than common or contiguous walls, each portion or section of such building shall be regarded as a separate building, except that two buildings connected by a breeze way shall be deemed as one building. Parking structures shall not be considered as buildings when calculating building coverage.
- (16) *Building area*. The building area of the lot is the gross area covered by the structures when placed on the lot.
- (17) *Building coverage*. Percentage of the lot that is occupied by the building area, including parking structures and accessory buildings.

(Ord. No. 06-14, 4-17-2006)

- (18) *Building height*. The height of the building shall be measured from the average elevation of the finished grade along the front of the building to the highest point of the roof or parapet of the building if it is a flat, mansard or shed roof; or to the midpoint of the roof if it is gable, hip or gambrel roof.
- (19) *Building official*. The duly authorized employee or representative of the city charged with implementation, inspection and enforcement of the building codes.
- (20) *Building, principal*. A principal building is one in which a main use of the lot on which it is located is conducted.
- (21) *Building setback line*. A line defining an area on the building lot between the street right-of-way line and all other property lines and the building line within which no building or structure shall be constructed (also referred to as a “yard”), encroach or project except as specifically authorized in an adopted ordinance of the City of Rockwall. In the GR, C, DT, HC, RT, LI, [and] HI districts, underground parking garages shall not be required to meet side or rear setback requirements, but may be constructed from lot line to lot line.

(Ord. No. 10-14, § 69, 7-6-2010)

- (a) *Front building setback line (defining a front yard)*. A line parallel to the street right-of-way line which the building faces, and takes its primary access from. Where lots have multiple frontages on one or more streets, the required front yard shall be provided on each street (see examples).

(Ord. No. 06-14, 4-17-2006)

- (b) *Side building setback line (defining a side yard)*. A line parallel to an adjacent lot which the building sides up to.

(Ord. No. 06-14, 4-17-2006)

- (c) *Rear building setback line (defining a rear yard)*. A line parallel to an adjacent lot or alley, which the building backs up to and has its rear or secondary access from.

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(Ord. No. 06-14, 4-17-2006)

- (22) Caliper. The diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the total caliper of all of its trunks at the elevation being measured.
- (23) Canopy or shade tree. A species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.
- (24) Carport. A structure which is open on at least 2 sides, covered with a roof and constructed specifically for the storage of one or more automobiles; utility room may be included.
- (25) Certificate of occupancy. A certificate issued by the zoning administrator or his authorized representative stating that the proposed use of the land and/or building conforms to the requirements of this [Unified Development Code].
- (26) City. The City of Rockwall, Texas.
- (27) Clinic. An institution, public or private, or a station for the examination and treatment of outpatients by a group of doctors, dentists, opticians, ophthalmologists, orthopedists, or other similar professional physicians.
- (28) Cluster development. A method of development of land that permits variation in lot sizes without an increase in overall density of population or development. The use of permanent, open space may be one method used to offset the increased density of smaller residential lots.
- ~~Cold storage plant. A commercial establishment where foods are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. There is no slaughtering of animals on the premises.~~
- (29) Commission. The planning and zoning commission of the City of Rockwall, Texas.
- (30) Comprehensive plan. The comprehensive plan of the City of Rockwall and includes any unit or a part of such unit separately adopted and any amendment to such plan or parts thereof.
- (31) Condominium. A multi-family dwelling unit, within which designated dwelling units are conveyed fee simple title, with an undivided interest in the building's common elements, to include, but not be limited to, halls, stairs, elevators, roof, parking space, and the land when the building is not constructed on leased land.
- (32) Court. An open unoccupied space, other than a yard, on the same lot with a building and which is bounded on two or more sides by the building.
- (33) Curb level. The level of the established curb in front of the building measured at the center of such front, or in the case of a corner lot, along the abutting street where the mean curb level is the highest. Where no curb has been established, the city engineer shall establish such curb or its equivalent for the purpose of this [Unified Development Code].

~~Day care center or day nursery. A place for the care of children. Services usually include a staff nurse~~

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~~and a hot meal is normally served.~~

- (34) Density. The ratio of dwelling units per gross acre of platted area being developed.
- (35) District. A zone or geographic area within the municipality within which certain zoning or development regulations apply.

~~Drive-in eating establishments. Any structure and premises specifically designed for the preparation and dispensing of food and meals for consumption either indoors or in a vehicle parked on the premises or taken away for consumption in the home or other places.~~

- (36) Dwelling unit. Any building or portion thereof which is designed for or used primarily for residential occupancy, but not including hotels, boardinghouses or mobile homes, trailers, motor coaches or other recreational vehicles.

~~Single-family. A building designed for and/or occupied exclusively by one family as a separate dwelling unit.~~

~~Duplex. A building designed and/or occupied exclusively by two families living independently of each other.~~

- (a) Triplex. A building designed for and/or occupied exclusively by three families living independently of each other.
- (b) Fourplex. A building designed for and/or occupied exclusively by four families living independently of each other.
- (c) Multiple. A building designed for and/or occupied exclusively by five or more families living independently of each other.
- (d) The determination of whether one family is living independently of another is based on one or more of the following criteria:
- (1) Separate sanitary facilities.
 - (2) Separate kitchen facilities.
 - (3) Separate entrances.
 - (4) Separate utilities.
- (37) Dwelling unit, minimum square footage. The minimum square footage required in each zoning district shall not include garages, porches, patios, eaves and/or other areas not part of the main, air-conditioned living space of the dwelling unit.

(Ord. No. 06-14, 4-17-2006)

- (38) Enhanced pavement. Any permeable or non-permeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.

- (39) Evergreen tree or shrub. A tree or shrub of a species which normally retains its leaves throughout the year.

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(40) Family. One or more persons who are related by blood, adoption or marriage, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than five (excluding servants) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a nonprofit, cost-sharing basis.

(41) Fence. Any wall or structure of any material for which the purpose is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building, or structure.

~~Filling, retail service station. An establishment where gasoline, oil and grease, or automobile accessories are sold, supplied or dispensed to the vehicle trade or where motor vehicles received limited repair, are equipped for service, or where electric storage batteries are recharged and cared for, or a place where any two or more such activities are carried on or conducted as the principal use of the establishment. (The storage, sale, lease, or rental of more than one boat or mobile home, or more than five hauling trailers is prohibited.)~~

(42) Floor area ratio. The relationship of the gross floor area of all buildings on a lot to the total lot area. Parking structures shall be excluded in the calculation of the floor area ratio.

(43) Frontage. All the property abutting on one side of a street between two intersecting streets, measured along the street line.

(44) Garage apartment. A dwelling unit attached to a private garage.

~~Garage, commercial. A commercial garage is any premises and structures used for housing more than three motor driven vehicles or where any vehicles are kept for remuneration, hire, or sale and where a retail service station may be maintained as a secondary use.~~

(45) Garage, community. A building or portion thereof, other than a public, private or storage garage as defined below, providing storage for motor vehicles with facilities for washing, but no other services, such garage to be in lieu of private garages within a block or portion of a block.

~~Garage, detached or private. An accessory building for storage only of motor vehicles and home laundry.~~

(46) Garage, public. A building or portion thereof, designed or used for the storage, sale, hiring, care or repair of motor vehicles, which is operated for commercial purposes.

(47) Garage, storage. A building or portion thereof, except those defined as private, a public, or a community garage providing storage for more than four motor vehicles, with facilities for washing but no other services.

(48) Ground cover. Natural mulch or plants of species which normally reach a height of less than two feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

~~Group housing project. A dwelling project consisting of three or more buildings, to be constructed on a plot of ground which is not subdivided into customary streets or lots, or where the existing or contemplated street or streets or lot layouts make it impractical to apply the requirements of this [Unified Development Code] to the individual building units in such housing project.~~

~~Guesthouse. An accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as a separate domicile.~~

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- (49) Height of yard or court. The vertical distance from the lowest level of such yard or court to the highest point of any boundary wall.

~~Home occupations. A "home occupation" is a commercial use customarily carried on in the home by members of the occupant family without structural alterations in the principal building or any of its rooms, without offering any commodity or service for sale on premises, without the installations of machinery or additional equipment other than that customary to normal household operations, without the employment of additional persons, without the use of a sign to advertise the occupations, and which does not cause the generation of other than normal noise, and pedestrian and vehicular traffic.~~

~~Hospital, sanitarium, nursing or convalescent homes. A building or any portion thereof, used or designed for the housing or treatment of the sick, mentally ill, injured, convalescent or infirm persons; provided that this definition shall not include rooms in any residential dwelling, hotel, apartment hotel not ordinarily intended to be occupied by said persons.~~

~~Hotel. A building or group of buildings used as a temporary dwelling place for individuals in exchange of financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Hotel room units are accessed through doorways into an internal hallway, courtyard, or lobby. Financial consideration for hotel room units is generally calculated on a nightly basis.~~

~~(Ord. No. 08-56, 10-20-2008)~~

~~Hotel, full service. A building or group of buildings designed for and occupied as a temporary dwelling place. Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops. A full service hotel shall also include the following:~~

- ~~(a) A minimum room count of 250 rooms.~~
- ~~(b) Each guestroom shall have a minimum area of 380 square feet.~~
- ~~(c) A full service restaurant with full kitchen facilities and which provides service to the general public.~~
- ~~(d) On site staff required 24 hours a day, seven days a week.~~
- ~~(e) The following amenities are required to be provided:~~

- ~~(1) A minimum of 10,000 square feet of meeting or conference room space; and~~
- ~~(2) A swimming pool with a minimum area of 1,000 square feet.~~

~~(Ord. No. 08-56, 10-20-2008)~~

~~Hotel, residence. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Residence hotel room units are designed to be suitable for long term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical residence hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.~~

~~(Ord. No. 08-56, 10-20-2008)~~

- (50) Impervious cover. Roads, parking areas, buildings and other impermeable construction covering the natural land surface that prevent absorption of the water. Water quality basins, swells and other

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conveyances for overland drainage shall not be calculated as impervious cover.

- (51) Institutional use. A nonprofit organization or building, public or private, for the benefit of the public including YMCA, YWCA, Boys Clubs, Scouts; educational facilities and schools, including day care centers and kindergartens; churches, temples, cemeteries, mausoleums or crematories for the deposit of the human dead; hospitals, civic clubs, private parks, private libraries, museums, etc.

~~Kenne. Any premises in which more than three dogs or three cats or three other domesticated animals over the age of three months, not including livestock or poultry, are housed, boarded, raised, or trained as a commercial enterprise. This definition does not include pet shops.~~

(Ord. No. 90-5, 3-19-1990)

- (52) Kindergarten. A school for more than five children of preschool age, in which constructive endeavors, object lessons or educational games are prominent features of the curriculum.

- (53) Landscape architect. A person licensed to practice or teach landscape architecture in the State of Texas pursuant to state law.

- (54) Landscape buffer. A strip of land:

(a) Which serves a buffer function on the perimeter of a building site adjacent to another building site or to a public or private street or alley; and

(b) At least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials (excluding screening).

- (55) Landscaping. Trees, shrubs, ground cover, earthen berms, vines, grass, water, decorative features such as fountains, or other material approved by the city council.

- (56) Large shrub. A shrub which normally reaches a height of six feet or more upon maturity.

- (57) Large tree. A tree of a species which normally reaches a height of 30 feet or more upon maturity.

- (58) Legislative or governing body. The city council of the City of Rockwall, Texas.

- (59) Loading space. A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks and having a minimum dimension of 12 [feet] by 65 feet and a vertical clearance of at least 14 feet.

(Ord. No. 06-14, 4-17-2006)

- (60) Lot. An undivided tract or parcel of land having frontage on a public street, or upon an approved open space, having direct street access, and which is, or in the future may be, offered for sale, conveyance, transfer, or improvement, which is designated as a distinct and separate tract, and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed of record.

- (61) Lot area, minimum. Includes internal sidewalks, recreation areas, floor space, parking area, open space and utility easements, but does not include any public right-of-way street easements or alley easements.

- (62) Lot, corner. A lot abutting upon two or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the building official,

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or as specified on an approved plat.

- (63) Lot depth. The length of a line connecting the midpoints of the front and rear lot lines.
- (64) Lot[, double frontage[,] or through lot. A lot abutting on two nonintersecting public streets as distinguished from a corner lot.
- (65) Lot, frontage. The length of street frontage between property lines.
- (66) Lot, interior. A lot whose side lot lines do not abut upon any street.
- (67) Lot, irregular. Any lot not having equal front and rear lot lines, or equal side lot lines; a lot, the opposite lot lines of which vary in dimension and the corners of which have an angle of either more or less than 90 degrees. A lot fronting on a sharp curve or cul-de-sac.
- (68) Lot lines. The lines bounding a lot as defined herein.
- (a) Front lot line. The property line between the front yard(s) and the contiguous street right-of-way boundary.
- (Ord. No. 06-14, 4-17-2006)*
- (b) Rear lot line. The boundary line which is opposite and most distinct from the front street line; except that in the case of uncertainty the building inspector shall determine the rear line.
- (c) Side lot line. The property line between two adjacent lots. Where lots have multiple frontages on one or more streets, the required front yard shall be provided on each street.
- (Ord. No. 06-14, 4-17-2006)*
- (69) Lot of record. A parcel of land which is part of a subdivision, the map or plat of which has been recorded in the office of the county clerk of Rockwall County; or a parcel of land not a part of an urban or town lot subdivision, the deed of which has been recorded in the office of the county clerk of Rockwall County prior to the adoption date of the ordinance from which this Unified Development Code is derived which has not been divided since recording.
- (70) Lot, reverse corner. A corner lot whose front line faces at right angles to the front lot lines of the interior lots or whose rear lot line abuts the side lot lines of interior lots.
- (71) Lot width. The horizontal distance between side property lines, measured at the front setback line.
- (72) Lots in separate ownership at the time of the passage of this [Unified Development Code]. A lot whose boundary lines, along their entire length touched lands under other ownership as shown by plat or deed recorded in the office of the county clerk of Rockwall County on or before the date of the adoption of the ordinance from which this Unified Development Code was derived.
- (73) Maneuvering space. The space entirely on private property required for maneuvering vehicles in such a manner as to preclude the backing of any vehicle into any street right-of-way.
- (74) Manufactured home or HUD-code manufactured home. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.

(Ord. No. 10-14, § 71, 7-6-2010)

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(75) Masonry. Masonry construction shall be defined as construction composed of materials in the categories listed below and shall not include hollow clay tile or exposed lightweight block such as cinder block.

(76) Modular.

- (a) Brick.
- (b) Natural or quarried stone.
- (c) Cast or cultured stone.
- (d) Glass block or glass.
- (e) Tile.
- (f) Custom concrete masonry units (normal or heavy weight blocks with an integral color that is sandblasted, burnished or has a split face).

~~Mini-warehouses. Small individual storage units for rent or lease, restricted to the storage of items that are not for sale on the premises.~~

(77) Mobile home. A dwelling structure meeting the definitions and requirements specified in chapter 1201 of the State of Texas Occupational Code.

(Ord. No. 10-14, § 72, 7-6-2010)

(78) Modular homes. Any permanent, single-family dwelling unit which has been prefabricated or factory constructed as a single unit or in sections or modules, and assembled at the factory or construction site and moved to a permanent location as a unit or in sections or modules, as a permanent single-family dwelling unit placed on a permanent foundation at such site and connected with all required utility services.

~~Motel. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Each motel room unit has direct access to the outside. Financial consideration for motel room units is generally calculated on a nightly basis.~~

~~*(Ord. No. 08-56, 10-20-2008)*~~

(79) Municipal uses. Facilities owned or controlled by the City of Rockwall, including, but not limited to, office buildings, maintenance shops, treatment plants; community centers.

~~Nightclub, discotheque, disco or dance hall. An establishment whose primary activity is the provision of facilities for dancing, including a dance floor and live entertainment or amplified music. Such establishment may or may not provide on premises consumption of alcoholic beverages. Schools of dance are exempted from this definition.~~

(80) Nonconforming use, building or yard. A use, building or yard, which does not, by reason of design, use or dimensions, conform to the regulations of the district in which it is situated. It is a legal nonconforming use if established prior to the passage of this [Unified Development Code].

(81) Non-permeable coverage. Coverage with non-permeable pavement.

(82) Parking area. Space used exclusively for the parking of vehicles and where no other business is conducted paved to city specifications.

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- (83) Parking space. Area, not closer than six feet from the back edge of the curb, the width and length of which shall exceed by a minimum of two feet the dimensions of the type of vehicle normally to be parked in the space, and connected to a street or alley by a driveway affording satisfactory ingress and egress. The minimum dimension of a parking space shall be in accordance with the adopted ordinances of the City of Rockwall regarding off-street parking.
- (84) Patio home. A single-family, residential dwelling unit that is most often a one-story L-shaped or U-shaped home utilizing the entire lot with an enclosed garden court for open space area. Fire retardant walls are utilized and additional open space is often provided by clustering the units.
- (85) Paving. Material which provides an all-weather surface for the parking of vehicles. All required paving shall meet the standards specified by applicable city specifications.
- (86) Permitted use. A use specifically allowed in one or more of the various districts without the necessity of obtaining a use permit.
- (87) Person. Any individual, association, firm, corporation, governmental agency or political subdivision.

~~Personal service shop. An establishment for the purpose of supplying limited personal services such as, but not limited to, barber, shoe, boot, saddle, shine shop.~~

- (88) Place. An open, unoccupied space other than a street or alley permanently established or dedicated as the principal means of access to property abutting thereon.
- (89) Planned development (PD). Includes a combination of different dwelling types and/or a variety of land uses which creatively complement each other and harmonize with existing and proposed land uses in the vicinity, and comply with provisions of the ordinances governing planned developments.
- (90) Planned shopping center. A group of architecturally unified commercial establishments built on a site which is planned, developed, owned and managed as one operating unit related in its location, size, and type of shops to the trade area that the unit serves. The unit provides on-site parking in definite relationship to the types and total size of the stores.
- (91) Planning consultant. A private practitioner in planning, who is a member of the American Institute of Certified Planners (AICP).
- (92) Plat. A map of a subdivision or site plan that represents a tract of land, showing the boundaries and location of individual properties and streets.

~~Portable building. A temporary building that may or may not have a foundation and is transportable.~~

~~(Ord. No. 86-56, 6-16-1986)~~

~~Private club. An establishment providing social and dining facilities as well as alcoholic beverage service to an association of persons and otherwise falling within the definition of and permitted under the provisions of that portion of V.T.C.A., Alcoholic Beverage Code § 32.01 et seq., as it be hereafter amended and as it pertains to the operation of private clubs.~~

- (93) Recreational vehicle or travel trailer. A vehicle which is:
- (a) Built on a single chassis;

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- (b) 400 square feet or less when measured at the largest horizontal projections;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

(Ord. No. 10-14, § 73, 7-6-2010)

~~**Restaurant or cafe.** A building or portion of a building, where the primary business is the on-premises sale of prepared food, with adequate facilities for the preparation of the food to be sold, the adequacy of said kitchen facilities to be based upon the seating capacity of the restaurant and the type of menu offered.~~

- (94) **Restaurant (limited service).** A building or portion of a building, where the primary business is the on-premises sale of prepared food where patrons generally order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to customers' location. Drive-through "pickup/order" window permitted provided that there is no public address system or speakers.
- (95) **Retail.** The sale of goods directly to a consumer. Engaged in, pertaining to, or relating to the sale of merchandise at retail. To sell by individual items or by the piece, directly to a consumer.
- (96) **Retail food store.** A retail establishment selling meats, fruits, vegetables, bakery products, light hardware, and other similar items which are purchased for use and consumption off the premises (may be drive-in or supermarket type).
- (97) **Right-of-way line.** A dividing line between a lot, tract, or parcel of land and the public right-of-way.
- (98) **Screening.** Screening that complies with the construction and maintenance regulations in section 5, Mandatory Provisions, except as those regulations may be expressly modified in this article.

~~**Self-storage facility.** Small individual storage units for rent or lease, restricted solely to the storage of items. The conduct of sales, business or any other activity within the individual storage units, other than storage, shall be prohibited. One caretaker/security residence shall be permitted in association with a self-storage facility.~~

- (99) **Semi-public uses.** Public facilities including sanitary landfills, water treatment and supply facilities, and wastewater treatment facilities, but not including facilities owned or controlled by the city.

~~**Servant's quarters.** An accessory building or portion of a main building located on the same lot as the main building and used as living quarters for servants employed on the premises and not rented or otherwise used as a separate domicile.~~

- (100) **Setback.** See Building setback line.
- (101) **Sign.** A name, identification, image, description, display or illustration which is affixed to, painted, or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business which is visible from any street, right-of-way, sidewalk, alley, park or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not signs.
- (102) **Site.** A combination of continuous lots that may or may not be owned separately, that will be developed

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under one unified plan, as if it were a single parcel of land.

(103) Site plan. The development plan for one or more lots on which is shown the existing and proposed conditions of the lot including: topography, vegetation, drainage, floodplain, marshes and waterways; open spaces, walkways, means of ingress and egress, utility services, landscaping, structures and signs, lighting, and screening devices; any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

(104) Small tree. A tree of a species which normally reaches a height of less than 30 feet.

(105) Soil. A medium that plants will grow in.

(106) Space. A plot of ground within a mobile home or recreational vehicle park designated for the accommodation of one mobile home or one recreational vehicle, together with such open space as required by this chapter.

(107) Storage. The accumulation, stocking, or depositing of materials or items. These may include materials for the eventual use or sale in a commercial enterprise, but does not include the storing of a personal car or truck on an individual residential lot.

~~Storage building. Any building either portable or constructed on site, utilized for storage purposes, and not requiring plumbing and electrical wiring, and not used for residential purposes.~~

(108) Story. That part of a building included between the surface of one floor and the surface of the floor next above, or, if there be no floor above, that part of the building which is above the surface of a floor and the ceiling next above. A top story attic is a half-story, when the main line of the eaves is not above the middle of the interior height of such story. The first story is a full story when over 50 percent of its exterior walls are exposed to outside light and air entirely above grade and which exterior walls contain windows or doors permitting entrance of daylight and outside air.

(109) Street. A public or approved private thoroughfare which affords the principal means of access to abutting property, excluding alleys, and as defined in the city's thoroughfare plan.

(110) Street line. The dividing line between the street right-of-way and the abutting property.

(111) Structural alterations. Any alteration involving a change in or addition to the supporting members of a building, such as bearing walls, columns, beams or girders.

(112) Structure. Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, signs, and excluding utility poles, fences and retaining walls.

(113) Subdivision. The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale, development or lease.

~~Townhouse. A single family dwelling unit constructed in a series, or a group of units having common walls, each on a separate lot.~~

(114) Urban Agriculture. An industry located within or on the fringe of a town, a city or metro-area, which grows and raises, processes and distributes a diversity of food and non-food products, using largely human and natural resources, products and services found in and around the urban area, and in turn supplying

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human and material resources, products and services largely to the urban area.

- (115) Variance. Relief from or variation of the provisions of these regulations, other than use regulations, as applied to a specific piece of property, as distinct from rezoning, as further set out hereinafter in powers and duties of the board of adjustment.

~~Veterinary clinic. An establishment where animals and pets are admitted for examination and medical treatment and boarding of animals is limited to short term care incidental and subordinate to the clinic use.~~

~~(Ord. No. 90-5, 3-19-1990)~~

- (116) Visibility Triangle. The term "visibility triangle" as defined in article V, section 1.9 of this Unified Development Code.

- (117) Wall, exterior. Any wall or element of a wall, or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of 60 degrees or greater with the horizontal plane.

- (118) Wholesale. The sale of commodities for the purpose of resale, as to retailers or jobbers rather than to consumers directly; opposed to retail. Of, pertaining to, or engaged in sale at wholesale.

- (119) Xeriscaping. A type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.

~~Zero lot line house. A single family detached residential dwelling unit with one side wall coincident with the side lot line and a five-foot maintenance easement coincident with the opposite side lot line.~~

SUBSECTION 2.02: LAND USE DEFINITIONS

(A) Agricultural and Animal Related Land Uses.

- (1) Agricultural Uses on Unplatted Land. Any area used for growing farm products, vegetables, fruits, trees, and grain and/or for the raising of farm animals (e.g. horses, cattle, sheep, etc.) -- including the necessary accessory uses for raising, treating, and storing products raised on the premises -- , but not including the commercial feeding, cultivation of offal (i.e. entrails or internal organs) to swine or other animals and not including any type of agriculture or cultivation that is specifically prohibited by this federal, state, or local law.

- (2) Animal Boarding/Kennel. Any premises in which more than three (3) dogs or three (3) cats or three (3) of any other domesticated animal over the age of three (3) months -- not including livestock or farm animals -- are housed, boarded, raised or trained as a commercial enterprise. This definition does not include pet shops.

- (3) Animal Clinic for Small Animals without Outdoor Pens. An establishment where small animals and pets are admitted for examination, medical treatment, and boarding of animals is limited to short-term care incidental and subordinate to the clinic use.

- (4) Animal Hospital or Clinic. A facility for the diagnosis, treatment, or hospitalization of animals.

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- (5) *Animal Production or Husbandry*. An agricultural operation specifically concerned with the raising of animals for meat, milk, eggs, or other products. *Animal Production or Husbandry* includes the *day-to-day* care, selective breeding and the raising of livestock.
- (6) *Animal Shelter or Loafing Shed*. An agricultural structure that is typically built inside a pasture or paddock area that provides livestock with shade, water, and/or food.
- (7) *Barn or Agricultural Accessory Building*. A barn or agricultural accessory building is a building that is located on a property that is a minimum of ten acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.
- (8) *Crop Production*. An area for raising or harvesting agricultural crops such as wheat, field forage, and other plant crops intended to provide food or fiber.
- (9) *Commercial Horse Corral or Stable*. A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, hired, trained, sold, or bred as a commercial activity. The definition includes accessory uses such as riding lessons, clinics, and similar activities.
- (10) *Private Horse Corral or Stable*. A facility or area where horses, mules, or other domestic animals are kept, housed, boarded, lodged, fed, trained, or bred for the private use of the property owner.
- (11) *Community Garden*. A use in which an area of land is managed and maintained by a group of individuals to grow and harvest food and/or horticultural products for personal or group consumption or for sale or donation. A community garden area may be divided into separated garden plots for cultivation by one or more individuals, or may be farmed collectively by members of the group. A community garden may include common areas (*e.g., hand tool storage sheds*) maintained and used by the group.
- (12) *Urban Farm*. A use in which plants are grown for sale as products, and in which the plants or their biproducts are sold at the lot where they are grown or off-site, or both, and in which no other items are sold (*e.g. flower and vegetable raising, orchards and vineyards, etc.*).
- (13) *Wholesale Nursery (i.e. without Retail Sales On-Site)*. An establishment for the cultivation and propagation, display, storage and wholesale of large plants, shrubs, trees and other materials used in the indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape materials as an accessory use.

(B) Residential and Lodging Land Uses.

- (1) *Residential Accessory Building or Structure*. A subordinate building having a use customarily incidental to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.
- (2) *Bed and Breakfast*. A single-family owner-occupied house offering rooms with breakfast on a nightly basis for a fee.

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- (3) Caretakers Quarters/Domestic or Security Unit. A residence located on premises with a main residential or non-residential use and occupied only by a caretaker or guard employed on the premises.
- (4) Convent, Monastery, or Temple. A facility or building occupied by a community of monks, nuns, priests, or similar sects living under religious vows.
- (5) Duplex. A building designed and/or occupied exclusively by two (2) families living independently of each other on one (1) lot or parcel of land.
- (6) Commercial Garage. Any premises and/or structures used for housing more than three (3) motor vehicles or where any vehicles are kept for remuneration, hire, or sale and where a retail service station may be maintained as a secondary use.
- (7) Residential Garage. A residential accessory building used for the storage motor vehicles. These structures are typically attached to the primary structure; however, they may also be a detached structure.
- (8) Guest Quarters/Secondary Living Unit. An accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as a separate domicile.
- (9) Home Occupation. A commercial use customarily carried on in the home by members of the occupant family without structural alterations in the principal building or any of its rooms, without offering any commodity or service for sale on premises, without the installations of machinery or additional equipment other than that customary to normal household operations, without the employment of additional persons, without the use of a sign to advertise the occupations, and which does not cause the generation of other than normal noise, and pedestrian and vehicular traffic.
- (10) Limited-Service Hotel. A building or group of buildings used as a temporary dwelling place for individuals in exchange of financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Hotel room units are accessed through doorways into an internal hallway, courtyard, or lobby. Financial consideration for hotel room units is generally calculated on a nightly basis.
- (11) Full-Service Hotel. A building or group of buildings designed for and occupied as a temporary dwelling place. Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security-controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops.
- (12) Residence Hotel. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Residence hotel room units are designed to be suitable for long-term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical residence hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.
- (13) Motel. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Each motel room unit has direct access to the outside. Financial consideration for motel

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room units is generally calculated on a nightly basis.

- (14) Multi-Family Structure or Development. A development consisting of at least three (3) single-family dwelling units grouped into a single building or multiple buildings on an individual parcel of land. Examples of a *Multi-Family Development* include Triplexes, Quad or Fourplexes, apartments, condominiums, and etcetera.
- (15) Portable Building. A temporary building that may or may not have a foundation and is transportable.
- (16) Residential Infill in or Adjacent to an Established Subdivision. The new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.
- (17) Single-Family Attached Structure. A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).
- (18) Single-Family Detached Structure. A single-family residential structure that is occupied by one (1) family, is situated on a single parcel of land, does not share a common wall or wall with any adjacent structures, and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).
- (19) Single-Family Zero Lot Line Structure. A single-family detached structure that has a wall or walls that comes up to, or very near to, the edge of the property line on one (1) side of the property.
- (20) Private Swimming Pool. A swimming pool constructed for the exclusive use of the property owner and/or residents of a single-family, duplex, multi-family structure or development. A private swimming pool shall not be operated as a business.
- (21) Private Tennis Court. A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for night play in residential areas except as may be otherwise permitted.
- (22) Townhouse. A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*). These units are typically constructed in a series or group of units.
- (23) Urban Residential. A development situated within the City's Downtown (DT) District -- *which is also referred to as the urban core* -- that allows for multiple single-family dwelling units grouped into a single building. This type of structure typically contains a mix of office, retail, and residential land uses.

(C) Institutional and Community Service Land Uses.

- (1) Assisted Living Facility. A facility that is licensed under Chapter 247, *Assisted Living Facilities*, of the Texas Health and Safety Code that furnishes -- *in one (1) or more buildings* -- food, shelter, and limited assistance to persons who are unrelated to the proprietor of the establishment, and also provides personal care services.

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- (2) Blood or Plasma Donation Center. A facility that allows for a person or persons to donate or sell blood or plasma for use in medical or other products.
- (3) Cemetery/Mausoleum. A land used intended to be used for the burial of the human or animal remains and dedicated for cemetery purposes, including crematories, mortuaries and funeral chapels if operated in connection with and within the boundaries of such cemetery.
- (4) Church/House of Worship. A facility or area where people gather together for public worship, religious training, or other religious activities including a church, temple, mosque, synagogue, convent, monastery, or other structure, together with its accessory structures, including a parsonage or rectory. This use does not include home meetings or other religious activities conducted in a privately occupied residence.
- (5) College, University, or Seminary. An institution established for educational purposes offering courses for study beyond the secondary education level. This land use shall exclude *Trade Schools*.
- (6) Convalescent Care Facility/Nursing Home. A facility providing primarily inpatient health care, personal care, or rehabilitative services on a 24-hour basis over a long period of time to persons chronically ill, aged, or disabled who need ongoing health supervision, but not hospitalization.
- (7) Congregate Care Facility/Elderly Housing. A facility for long-term residence -- *exclusively for persons 62 years of age or older* -- who may need limited assistance with daily living activities, and which includes at a minimum each of the following amenities and personal care services: [1] private living quarters that are designed for a maximum of double occupancy and which no full kitchen facilities are permitted (i.e. no dishwasher or oven); [2] daily prepared meals in a common dining area; [3] housekeeping, laundry service, and private bus transportation service; [4] dedicated areas for social activities; and [5] dedicated areas for indoor and outdoor recreation activities.
- (8) Crematorium. A facility licensed, or qualified to be licensed, by the State of Texas for the cremation of human remains.
- (9) Daycare with Seven (7) or More Children. A state licensed facility -- *other than a public, parochial, or private school* -- providing care for seven (7) or more children under the age of 14 years old for less than 24-hours per day (*typically daytime hours only*) at a location other than a residence.
- (10) Emergency Ground Ambulance Services. A facility that houses Emergency Medical Service (EMS) motor vehicles or ambulances that are dispatched to offer emergency paramedic services that require an urgent medical response.
- (11) Group or Community Home. A home for disabled persons whose ability to care for themselves, perform manual tasks, learn, work, walk, see, hear, speak or breath is substantially limited because the person has an orthopedic, visual, speech, or hearing impairment, Alzheimer's disease, pre-senile dementia, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, autism, or emotional illness.
- (12) Government Facility. An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to: City services/offices, employment offices, police and fire stations, and/or motor vehicle licensing and registration services.
- (13) Halfway House. A facility where persons are aided in readjusting to society following a period of imprisonment, hospitalization, homelessness, or institutionalized treatment.

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- (14) Hospice. A facility designed to provide a centralized program for palliative and supportive services to dying persons and their families in the form of physical, psychological, social, and spiritual care either directly or on a consulting basis.
- (15) Hospital. An institution providing health services primarily for human inpatient medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central services facilities, and staff offices which are an integral part of the facilities.
- (16) Public Library, Art Gallery, or Museum. An institution for the collection, display and distribution of objects of art, science, or library sciences and which are sponsored by a public or quasi-public agency that is open to the general public.
- (17) Mortuary or Funeral Chapel. A place for the storage of human bodies prior to their burial or cremation, or a building used for the preparation of a deceased for burial and/or the display of the deceased through ceremonies prior to burial or cremation.
- (18) Local Post Office. A local branch of the United States Postal Services or a private commercial venture engaged in the distribution of mail, packages, and incidental services.
- (19) Regional Post Office. A branch of the United States Postal Services or a private commercial venture engage in the regional distribution of mail and packages to local post offices.
- (20) Prison/Custodial Institution. A facility responsible for the incarceration of adults that provides 24-hour supervision by professionals. These types of facilities include prisons, jails, and probation facilities.
- (21) Public or Private Primary School. A school that is either owned and operated by the independent school district or a private commercial organization for children from five (5) to 11-years of age to receive their primary or elementary education.
- (22) Public or Private Secondary School. A school that is either owned and operated by the independent school district or a private commercial organization for children from 11 to 18-years of age to receive their secondary or high school education.
- (23) Temporary Education Buildings for a Public or Private School. A temporary building for classrooms, recreation and administrative needs for the independent school district or a private commercial organization as defined by Section 1202, *Industrialized Housing and Buildings*, of the Texas Occupations Code.
- (24) Rescue Mission or Shelter for the Homeless. A non-profit housing shelter operating as an accessory use to a religious facility, providing temporary free lodging for indigent individuals or families with no regular home or residential address. A *Rescue Mission or Shelter for the Homeless* shall house a maximum of 15 individuals for a period not to exceed a maximum of 30-days.
- (25) Social Service Provider (Except Rescue Mission or Shelter for the Homeless). Any organization operating under a non-profit charter, the activities of which are devoted exclusively to charitable, benevolent, patriotic, employment related, or educational purposes not currently listed elsewhere in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).

(D) Office and Professional Land Uses.

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- (1) Financial Institution. A facility that is open to the public for the deposit, custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds and that is licensed by the appropriate state or federal agency as a bank, savings and loan association, or credit union. Accessory uses may include automatic teller machines, drive through service, offices, and parking. This excludes bail bonds, pawnshops, payday advance/loan businesses, and motor vehicle title loan businesses.
- (2) Office Building. A facility that provides executive, management, administrative, or professional services not specifically listed elsewhere in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#), but not involving the sale of merchandise except as incidental to a permitted use. Typical examples include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

(E) Recreation, Entertainment and Amusement Land Uses.

- (1) Temporary Carnival, Circus, or Amusement Ride. A temporary, traveling show or exhibition that has no permanent structure or installation, and is intended to attract people to a site where there may or may not be an admission charge. These activities include: carnivals, circuses, rides, entertainment, gaming booths, food stands, exhibitions, and animal displays. Outdoor or indoor commercial amusement provided on a temporary basis.
- (2) Indoor Commercial Amusement/Recreation. Any enterprise whose main purpose is to provide the general public with a variety of amusing or entertaining activities, including such activities as skating rinks, bowling alleys, video arcades, billiard tables and similar enterprises, but does not include theaters and auditoriums.
- (3) Outdoor Commercial Amusement/Recreation. An amusement enterprise that offers entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open.
- (4) Public or Private Community Recreation Club as an Accessory Use. (1) Public: A facility or area that is owned and/or operated by a nonprofit organization and that provides for sports, leisure, and recreation activities operated for the general public. (2) Private: A recreation facility operated for the exclusive use of private residents or neighborhood groups and their guests, and not the general public.
- (5) Private Country Club. A facility or area laid out for recreational, athletic, and social purposes, with limited membership, and the use of which is primarily restricted to members and their guests. A golf course may be included as an additional principal use. Accessory uses may include retail sales, a club house, and other recreational facilities.
- (6) Golf Driving Range. An area improved with trees, greens, fairways, hazards, and which may include a clubhouse, dining room, and accessory recreational uses.
- (7) Temporary Fundraising Events by Non-profit. An event sponsored by a recognized legal nonprofit organization, intended to attract people to a site where there may or may not be an admission charge.

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- (8) Gun Club with Skeet or Target Range. A facility or area for the sport of shooting at targets to test accuracy in rifles, pistols, or archery practice, owned or operated by a corporation, association, or persons.
- (9) Health Club or Gym. A public or private facility operated to promote physical health and fitness. Activities may include exercise, physical therapy, training, and education pertaining to health and fitness. Uses or combinations of uses or facilities would typically include -- *but are not limited to* -- game courts, weight lifting and exercise equipment, aerobics, swimming pools and spas, and running or jogging tracks.
- (10) Private Club, Lodge or Fraternal Organization. (1) Private Club. Private quarters for a private organization, a principal purpose of which is the preparation and service of food and/or drink for members and their guests only and falling within the definition of and permitted by Chapter 32, Private Club Registration Permit, of the Texas Alcoholic Beverage Code. (2) Lodge or Fraternal Organization. A facility or area for a special purpose organization or for the sharing of sports, arts, literature, politics, or other similar interests, but not primarily for profit or to render a service that is customarily carried on as a business, excluding churches, synagogues, or other houses of worship or religious assembly.
- (11) Private Sports Arena, Stadium, and/or Track. An athletic field or stadium that is not owned or operated by a public agency such as a city or school and operated for the exclusive use of its members and their guests and not the general public
- (12) Public Park or Playground. A facility or area for recreational, cultural, or aesthetic use owned or operated by a public agency and available to the general public. This definition may include -- *but is not limited to* -- lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, pavilions, wooded areas, and water courses.
- (13) Sexually Oriented Businesses. See [Article XI, Sexually Oriented Businesses, of Chapter 12, Businesses and Sales, of the Municipal Code of Ordinances.](#)
- (14) Tennis Courts (i.e. Not Accessory to a Public or Private Country Club). A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances. This would be the primary use for a property and not attached to a Public or Private Country Club.
- (15) Theater. A structure that is open to the public and is used for dramatic, operatic, musical, motion picture, or other performance or entertainment-related activities, where admission is charged per performance or event, and where there is no audience participation other than as spectators. Such establishments may include incidental services such as food and beverage sales and other concessions.

(F) Retail and Personal Service Land Uses.

- (1) Antique/Collectible Store. A retail establishment that engages in the selling of works of art, furniture or other artifacts of an earlier period.
- (2) Astrologer, Hypnotist, or Psychic. An establishment providing predictions or readings of the future based on intuitive or mental powers, astrology, card or tea reading, crystal gazing, palmistry, or spiritual reading.

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- (3) Banquet Facility/Event Hall. An establishment that is leased on a temporary basis before the day of the event by individuals or groups who reserve the facility to accommodate private functions, including, but not limited to, banquets, weddings, anniversaries, receptions, business and organizational meetings, and other similar functions, to which the general public is not admitted and for which no admission charge is imposed. Such establishments may include kitchen facilities for the preparation of food or catering of food and areas for dancing, dining, and other entertainment activities that customarily occur in association with banquets, weddings, or receptions.
- (4) Portable Beverage Service Facility. A portable beverage service facility is an establishment that sells beverages from a structure that can be moved from place to place but that stays at one location during a normal business day; food sales are prohibited in these facilities.
- (5) Brewpub. A brewpub is a restaurant that incorporates a craft or microbrewery as an accessory use. The craft or microbrewery in conjunction with the restaurant allows for the manufacturing of beer -- *in limited quantities* -- for both on-premise and off-premise consumption.
- (6) Business School. A business organized to operate for profit that offers instruction and training in a service or art such as secretarial school, barber college, beauty school or commercial art school, but not including manual trade schools.
- (7) Catering Service. A food establishment without on-site banquet facilities that provides, prepares, and/or serves food at off-site locations for groups, where all food and service expenses are paid by the group and not for individual sale.
- (8) Temporary Christmas Tree Sales Lot and Similar Uses. A building or land area that provides seasonal uses such as the sale of Christmas trees, pumpkins, and other temporary uses which occur at certain times of the year.
- (9) Copy Center. An establishment that reproduces, in printed form, individual orders from a business, profession, service, industry, or government organization.
- (10) Craft/Micro Brewery, Distillery and/or Winery. A craft/microbrewery is a small-scale brewing facility designed for the production of malt liquors such as beer and ale, using grains such as oats, hops, rice, wheat, and barley, designed and managed to brew no more than 75,000 barrels of beer per year. A distillery and/or winery is a small-scale facility designed for the manufacture, bottling, labeling, packaging, and sale of wine containing not more than 24% alcohol by volume, distilled spirits and other liquors.
- (11) Incidental Display. An outdoor retail sale or commercial promotion, not in excess of thirty (30) days during any 12-month period, adjacent to an existing permanent business operated in the city where the products displayed or sold outdoors are the same as those sold inside the existing permanent business and where such activity is incidental to the normal conduct of business operated by the same merchant or his employer in an on-site building for which a valid Certificate of Occupancy (CO) exists and when permitted by the City.
- (12) Food Truck/Trailer. A food truck or trailer is a mobile food vendor that sells food and/or beverages that are either pre-packaged or prepared in the confines of a portable truck/trailer, which can be moved from place to place, but is typically in a fixed location for extended periods of time.
- (13) Garden Supply/Plant Nursery. An establishment for the cultivation and propagation, display, storage and sale (*i.e. retail and wholesale*) of large plants, shrubs, trees and other materials used for in indoor

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or outdoor plantings; and the contracting for installation and/or maintenance of landscape material as an accessory use.

- (14) General Personal Service. Establishments primarily engaged in providing services generally involving the care of the person and/or his/her apparel including but not limited to barber and beauty shops, dressmaking, shoe shining, dry-cleaning and laundry pick-up stations, tailor or seamstress, and reducing salons/health clubs.
- (15) General Retail Store. A facility or area for the retail sale of general merchandise or food to the public for direct consumption and not for wholesale. Typical general merchandise includes clothing and other apparel; equipment for hobbies or sports; gifts; flowers and household plants; dry goods; groceries, convenience, and specialty foods; toys; furniture; books and stationery; pets; drugs; hardware; and similar consumer goods. This use does not include uses that are specifically addressed in [Section 1, Land Use Schedule, of Article IV, Permissible Uses](#).
- (16) Hair Salon and/or Manicurist. A business that provides customers with beauty treatments including -- *but not limited to* -- haircuts, manicures, pedicures, and other similar treatments.
- (17) Laundromat with Dropoff/Pickup. A personal service shop that specializes in cleaning clothes that may or may not include coin-operated washing machines and dryers for public use.
- (18) Self-Service Laundromat. A facility where patrons wash, dry or dry clean clothing and other fabrics in machines operated by the patron.
- (19) Massage Therapist. Any building, room, place, or establishment other than where regularly licensed non-medical or non-surgical manipulative exercises or devices are practiced upon the human body manually or otherwise by a licensed massage therapist, physician, surgeon, dentist, occupational or physical therapist, chiropractor, or osteopath, with or without the use of therapeutic, electrical, mechanical, or bathing devices.
- (20) Private Museum or Art Gallery. An institution for the collection, display and distribution of objects of art or science, and which is sponsored by a public or quasi-public agency in a facility that is open to the general public.
- (21) Night Club, Discotheque, or Dance Hall. An establishment, facility, or room that offers or provides entertainment of any kind for remuneration, whether through fees, ticket sales, cover charges, membership, dues, or portion of funds generated in any other manner, usually collected at the time of customer entry into the establishment. Such establishments may provide accommodations for patron dancing; dispense alcoholic beverages for consumption on the premises; provide live, recorded, or televised music or comedy performances; and/or serve food as an ancillary service. *Night Club* shall not include indoor theaters, auditoriums and stadiums with fixed row seating, private clubs, bars, teen clubs, banquet halls, or establishments defined elsewhere in [Section 1, Land Use Schedule](#).
- (22) Pawn Shop. A retail operation which provides for the lending of money with personal items held as collateral, or the purchasing, or the repurchasing of gold, silver, jewelry, watches, and gems in addition to other merchandise.
- (23) Permanent Cosmetics. A cosmetic technique which employs permanent pigmentation of the dermis as a means of producing designs that resemble makeup, such as eye-lining and other permanent enhancing colors to the skin of the face, lips, and eyelids.

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- (24) *Pet Shop.* A *Pet Shop* is a retail business which sells different kinds of animals to the public. A variety of animal supplies and pet accessories are also sold in *Pet Shops*. The products typically sold in these establishments include -- *but are not limited to* -- food, treats, toys, collars, leashes, cat litter, cages and aquariums.
- (25) *Temporary Real Estate Sales Office.* *Temporary on-site Real Estate Sales Offices* located on property being sold, shall be limited to the period of sale of the lots with a two (2) year initial period and one (1) year extensions being authorized by the Chief Building Official.
- (26) *Rental Store without Outside Storage and/or Display.* A retail business that sells, rents, or leases tools, equipment, or other goods on a short-time basis to customers to the extent that the item is actually used by the customer.
- (27) *Restaurant with Drive Through or Drive-In.* A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premises and/or in a personal vehicle or where facilities are provided on the premises that encourages the serving and consumption of food in a personal vehicle on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.
- (28) *Restaurant without Drive Through or Drive-In.* A place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premise and does not provide facilities that allow the serving and consumption of food in personal vehicles on or near the restaurant premises. The term shall not include a bakery, pastry shop, meat market, or ice cream parlor if on-premises consumption of food is not allowed.
- (29) *Retail Store with Gasoline Sales.* An establishment that engages in the sale of fuel, lubricants, and/or accessories for motor vehicles, and that may have ancillary retail sales of convenience goods. A dispenser in a *Retail Store with Gasoline Sales* is assumed to serve two (2) standard motor vehicles.
- (30) *Second Hand Dealer.* An establishment for the sale of any goods, materials, or other articles of merchandise that are not new (*e.g. consignment stores*). This definition includes items that have been used or worn previously by another.
- (31) *Art, Photography, or Music Studio.* A workplace for the teaching, preparation, or practice of an art such as animation, ceramics, dance, graphic design, music, painting, photography, pottery, scrapbooking, and sculpture.
- (32) *Tailor, Clothing, and/or Apparel Shop.* An establishment engaged in custom making, altering, or the repair of clothing.
- (33) *Tattoo and/or Body Piercing.* An establishment whose principal business activity, either in terms of operation or as provided to the general public, is the practice of one (1) or more of the following: [1] placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin, by means of the use of needles or other instruments designed to contact or puncture the skin; [2] creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.
- (34) *Taxidermist Shop.* A facility engaged in the preserving of an animal's body via mounting or stuffing for the purpose of display or study.

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(G) Commercial and Business Services Land Uses.

- (1) **Bail Bonds.** An establishment that solicits, negotiates, and executes bonds or other security to guarantee the appearance in court of a person accused of a crime.
- (2) **Building and Landscape Material.** An establishment for the sale of materials customarily used in the construction of buildings and other structures, including sales of lumber, drywall and similar construction materials.
- (3) **Building Maintenance, Service, and Sales.** A facility or area for contracting services such as building repair and maintenance; the installation of plumbing, electrical, air conditioning, and heating equipment; janitorial services; and exterminating services. The retail sale of supplies is permitted as an accessory use.
- (4) **Commercial Cleaners.** A facility or area for cleaning items in bulk quantities such as clothes and linens. This definition includes cleaning for hospitals, restaurants, hotels, diaper cleaning services, and other similar accounts, as well as rug and dry-cleaning plants where on-premise retail services to individual households are incidental to the operation of the plant.
- (5) **Custom and Craft Work.** A facility or area in which finished, personal, or household items that are either made to order or that involve considerable handwork are produced. Examples include but are not limited to textiles, pottery, furniture repair or refinishing, wood working, upholstery, sculpting, and other work or wood products on an individualized single item basis. Cabinetmaking and cabinet assembly shops are not included in this definition. The use of mechanized assembly line production is excluded from this definition.
- (6) **Electrical, Watch, Clock, Jewelry, and Similar Repair.** An establishment that designs, makes, sells or repairs small consumer goods.
- (7) **Feed Store, Ranch Supply.** An establishment for the selling of corn, grain, and other food stuffs for animals and livestock, and including other implements and goods related to agricultural processes, but not including farm machinery.
- (8) **Furniture Upholstery/Refinishing and Resale.** A furniture upholstery refinishing or resale business is a business that engages in the act of reupholstering, repairing, stripping, refinishing, restoring or rebuilding furniture for the purpose of retailing the finished good.
- (9) **Gunsmith Repair and Sales.** An establishment that specializes in the repair and/or sale of small fire arms (e.g. *handguns and shotguns*) for individuals.
- (10) **Heavy Machinery and Equipment Rental, Sales, and Service.** A building or open area, other than a right-of-way or a public parking area, used for the display, sale, rental, and storage of heavy machinery, either machines in general or as a functioning unit. Heavy machinery includes -- *but is not limited to* -- tractors, farm machinery, bulldozers, street graders, and paving devices.
- (11) **Locksmith.** A business that works with locks, keys and security systems.
- (12) **Machine Shop.** A shop wherein there are facilities and tools, which are utilized in the shaping and forging, welding or fabricating of metal products and/or related items.

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- (13) Medical or Scientific Research Lab. A facility or area for conducting medical or scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. This definition also includes labs for the manufacture of dentures and prostheses.
- (14) Manufactured Homes Sales. The offering for sale, storage, or display of new and/or used manufactured homes on a parcel of land but excluding the use of such facilities as dwellings either on a temporary or permanent basis.
- (15) Research and Technology/Light Assembly. An indoor facility that includes laboratories and experimental equipment for medical testing, prototype design and development, and product testing.
- (16) Shoe and Boot Repair and Sales. A business that specializes in the sale and repair of shoes and boots.
- (17) Trade School. Establishments, other than public or parochial schools, private primary or secondary schools, or colleges, offering training or instruction in a trade, art, or occupation.
- (18) Temporary On-site Construction Office. A structure or shelter used in connection with a development or building project for housing on the site of temporary administrative and supervisory functions and for sheltering employees and equipment.

(H) Auto and Marine-Related Land Uses Conditions.

- (1) Major Auto Repair Garage. Major repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under Automobile repair, minor, and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90-days.
- (2) Minor Auto Repair Garage. Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil spark plugs, and filter changing; tire alignment; tune-ups, emergency road service; replacement of starters, alternators, hoses, brake parts, mufflers; performing state inspections and making minor repairs necessary to pass said inspection; servicing of air-conditioning systems, and similar minor services for motor vehicles except heavy land vehicles, but not including any operation named under Automobile repair, major, or any other similar use. All work must be performed inside an enclosed building. Vehicles shall not be stored on site for longer than 14 days.
- (3) Automobile Rental. A business that engages in the rental of light load motor vehicles for short periods of time for a fee. This use excludes the truck and heavy equipment rental.
- (4) Boat and Trailer Dealerships (New and Used). A business that buys and sell boats and boat trailers that are both new and used.
- (5) Car Wash. A facility or area for the cleaning or steam cleaning, washing, polishing, or waxing of passenger vehicles by machine or hand-operated facilities. A car wash may be [1] a single unit type that has a single bay or a group of single bays with each bay to accommodate one vehicle only; or [2] a tunnel type that allows washing of multiple vehicles in a tandem arrangement while moving through the structure.

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- (6) New and/or Used Indoor Motor Vehicle Dealership/Showroom. The indoor storage of operable automobiles in a fully enclosed building for the purpose of holding such vehicles for sale, lease, distribution, or storage.
- (7) Motor Vehicle Dealerships for Cars and Light Trucks. Retail sales of new automobiles or light load vehicles, including, as a minor part of the business, the sales of used automobiles or light load vehicles and the service of new or used vehicles within an area or enclosed building.
- (8) Commercial Parking Lot. An area or structure intended for parking that is operated as a business enterprise with a service charge or fee being paid to the owner or operator for the storage or parking of privately-owned vehicles, and is not reserved or required to accommodate occupants, clients, customers, or employees of a particular establishment or premises.
- (9) Non-Commercial Parking Lot. An area, structure, or shared area that is open to the general public for the temporary parking of operable personal and light commercial vehicles.
- (10) Recreational Vehicle (RV) Sales and Service. An establishment that engages in the sale and/or leasing of new and/or used recreation vehicles (including as an accessory use) and the repair and service of these vehicles.
- (11) Service Station. An establishment where gasoline and other petroleum products are sold as the principal use of the property. Light maintenance activities such as engine tuneups, lubrication, and minor repairs may also be provided if incidental to such principal use.
- (12) Towing and Impound Yard. Any lot that two (2) or more motor vehicles of any kind of for the purpose of holding such vehicles in reserve or incapable of being operated due to condition or lack of license have been placed for the purpose of obtaining parts for recycling or resale.
- (A) Conditional Standards.
- (13) Towing Service without Storage. Establishment that provides for the removal of vehicles but does not include disposal, permanent disassembly, salvage or accessory storage of inoperable vehicles.
- (14) Truck Rental. The display and rental of new or used heavy commercial vehicles or trucks in operable condition.
- (15) Truck Stop with Gasoline Sales and Accessory Services. An area for parking heavy commercial vehicles and/or trucks for storage purposes including the retail dispensing and/or sales of truck and automobile fuels, lubricants and/or accessories as an accessory use and not including automotive repair services.

(I) Industrial and Manufacturing Land Uses.

- (1) Asphalt or Concrete Batch Plant. A permanent manufacturing facility for the production of concrete or asphalt.
- (2) Temporary Asphalt or Concrete Batch Plant. A temporary manufacturing facility for the production of concrete or asphalt during construction of a project and to be removed when the project is completed.
- (3) Bottle Works, Milks, or Soft Drinks. A facility for food or beverage processing that uses mechanized assembly line production for canned or bottled goods.

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- (4) *Brewery or Distillery.* A brewery or distillery is an industrial facility where the primary purpose of the facility is the manufacturing of malt, brewed and/or distilled beverages produced on the premises for sale or distributed for off-premise consumption.
- (5) *Carpet and Rug Cleaning.* A personal service business that specializes in the cleaning of carpet and rugs in both residential and non-residential structures.
- (6) *Environmentally Hazardous Materials.* Any solid, liquid, or gaseous matter which is present in sufficient quantities to endanger health, safety, or comfort of persons in the vicinity or which may cause injury or damage to property.
- (7) *Food Processing with No Slaughtering.* A facility or area in which food for human consumption in its final form, such as candy, baked goods, tortillas, and ice cream is produced, and the food is distributed to retailers or wholesalers for resale on or off the premises. Food or beverage processing using mechanized assembly line production of canned or bottled goods is excluded from this definition. Sales may either be retail or wholesale, and are generally made to businesses rather than to individual households.
- (8) *Light Assembly and Fabrication.* A business where parts, manufactured elsewhere, are assembled with the assistance of power-driven machines and materials-handling equipment, and manipulated primarily by hand which produces low dust and fiber, and all materials are assembled and stored within an enclosed building.
- (9) *Heavy Manufacturing.* A facility or area for generally mass-producing goods usually for sale to wholesalers or other industrial or manufacturing uses. A heavy manufacturing use is one which employs the following or similar types of processes: [1] the milling of grain as retail sales and service; [2] producing animal food and tanning animal hides; [3] production of large durable goods such as but not limited to motorcycles, cars, manufactured homes, or airplanes; [4] canning or bottling of food or beverages for human consumption using a mechanized assembly line; [5] manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents, and other chemical products, and use of a foundry for metals; [6] production of items made from stone, clay, metal, or concrete; and, [7] tire recapping or retreading.
- (10) *Light Manufacturing.* A facility or area for producing goods without the use of chemical processing of materials. Light manufacturing activities include -- *but are not limited to* -- the following activities: [1] assembly, finishing, and/or packaging of small items from component parts made at another location (examples include but are not limited to cabinetmaking, or the assembly of clocks, electrical appliances, or medical equipment); [2] production of items made from materials derived from plants or animals, including but not limited to leather, pre-milled wood, rubber, paper, wool, or cork, or from textiles or plastics; [3] electrical component manufacturing; [4] reproduction, cutting, printing, or binding of written materials, drawings, or newspapers on a bulk basis using lithography, offset printing, blue printing, and other similar methods; [5] machine or welding shop where material is processed by machining, cutting, grinding, welding, or similar processes; and, [6] spray painting or motor vehicle conversion.
- (11) *Metal/Electro Plating.* The process that uses an electric current to reduce dissolved metal cations so that they form a thin coherent metal coating on an electrode.
- (12) *Mining and Extraction (Sand, Gravel, Oil and Other).* The process of extracting natural resources from the earth that includes -- *but is not limited to* -- sand, gravel, stone, and petroleum.

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- (13) Printing and Publishing. An establishment whose primary service is long-run printing including -- but not limited to -- book, magazine, and newspaper publishing.
- (14) Indoor Salvage or Reclamation of Products. An indoor facility for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term "scrap or discarded materials" includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes indoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.
- (15) Outdoor Salvage of Products. An outdoor or partially outdoor facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment not listed elsewhere in this Code. The term "scrap or discarded materials" includes but is not limited to metal, paper, rags, tires, bottles, inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment, and appliances. This definition includes outdoor or partially outdoor facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products; glass, metal cans, and other products, to return such products to a condition in which they may again be used for production.
- (16) Sheet Metal Shop. A company that specializes in the creation of metal structures by cutting, bending and assembling processes.
- (17) Tool, Dye, Gauge, and Machine Shop. A workshop where metal fabrication tools, including but not limited to lathes, presses, and mills, are used for making finishing, or repairing machines or machine parts.
- (18) Welding Repair. A technique in which a cracked material is removed by arc gouging and the element is welded to re-join the material on either side of the crack.
- (19) Winery. A winery is the industrial manufacturing, bottling, labeling and packaging of wine in accordance with the Texas Local Government Code (TLGC).

(J) Wholesale, Distribution and Storage Land Uses.

- (1) Cold Storage Plant. A commercial establishment where foods are stored either in lockers, rented or leased, or in vaults in bulk for distribution to the home or other commercial businesses. There is no slaughtering of animals on the premises.
- (2) Heavy Construction/Trade Yard. A land or structure used primarily for the storage of equipment, vehicles, machinery, building materials, paint, piping, or electrical components being used by the owner or occupant of the premises in the conduct of a building trade.
- (3) Landfill. A tract of land used for the burial of farm, residential, institutional, or commercial waste that is not hazardous, medical, or radioactive.
- (4) Mini-Warehouse. A Mini-Warehouse (or self-storage facility) is an enclosed storage facility containing independent, fully enclosed bays that are generally leased to individuals for long-term storage of their household goods or personal property.

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- (5) Outside Storage and/or Outside Display. The permanent or continuous keeping, displaying, or storing of unfinished goods, material, merchandise, equipment, service vehicles or heavy vehicles outside of a building on a lot or tract overnight of for more than 24-hours.
- (6) Recycling Collection Center. An enclosed trailer used for the collection and temporary storage of empty beverage containers, aluminum, glass, plastic, paper, clothing, or similar materials for recycling purposes. This definition includes automated can banks that crush cans as they are deposited. This definition does not include donation boxes for clothing, toys, household goods, and similar items.
- (7) Warehouse/Distribution Center. A building used primarily for the storage and distribution of goods, merchandise, supplies, and equipment including wholesalers which display, sell, and distribute merchandise to business representatives for resale but excluding *Truck Terminal*.
- (8) Wholesale Showroom Facility. An establishment that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50% of the total floor area.

(K) Utilities, Communications, and Transportation Land Uses.

- (1) Airport, Heliport, or Landing Field. An area used or intended for use for the landing and takeoff of aircraft and other aviation uses; An appurtenant area used or intended for use for an airport building or other airport facility or right-of-way, including a building or facility for the shelter, supply, repair, and maintenance of aircraft and related purposes; An airport building or facility located on an appurtenant area; Facilities for the fueling of aircraft; Buildings for office use; and Related uses and buildings and other uses and buildings incidental to any of the foregoing.
- (2) Accessory Antenna. Any structure or device used to collect, receive, transmit, or radiate electromagnetic waves. Antennae may be mounted on towers or on buildings, and may be concealed or unconcealed.
- (3) Commercial Antenna. Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or for financial gain.
- (4) Antenna for Amateur Radio. Any antenna system that provides the transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business and/or for financial gain.
- (5) Antenna Dish. An antenna that is parabolic or bowl-shaped and that receives and/or transmits signals in a specific directional pattern
- (6) Commercial Freestanding Antenna. A self-supporting, tubular-shaped antenna support structure which consists of a single vertical pole fixed into the ground and/or attached to a foundation.
- (7) Mounted Commercial Antenna. Any exterior transmitting or receiving device mounted on or within a support structure, building, or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals, television signals, or other communications signals.

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- (8) Bus Charter and Service Facility. A facility for the loading and discharging of train or bus passengers.
- (9) Helipad. An area of land or water or a structural surface which is used, or intended for use, for the landing and taking-off of helicopters, and any appurtenant areas which are used, or intended for use, for heliport buildings and other heliport facilities.
- (10) Non-Municipally Owned or Controlled Utilities. The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are non-municipally owned or controlled.
- (11) Municipally Owned or Controlled Facilities, Utilities, and Uses. The use of land for lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity, which are municipally owned or controlled.
- (12) Private Streets. A private vehicular access way shared by and serving 2 or more lots, which is not dedicated to the public and is not publicly maintained. Private streets and alleys may be established only under the terms of the Subdivision Ordinance. The term "private street" shall be inclusive of alleys.
- (13) Radio Broadcasting.
- (14) Railroad Yard or Shop. A facility used for the storage of railway cars, boxcars and engines and related equipment.
- (15) Recording Studio. A facility that provides an environment for the purposes of writing, collaborating, performing, instruction, preparing, or completing audio recordings.
- (16) Satellite Dish.
- (17) Solar Energy Collector Panels and Systems. A ground- or building-mounted solar collection system consisting of solar photovoltaic cells, panels, or arrays and related equipment that relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation, and that supplies electrical power independently of an electrical production and distribution network.
- (18) Transit Passenger Facility. Any premises for the loading and unloading of passengers by a public or private transit company including the temporary parking of transit vehicles between routes or during stop overs and excluding overnight parking, storage, and maintenance of transit vehicles. This definition shall not include bus stops along rights-of-way.
- (19) Trucking Company. An area and building where cargo is stored and where trucks, including tractors and trailer units, load and unload cargo on a regular basis. May include facilities for the temporary storage of loads prior to shipment.
- (20) TV Broadcasting and Other Communication Services. The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.
- (21) Franchise Utilities. A non-public utility requiring special facilities in residential areas or on public property such as heating, cooling, or communications not customarily provided by the municipality or

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public utilities.

(22) General Utility Installation. Permanent facilities and structures operated by companies engaged in providing transportation and utility services including -- but not limited to -- railroad track rights-of-way, sewage pumping stations, telephone exchanges, transit station turnarounds, water reservoirs and water pumping stations.

(23) Utility/Transmission Lines. Facilities which serve to distribute and transmit electrical power, gas and water, including but not limited to electrical transmission lines, gas transmission lines, telephone lines and metering stations, whether operated by the city or private utility company.

(24) Wireless Communication Tower. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennae that transmit information (audio, video, data) in the form of electromagnetic signals to one or more receivers without the use of a physical connection between the transmitting and receiving source. The term includes but is not limited to lattice towers, guyed towers, and monopole towers. The term does not include a clock tower, bell tower, steeple, light pole, power pole, water tower, or similar structure that incidentally supports antennae. Towers may be freestanding or building-mounted, and may be concealed or unconcealed.

Exhibit 'H'

Article XI, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances

Additions: **Highlighted**

Deletions: ~~Highlighted, Strikeout~~

Staff Notes: **Highlighted, Red Text**

Links/References: Blue, Underlined

ARTICLE XI, FENCES, CHAPTER 10, BUILDING AND BUILDING REGULATIONS, MUNICIPAL CODE OF ORDINANCES

DIVISION 1: GENERALLY

SECTION 10-402: DEFINITIONS

For the purposes of this article, the term "fence" means any wall or structure of any material, the purpose of which is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building or structure.

~~(Ord. No. 04-05, § 1(6-124), 1-20-2004)~~

~~SECTION 10-403: PERMIT REQUIRED; APPLICATIONS; FEES~~

~~No fence shall be constructed within the city without the owner or person in control of such premises, or his agent or contractor, having secured a permit therefor from the building official or his designee. A fence repair permit shall be required for the replacement of 25 linear feet or more of fencing and/or the replacement of five or more posts. When five or more posts are replaced, replacement posts must be metal posts. Applications shall be made and a permit issued on forms promulgated by the code official for such purpose. The fees for such permits shall be in amounts as established from time to time by resolution of the city council.~~

~~(Ord. No. 04-05, § 1(6-125), 1-20-2004)~~

~~SECTION 10-404: EXCEPTIONS~~

~~The following shall be exceptions to the terms of this article:~~

- ~~(1) Dikes and retaining walls for the purpose of diverting water and retaining soil shall not be considered fences within the terms of this article.~~
- ~~(2) Fences existing and in place at the time of the enactment of the ordinance from which this article is derived shall be excused from the permit provisions hereof. However, such fences shall be maintained to comply with the provisions hereof. Any such fence or any fence in an area annexed by the city after the effective date of the ordinance from which this article is derived shall be subject to the provisions of this article in the event of reconstruction, modification, enlargement, extension, alteration or any construction thereto other than normal maintenance thereof.~~

~~(Ord. No. 04-05, § 1(6-132), 1-20-2004)~~

~~SECTIONS 10-405—10-423: RESERVED~~

DIVISION 2: CONSTRUCTION STANDARDS

Exhibit 'H'
*Article XI, Fences, of Chapter 10, Building and Building Regulations, of the
Municipal Code of Ordinances*

SECTION 10-424: SPECIAL PERMIT FOR REQUIRED FRONT YARD FENCE STANDARDS

For Fence Standards see [Section 8, Fence Standards, of Article VIII, Landscape and Fence Standards.](#)

~~(a) No fence shall be constructed in the required front yard of a residential property or of a tract or parcel of land adjacent to I-30 without first being granted a special permit by the city council. The city council may authorize the issuance of a special permit for the construction of a front yard fence subject to the provisions of this division. The city council, in considering and determining action on any request for a special permit, may require from the applicant plans, drawings, and other information concerning the proposed front yard fence. The city council may establish conditions of construction of any fence for which a special permit is authorized. However, no front yard fence proposed in a residential subdivision may be constructed without complying with any approved active deed restrictions for the subdivision.~~

~~(1) No fence shall be placed in the required front yard of a residential property in excess of 42 inches in height and constructed of wood or 48 inches in height and constructed of wrought iron, or in a non-residentially zoned area in excess of eight feet in height and shall be constructed of wrought iron. No opaque fences will be allowed in the required front yard.~~

~~(b) Exceptions:~~

~~(1) Model homes meeting the requirements as follows:~~

- ~~a. The maximum height of front yard fence is not to exceed 42 inches.~~
- ~~b. No opaque fences allowed in the front yard, fences must be 50 percent see-through.~~
- ~~c. The fence must be architecturally harmonious with the development and of split rail, picket, vinyl, or wrought iron.~~
- ~~d. These fences are only temporary and must be removed, or city council approval sought at such time permanent residency will be established.~~

~~(2) Single Family—Estate (SF-E) meeting the requirements as follows:~~

- ~~a. No opaque fences allowed in the front yard, fences must be 50 percent see-through.~~
- ~~b. Front yard fences shall be no more than 48 inches in height.~~
- ~~c. Front yard fences shall be architecturally harmonious with the development, and of split rail, picket, vinyl, wrought iron or painted steel pipe.~~

~~(Ord. No. 04-05, § 1(6-126), 1-20-2004; Ord. No. 06-10, § 1(6-126), 3-20-2006; Ord. No. 11-23, § 1, 6-6-2011; Ord. No. 17-15, § 1, 3-20-2017)~~

SECTION 10-425: STANDARDS; SPECIFICATIONS; PROHIBITIONS

~~The following regulations shall apply to the construction of fences within the city, except for additional standards or requirements referenced in article V and article X of the Unified Development Code:~~

~~(1) No fence, guy wire, brace, light standard, sign, vee arm barbed wire base and arm, or any structure attached to a fence shall protrude over any property line.~~

~~(2) No chainlink fence shall be allowed within ten feet of the property lines unless completely screened from adjacent public areas and properties by either structure or solid landscape screening.~~

~~(3) Precast solid fencing shall require special approval by the planning and zoning commission.~~

Exhibit 'H'

*Article XI, Fences, of Chapter 10, Building and Building Regulations, of the
Municipal Code of Ordinances*

~~(4) Fence height requirements. All fence heights shall be measured vertically from the inside natural or mean grade elevation of the yard.~~

- ~~a. No residential fence shall exceed eight feet in height.~~
- ~~b. No nonresidential fence shall exceed 12 feet in height.~~

~~(5) Fences may be placed in the required yards, as regulated in this article, and meeting the following conditions:~~

- ~~a. Corner lots in residentially zoned areas which have rear lot lines adjacent to alleys, or other rear lot lines. Fences may be constructed not to exceed eight feet in height along the side yard and rear yard lines as indicated on appendix B, attached to the ordinance from which this section is derived.~~
- ~~b. Corner lots in residentially zoned areas where the rear lot line is adjacent to a side lot line of an adjoining lot. Only fences not exceeding 42 inches in height and meeting the material requirements of a front yard fence in residentially zoned areas shall be constructed beyond the side building line as indicated on appendix C, attached to the ordinance from which this section is derived. Fences constructed on or behind the building line shall not exceed eight feet in height.~~
- ~~c. Where an alley 15 feet or greater in width intervenes between the above-described lots, or a natural barrier of 15 feet or greater in width exists, such as creeks, railroads or easements where fences are prohibited, a fence not exceeding eight feet in height may be erected on the street side of the property line, indicated on appendix D, attached to the ordinance from which this section is derived.~~
- ~~d. Through lots in residentially zoned areas with street frontage on both the front and rear property line. Fences may be constructed not to exceed eight feet in height along the side yard and rear yard lines on through lots where all lots within the block have a rear yard along the same street frontage, as indicated on appendix E—Example 1, attached to the ordinance from which this section is derived.~~
- ~~e. When both front and rear yards are located along the same street frontage within a block, fences constructed within the designated rear yard shall not exceed 42 inches in height and shall meet the material requirements of a front yard fence in residentially zoned areas, as indicated on appendix E, Example 2, attached to the ordinance from which this section is derived, unless a variance to this request is granted by the zoning board of adjustment, as provided in section 10-447.~~

~~(6) Fences may be constructed of materials subject to the provisions of this article and the other codes and ordinances of the city.~~

- ~~a. Permitted materials are wood pickets, chain link, wrought iron, decorative metal (i.e. with the appearance of wrought iron but is made from powder coated steel, aluminum or covered with a corrosion protection finish), brick, split face CMU blocks, stone, vinyl, fiberglass composite, painted steel pipe where allowed, barbed wire where allowed, concrete with stone face/form liner. Stucco is allowed on residential properties.~~
- ~~b. Any other materials that are not manufactured specifically as fencing materials are prohibited.~~

~~(7) Solid wood fencing exceeding 48 inches in height must be constructed using metal post set in concrete, or brick or stone columns.~~

~~(8) It shall be unlawful for any person to construct or maintain any electrical fence or electrical attachment of any type, dimension, or composition on any fence within the city. Barbed wire fences may be used without restrictions when in conjunction with agricultural related uses; provided, however, no barbed wire fence shall be located on any platted property that is zoned or used as a residential property. In areas where barbed wire fences are allowed, arms or base and arms with barbed wire not to exceed three strands will be permitted. Concertina/razor wire shall be prohibited. Such attachments will be considered part of the fence for the purposes of determining the maximum height of said fence.~~

Exhibit 'H'

Article XI, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances

(9) The code official may permit temporary fencing for the purpose of protection or securing of construction sites. The duration of use must be stated in the application for a permit. Barbed wire fences may be allowed for temporary use upon approval of the location, height, and construction by the building official.

(Ord. No. 04-05, § 1(6-127), 1-20-2004; Ord. No. 06-10, § 1(6-127), 3-20-2006; Ord. No. 11-23, § 1, 6-6-2011; Ord. No. 17-15, § 1, 3-20-2017)

SECTION 10-42~~56~~: SWIMMING POOL, SPA AND HOT TUB/BARRIER REQUIREMENTS

- (a) The top of the barrier shall be at least 48 inches (1,219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be two inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four inches (102 mm).
- (b) Openings in the barrier shall not allow passage of a four-inch-diameter (102 mm) sphere.
- (c) Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
- (d) Placement of members.
 - (1) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1,143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
 - (2) Exception. Boards with a minimum 60-degree angle, cut and placed at the top of the horizontal fence members, may be used on existing fences that will become pool barriers. This exception does not apply to fences adjacent to public right-of-way.
- (e) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1,143 mm) or more, spacing between vertical members shall not exceed four inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
- (f) Maximum mesh size for chainlink fences shall be a 2.25-inch (57 mm) square unless the fence is provided with slats fastened at the top or the bottom, which reduce the openings to not more than 1.75 inches (44 mm).
- (g) Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).
- (h) Access gates shall comply with the requirements of subsections (a) through (g) of this section, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1,372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

Exhibit 'H'

Article XI, Fences, of Chapter 10, Building and Building Regulations, of the Municipal Code of Ordinances

- (1) The release mechanism shall be located on the pool side of the gate at least three inches (76 mm) below the top of the gate; and
 - (2) The gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
- (i) Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:
- (1) The pool shall be equipped with a powered safety cover in compliance with ASTM F1346;
 - (2) All doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017. The audible alarm shall activate within seven seconds and sound continuously for a minimum of 30 seconds immediately after the door and/or its screen, if present are opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. Deactivation shall last for not more than 15 seconds. The deactivation switch shall be located at least 54 inches (1,372 mm) above the threshold of the door; or
 - (3) Other means of protection, such as self-closing doors with self-latching devices, which are approved by the city council, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by subsection (i)(1) or (i)(2) of this section.
- (j) Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps, then:
- (1) The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
 - (2) The ladder or steps shall be surrounded by a barrier which meets the requirements of subsections (a) through (i) of this section. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a four-inch-diameter (102 mm) sphere.
- (k) Fence barrier exceptions for spas or hot tubs are as follows:
- (1) Safety covers for spas and hot tubs must comply with ASTM F1346-91.
 - (2) There should be a means of fastening the safety cover to the hot tub or spa, such as key locks, combination locks, special tool, or similar devices.
 - (3) The safety cover should have a label that provides a warning and message regarding the risk of drowning.
 - (4) The cover should have been tested to demonstrate that it is capable of supporting the weight of one child (50 pounds) and one adult (225 pounds).
 - (5) There shall be no openings in the cover itself or at any point where the cover joins the surface of the hot tub or spa that would not allow a four-inch sphere to pass through.
 - (6) Safety covers are to be installed in accordance with the manufacturer's instructions.

(Ord. No. 04-05, § 1(6-128), 1-20-2004; Ord. No. 06-10, § 1(6-128), 3-20-2006; Ord. No. 08-03, § 1(exh. A, art. IX(6-129)), 1-22-2008)

SECTIONS 10-4267—10-445: RESERVED

DIVISION 3. - ADMINISTRATION

SECTION 10-446: INSPECTION UPON COMPLETION

Exhibit 'H'
*Article XI, Fences, of Chapter 10, Building and Building Regulations, of the
Municipal Code of Ordinances*

Upon completion of a fence constructed under a permit issued by the building official, an inspection shall be made thereof by the building official or his designated representative. If the fence is constructed in accordance with the provisions of this article, the permit, and the application, the building official will issue written notice of acceptance to the permit holder. Any and all fences in the city shall hereafter be constructed under the provisions of this article and existing fences shall be maintained so as to comply with the requirements of this article at all times.

(Ord. No. 04-05, § 1(6-130), 1-20-2004)

SECTION 10-447: RESERVED VARIANCES

~~The city council is hereby authorized, after public notice has been given and a public hearing has been held, to hear and decide on requests for variances as it feels will alleviate an unnecessary hardship on a property owner resulting from the literal enforcement of the requirements in this article.~~

~~*(Ord. No. 17-15, § 1, 3-20-2017)*~~

~~*Editor's note — Ord. No. 17-15, § 1, adopted March 20, 2017, amended the Code by repealing former § 10-447 and adding a new § 10-447. Former § 10-447 pertained to appeals, and derived from Ord. No. 04-05, adopted January 20, 2004.*~~

SECTION 10-448: MAINTENANCE

- (a) No person owning, leasing, occupying, or having charge of any premises shall maintain or keep a fence in dilapidated condition that, although functional, creates an unsightly condition that substantially detracts from the appearance of the neighborhood.
- (b) Each structural and decorative member of a fence shall be free of deterioration and be compatible in size, material, and appearance with the remainder of the fence. Fences shall not be externally braced in lieu of replacing or repairing posts, columns, or other structural members.
- (c) The fence shall not be out of vertical alignment more than one (1) foot from the vertical measured at the top of the fence. Except, however, for fencing four (4) feet or less in height, the vertical alignment shall not be more than six (6) inches from the vertical measured at the top of the fence.
- (d) Upon becoming aware of conditions set forth in subsections (a) through (c) of this section, the Neighborhood Improvement Services Representative shall make a determination as to whether the fence condition is a nuisance and should be abated. If so, the Neighborhood Improvement Services Representative shall give notice to such person having control of the premises to remedy such condition within ten days, unless good cause can be shown that additional time is needed to rectify the condition.

(Ord. No. 04-05, § 1(6-133), 1-20-2004; Ord. No. 17-15, § 1, 3-20-2017)

SECTIONS 10-449—10-465: RESERVED

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Richard Crowley, City Manager
FROM: Lea Ann Ewing, Purchasing Agent
DATE: August 28, 2019
SUBJECT: Purchase of New Police Pursuit Vehicles

Requested in the Proposed 2019-2020 Budget are six (6) new 2020 model police pursuit Tahoe's for Patrol. The total amount for these vehicles and related equipment is \$328,000. After the budget work session with City Council yesterday, there were no changes made to this budget line. Staff would like to place the order for these new Tahoe's in September 2019 so that we receive them in a reasonable timeframe of 90 days or less. Staff received notice from GM management that there will be a limited number of 2020 model Tahoe's in production this year due to factory retooling for body changes to the 2021 models. If we order now per GM, we might get our Tahoe's by the end of December 2019, no guarantee. Orders placed after mid-September most likely won't be filled.

The 2020 Pursuit Tahoe is available from Caldwell Country Chevrolet for purchase through the Buy Board Purchasing Cooperative Program. The City, as a member and participant in this cooperative program, has met all formal bidding requirements pertaining to the purchase of these six new Tahoe's for a total cost of \$209,300. In addition to the vehicle cost, the new equipment to outfit these vehicles (light bar and emergency lights, cage, console, cage, wiring, install of the computer and audio/video system) total cost is approximately \$118,000. The majority of the new equipment and install would be purchased from Pursuit Safety using their contract with the City of Allen for like equipment. We have a cooperative agreement in place with the City of Allen for such purchases as well.

For Council consideration is the bid award for new 2020 Police Pursuit Tahoe's to Caldwell Country Chevrolet, the equipment and install to Pursuit Safety and allow staff to go ahead and place this vehicle order prior to October 1, 2019 and authorize the City Manager to execute purchase orders for these new vehicles and equipment.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and Council

FROM: Jeffrey Widmer, Building Official

DATE: September 3, 2019

SUBJECT: Amending local building codes to conform to actions taken during the 86th Legislative Session and specifically the passage of House Bill 2439

In response to the passage of HB 2439 during the 86th Legislative Session, Staff has prepared the attached proposed ordinance that if adopted, would repeal several of the City's local building code amendments. After careful review and consultation with the City's Attorney, the determination was made that these local code amendments would violate the new state law.

CITY OF ROCKWALL

ORDINANCE NO. 19-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 10. *BUILDINGS AND BUILDING REGULATIONS*; ARTICLE III. *BUILDING CODE*; ARTICLE IV. *RESIDENTIAL CODE*; ARTICLE VI. *PLUMBING CODE*; ARTICLE VII. *FUEL GAS CODE*; AND ARTICLE IX. *ELECTRICAL CODE*; AS HERETOFORE AMENDED, FOR THE PURPOSE OF UPDATING THE CODES TO CONFORM TO CHANGES MADE BY THE 86TH LEGISLATIVE SESSION THROUGH PASSAGE OF H.B. 2439; 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, H.B. 2439 was recently passed by the 86th session of the Texas Legislature; and

WHEREAS, as a result, it is necessary for the City of Rockwall to modify various sections of its Building Code in order to comply with said legislation.

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

SECTION 1. That Chapter 10. *Buildings and Building Regulations* of the Code of Ordinances of the City of Rockwall is heretofore amended to delete the following sections:

ARTICLE III. - BUILDING CODE

Sec. 10-117. - Amendments.

The following sections, paragraphs, and sentences of the International Building Code, 2015 edition, are hereby amended to read as follows:

~~Section 1505.7; delete the section~~

ARTICLE IV. - RESIDENTIAL CODE

Sec. 10-138. - Amendments.

The International Residential Code, 2015 edition, is hereby amended as follows:

Section M1305.1.3; change to read as follows:

M1305.1.3 Appliances in attics. Attics containing ... paragraph unchanged ... largest appliance. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
- ~~2. A pull-down stair with a minimum 300 lb. (136 kg) capacity.~~
- ~~3.~~ 2. An access door from an upper floor level.

4. 3. Access panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

~~Section G2408.2 (305.3); delete the exception:~~

~~G2408.2 (305.3) Elevation of ignition source.~~

~~Equipment and appliances having ... text unchanged ... private garage.~~

~~Section G2415.2.2 (404.2.2); add an exception to read as follows:~~

~~Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of ½" (18 EDH).~~

~~Section P2801.7; change to read as follows: delete exception.~~

~~Section P2903.7; delete the section, add the following:~~

~~P2903.7 Size of water service pipe. The water service pipe shall be sized to supply water to the structure in the quantities and at the pressures required in this code. The water service pipe shall be not less [than] 1 inch in diameter and extend to the first fixture of not less than 20 fixture units.~~

~~Section P2903.9.1; change to read as follows:~~

~~P2903.9.1 Service valve. Each dwelling unit shall be provided with an accessible main shutoff valve installed on the water meter tailpiece. The valve shall be of a ball type and be equipped with a stainless steel handle. All service valves are to be installed within a plastic valve or meter box large enough so as to not hamper maintenance or operation.~~

~~Section P3003.9.2; delete the exception:~~

~~P3003.9.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent cement joints shall be permitted above or below ground.~~

~~Section E3406.3; change to read as follows:~~

~~E3406.3 Minimum size of conductors. The minimum size of conductors for feeders and branch circuits shall be 12 AWG copper {remainder of section unchanged}~~

ARTICLE VI. - PLUMBING CODE

Sec. 10-180. - Amendments.

The International Plumbing Code, 2015 edition, is hereby amended as follows:

~~Section 603.1; change to read as follows:~~

~~603.1 Size of water service pipe. The water service pipe shall be sized to supply water to the structure in the quantities and at the pressures required in this code. The minimum diameter of water service pipe shall be 1 inch and extend to the first fixture of not less than 20 fixture units.~~

~~Add Section 606.1.2; as follows:~~

~~606.1.2 Service valve. Every water service shall be provided with an accessible main shutoff valve installed on the water meter tailpiece. The valve shall be of a ball type and be equipped with a stainless steel handle. All service valves are to be installed within a plastic valve or meter box large enough so as to not hamper maintenance or operation.~~

~~Section 705.11.2; change to read as follows:~~

~~705.11.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent cement joints shall be permitted above or below ground.~~

ARTICLE VII. - FUEL GAS CODE

Sec. 10-200. - Amendments.

The International Fuel Gas Code, 2015 edition, is hereby amended as follows:

~~Section 402.3; add an exception to read as follows:~~

~~Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of ½" (18 EHD).~~

ARTICLE IX. - ELECTRICAL CODE

Sec. 10-245. - Amendments.

The National Electric Code, 2014 edition, is hereby amended as follows:

~~Article 310.106(A); change to read as follows:~~

~~310.106 Conductors~~

~~Minimum Size of Conductors. The minimum size of conductors shall be No. 12 AWG.~~

~~Article 310.106 (B) Conductor Material; amend by deleting the section in its entirety and add new.~~

~~310.106(B) Conductor material. Conductors in this article shall be of copper or aluminum. The use of aluminum shall be limited to sizes 4/0 or larger, and limited to service entrance and feeder conductors.~~

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict with all remaining portions not conflicting being saved from repeal herein; and

SECTION 3. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and

SECTION 4. That it is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code and that advance public notice of the time, place and purpose of said meeting was given; and

SECTION 5. That this ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 16th day of September, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 09/03/2019

2nd Reading: 09/16/2019

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: September 3, 2019
APPLICANT: Jay and Terri Bedford; *A. J. Bedford Group, Inc.*
CASE NUMBER: P2019-032; *Lot 8, Block A, Bodin Industrial Addition*

SUMMARY

Consider a request by Jay and Terri Bedford of A. J. Bedford Group, Inc. on behalf of Raymond Jowers for the approval of a replat for Lot 8, Block A, Bodin Industrial Addition being a 2.029-acre parcel of land identified as Lot 7, Block A, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2040 Kristy Lane, and take any action necessary.

PLAT INFORMATION

The applicant is requesting to replat one (1) lot (*i.e. Lot 8, Block A, Bodin Industrial Addition*) for the purpose of abandoning a portion of an existing fire lane, public access, and detention easement. The subject property was annexed in 1980 [*Ordinance No. 80-09*], is zoned Light Industrial (LI) District, and is addressed as 2040 Kristy Lane.

- On September 26, 2017, the Planning and Zoning Commission approved a site plan [*Case No. SP2017-026*] for an industrial building on the subject property. On October 2, 2017, the City Council approved variances to the articulation requirements for the approved site plan. On May 7, 2018, the City Council approved a replat [*Case No. P2018-009*] for the subject property.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat - *conforming to the requirements for final plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 8, Block A, Bodin Industrial Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall

Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On August 27, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff's conditions of approval passed by a vote of 5-0 with Commissioners Womble and Fishman absent.

0 37.5 75 150 225 300 Feet

P2019-032 - LOT 8, BLOCK A, BODIN INDUSTRIAL TRACT
REPLAT - LOCATION MAP = 

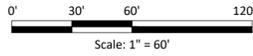
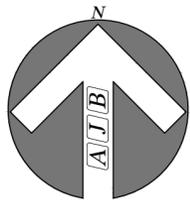


City of Rockwall

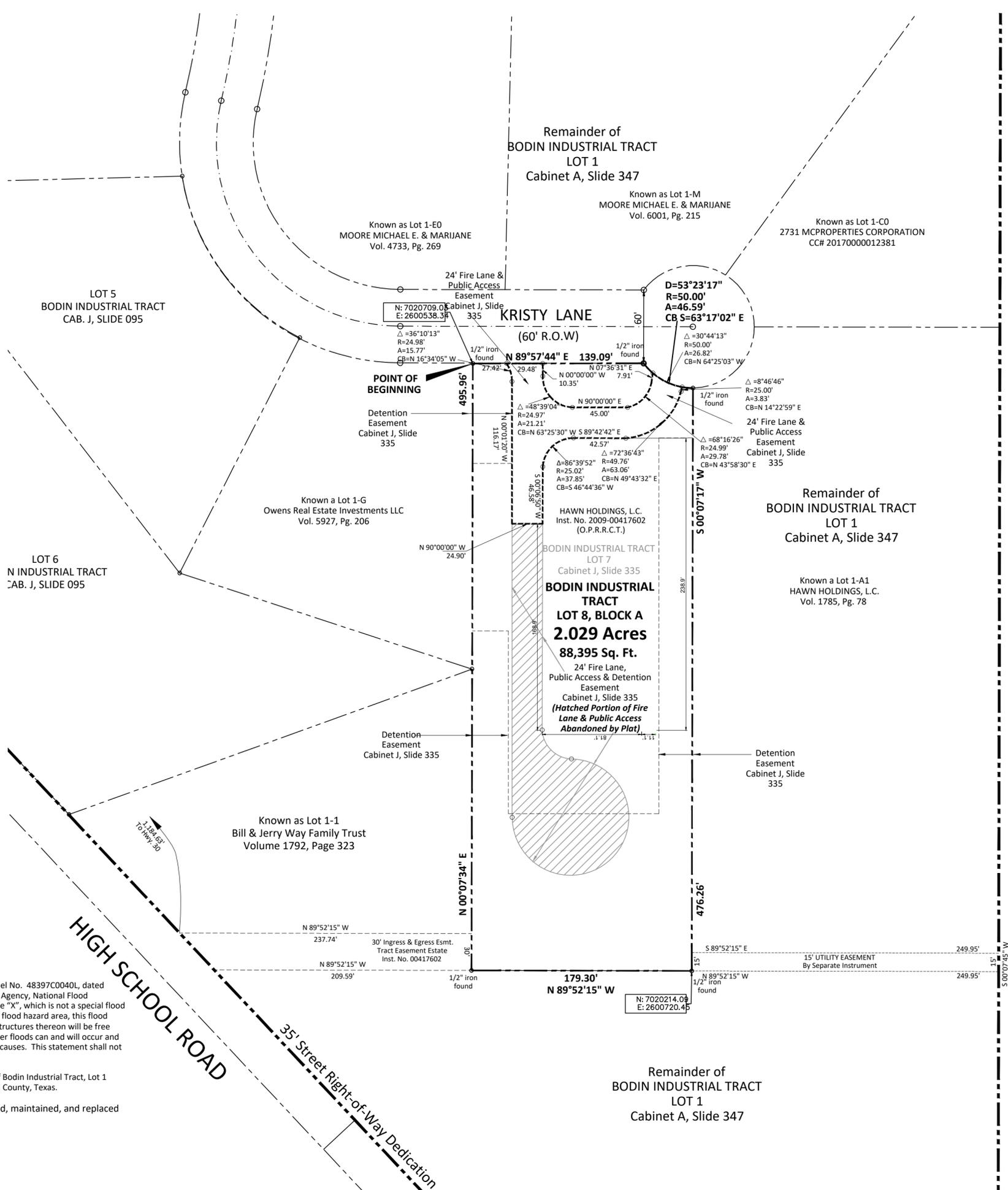
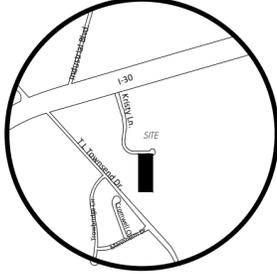
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





Vicinity Map
(Not to Scale)



NOTES:

- FLOOD STATEMENT:** According to Community Panel No. 48397C0040L, dated August 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "X", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.
- BASIS OF BEARINGS:** Bearings are based on the Plat of Bodin Industrial Tract, Lot 1 recorded in Cabinet J, Slide 335, Plat Records of Rockwall County, Texas.
- All Drainage/Detention shall be owned, operated, maintained, and replaced by property owner.

**BODIN INDUSTRIAL TRACT
LOT 8, BLOCK A
2.029 ACRES**

BEING A REPLAT OF LOT 7, BLOCK A
BODIN INDUSTRIAL TRACT
CABINET J, SLIDE 335
2.029 ACRES OR 88,395 SQ. FT.
(1 LOT)
N.M. BALLARD SURVEY, ABSTRACT NO. A-24
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Owner: HAWN HOLDINGS, L.C. Engineer: ERIC L. DAVIS ENGINEERING, INC.
PO BOX 1688 120 EAST MAIN STREET
ROCKWALL, TEXAS 75087 FORNEY, TEXAS 75126

Scale: 1" = 60'	Checked By: A.J. Bedford
Date: July 9, 2019	P.C.: Cryer/Spradling
Technician: Spradling	File: BODIN INDUSTRIAL LOT 7 REPLAT
Drawn By: Bedford	Job. No. 636-001
	GF No.

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225, www.ajbedfordgroup.com ajb@ajbedfordgroup.com

Sheet:
1
Of: **2**



TBPLS REG#10118200
Case No. P _____

N:\ALL FILES\JOWERS REAL ESTATE\BODIN INDUSTRIAL LOT 7 REPLAT_8/15/2019 11:48:35 AM

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS HAWN HOLDING, L.C. are the owners of a 2.029 acre tract of land situated in the N.M. Ballard Survey, Abstract No. A-24 and being all of LOT 7 of BODIN INDUSTRIAL TRACT according to the plat recorded in Cabinet J, Slide 335 of the Plat Records of Rockwall County Texas and being all of Tract 1 (Fee Parcel) conveyed to Hawn Holdings, L.C. according to the deed recorded in Document 2009-00417602 of the Official Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a ½ inch iron rod found for the northwest corner of said 2.029 acre tract of land and being located in the south line of Kristy Lane (60' wide);

THENCE along the south line of said Kristy Lane, NORTH 89°57'44" EAST a distance of 139.09 feet to a ½ inch iron rod found for the beginning of a non-tangent curve to the left having a radius of 50.00 feet and a chord bearing of South 63°17'02" East;

THENCE continuing with the south line of said Kristy Lane with said non-tangent curve to the left through a central angle of 53°23'17" for an arc length of 46.59 feet to a ½ inch iron rod found for the northeast corner of said 2.029 acre tract of land;

THENCE departing the south line of said Kristy Lane, SOUTH 00°07'17" WEST a distance of 476.26 feet to a ½ inch iron rod found for the southeast corner of said 2.029 acre tract of land;

THENCE NORTH 89°52'15" WEST a distance of 179.30 feet to a ½ inch iron rod found for the southwest corner of said 2.029 acre tract of land;

THENCE NORTH 00°07'34" EAST a distance of 495.96 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 2.029 acres or 88,395 square feet of land more or less.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Austin J. Bedford, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document"

Austin J. Bedford
Registered Professional Land Surveyor No. 4132
A.J. Bedford Group, Inc.
301 North Alamo Road
Rockwall, Texas 75087

NOTES:

- FLOOD STATEMENT: According to Community Panel No. 48397C0040L, dated August 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "X", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.
- BASIS OF BEARINGS: Bearings are based on the Plat of Bodin Industrial Tract, Lot 1 recorded in Cabinet J, Slide 335, Plat Records of Rockwall County, Texas.
- All Drainage/Detention shall be owned, operated, maintained, and replaced by property owner.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL

We, HAWN HOLDINGS, L.C., the undersigned owner of the land shown on this plat, and designated herein as the BODIN INDUSTRIAL TRACT subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the BODIN INDUSTRIAL TRACT subdivision have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

- No buildings or structures shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for maintenance, repair, and replacement of the detention/drainage and storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall;
- The property owner is responsible for the maintenance, repair, and replacement of the drainage and detention systems and easements.

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, my (our) successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

HAWN HOLDING, L.C.

Name: Raymond Jowers
Title: V.P.

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, on this day personally appeared Raymond Jowers, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2019

Notary Public in and for the State of Texas

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ____ day of _____, 2019.

Mayor, City of Rockwall City Secretary City Engineer

BODIN INDUSTRIAL TRACT
LOT 8, BLOCK A
2.029 ACRES

BEING A REPLAT OF LOT 7, BLOCK A
BODIN INDUSTRIAL TRACT
CABINET J, SLIDE 335
2.029 ACRES OR 88,395 SQ. FT.
(1 LOT)
N.M. BALLARD SURVEY, ABSTRACT NO. A-24
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Owner: HAWN HOLDINGS, L.C. Engineer: ERIC L. DAVIS ENGINEERING, INC.
PO BOX 1688 120 EAST MAIN STREET
ROCKWALL, TEXAS 75087 FORNEY, TEXAS 75126

Scale: 1" = 60'	Checked By: A.J. Bedford
Date: July 9, 2019	P.C.: Cryer/Spradling
Technician: Spradling	File: BODIN INDUSTRIAL LOT 7 REPLAT
Drawn By: Bedford	Job No. 636-001
	GF No.

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225, www.ajbedfordgroup.com ajb@ajbedfordgroup.com

Sheet:
2
Of: 2



TBPLS REG#10118200
Case No. P _____

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: September 3, 2019
APPLICANT: Matt Atkins; *Engineering Concepts*
CASE NUMBER: P2019-034; *Lots 29-33, Block A, Whisper Rock Addition*

SUMMARY

Consider a request by Matt Atkins of Engineering Concepts on behalf of Scott Lewis of RRDC, LTD. for the approval of a replat for Lots 29-33, Block A, Whisper Rock Addition being a 1.177-acre tract of land currently identified as Lots 1-5, Block A, Whisper Rock Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1206, 1210, 1214, 1218 & 1222 Whisper Rock Drive, and take any action necessary.

PLAT INFORMATION

- The applicant is requesting the approval of a replat for a 1.177-acre tract of land [*i.e. Lot 29-33, Block A, Whisper Rock Addition*] for purpose of establishing a franchise utility easement along the north property line of the existing single family lots [*i.e. Lots. 1-5, Block A, Whisper Rock Addition*]. The *subject property* is zoned Planned Development District 47 (PD-47) and addressed as 1206, 1210, 1214, 1218 & 1222 Whisper Rock Drive.
- On June 7, 1999, the City Council approved Planned Development District 47 (PD-47) [*i.e. Ordinance No. 99-17*] to allow single-family residential land uses on the *subject property*.
- On January 16, 2018, the City Council approved a preliminary plat [*P2017-066*] for 28 single-family residential lots within Planned Development District 47 (PD-47).
- On December 17, 2018, the City Council approved the final plat [*P2018-043*].
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat - *conforming to the requirements for plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lots 29-33, Block A, Whisper Rock Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On August 27, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 5-0, with Commissioners Fishman and Womble absent.



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



OWNER'S CERTIFICATE & DEDICATION

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS RRDC, LTD., BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a 1.177 acre tract of land situated in the Edward Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and being all of Lots 1 through 5, Block A, Whisper Rock, an addition to the City of Rockwall, recorded as Instrument 20190000010602, Plat Records of Rockwall County, Texas (PRRCT), and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 found for corner in the east right-of-way line of Ridge Road (FM 740) at the northwest corner of said Lot 1;

THENCE South 85 degrees 43 minutes 42 seconds East, along the north line of said Lots 1 through 5, Block A and partly with the south line of Lot 2-R of the Replat of Benton Court, Lot 2-R and Lot 4, Block A, an Addition to the City of Rockwall recorded in Cabinet E, Slide 331 (PRRCT), a distance of 415.34 feet to a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 set for the northeast corner of said Lot 5;

THENCE South 10 degrees 32 minutes 38 seconds West, along the east line of said Lot 5, a distance of 115.74 feet to a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 set for the beginning of a non-tangent curve to the left having a radius of 50.00 feet, and a chord which bears South 72 degrees 54 minutes 23 seconds West, a distance of 28.43 feet, said corner being in the north right-of-way line of Whisper Rock Drive, a 50 ft. right-of-way;

THENCE Southwesterly, along the north line of said Whisper Rock Drive and said curve to the left, through a central angle of 33 degrees 01 minutes 59 seconds, an arc distance of 28.83 feet to a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 set for corner at the end of said curve;

THENCE North 85 degrees 47 minutes 45 seconds West, continuing along the north line of said Whisper Rock Drive, and with the south lines of said Lots 5-1, respectively, a distance of 369.12 feet to a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 set for corner at a cut back corner on said Lot 1;;

THENCE North 40 degrees 06 minutes 10 seconds West, continuing along the north line of said Whisper Rock Drive, and said Lot 1 a distance of 13.97 feet to a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 set for corner at the most western southwest corner thereof, and being in the east right-of-way line of said Ridge Road;

THENCE North 05 degrees 35 minutes 24 seconds East continuing with the west line of said Lot 1 and the east Right -of-way line of said Ridge Road, a distance of 115.88 feet to the POINT OF BEGINNING and containing 51,266 square feet or 1.177 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

RRDC, LTD., the undersigned owner of the land shown on this plat, and designated herein as WHISPER ROCK, LOTS 29-33, BLOCK A, a subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicates to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. RRDC, LTD., further certifies that all other parties who have a mortgage or lien interest in the WHISPER ROCK, LOTS 29-33, BLOCK A subdivision have been notified and signed this plat. RRDC, LTD. understands and does hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. RRDC, LTD. also understands the following;

- 1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

Property owners are responsible for maintenance, repair and replacement of all retaining walls and drainage and detention systems in easements.

RRDC, LTD. further acknowledges that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; RRDC, LTD., its successors and assigns hereby waive any claim, damage, or cause of action that it may have as a result of the dedication of exactions made herein.

FOR: RRDC, LTD.
BY: RRDC-GP, LLC, its general partner

BY: Scott Lewis, Manager

FOR: (LIEN HOLDER)

BY: NAME:
TITLE:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Scott Lewis, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ___ day of ___, 2019.

Notary Public in and for the State of Texas
My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared ___ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ___ day of ___, 2019.

Notary Public in and for the State of Texas
My Commission Expires:

OWNER
RRDC, LTD.
900 HEATHLAND CROSSING
HEATH, TX 75032
LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
488 ARROYO COURT
SUNNYVALE, TX 75182
(214) 532-0636
FAX (972) 412-4875
EMAIL: rcmsurveying@gmail.com
FIRM NO. 10192300 JOB NO. 426C

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, Robert C. Myers, do hereby certify that this plat was prepared from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY HAND AND SEAL THIS ___ DAY OF ___, 2019.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document. This Amending Platis released on 8/16/2019 for review by the City of Rockwall and other parties for comments and progression to an approved Amending Plat.

ROBERT C. MYERS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 3963



APPROVAL CERTIFICATE

Planning & Zoning Commission, Chairman Date

APPROVED:
I hereby certify that the above and foregoing plat of WHISPER ROCK, LOTS 29-33, BLOCK A, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of ___, 2019.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ___ day of ___, 2019.

Mayor, City of Rockwall City Secretary City Engineer

FINAL PLAT

WHISPER ROCK
LOTS 29-33, BLOCK A

BEING A REPLAT OF
LOTS 1-5, BLOCK A, WHISPER ROCK ADDITION
INSTR. 20190000010602, P.R.R.C.T.

AND BEING
1.177 ACRES
5 SINGLE FAMILY LOTS
ZONED: PD-47

SITUATED IN THE
EDWARD TEAL SURVEY, A-207 CITY OF
ROCKWALL, ROCKWALL COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE, TX 75098
(972) 941-8400 FAX (972) 941-8401

DATE: REV.: 08/23/2019
DATE: 08/16/2019 CASE: P2019-034 SHEET 2 OF 2

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: September 3, 2019
APPLICANT: Price Pointer; *TCB Construction Group, LLC*
CASE NUMBER: P2019-036; *Lot 1, Block A, TCB Addition*

SUMMARY

Consider a request by Price Pointer of TCB Construction Group, LLC for the approval of a replat for Lot 1, Block A, TCB Addition being a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, addressed as 505 N. Goliad Street, and take any action necessary.

PLAT INFORMATION

- The applicant is requesting the approval of a replat for a 0.23-acre parcel of land [*i.e. Lot 1, Block A, TCB Addition*] for purpose of establishing public access, drainage & detention easements for the subject property. The *subject property* is zoned Planned Development District 50 (PD-50) and addressed as 505 N. Goliad Street.
- On August 5, 2002, the City Council approved *Ordinance No. 02-46* zoning the property *Planned Development District 50 (PD-50)* for Residential Office (RO) District land uses.
- On June 3, 2019, the City Council approved a Specific Use Permit [*i.e. Ordinance No. 19-22, SUP No. S-208*] allowing the *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-In* land use on the subject property.
- On June 20, 2019, the Historic Preservation Advisory Board (HPAB) approved a Certificate of Appropriateness (COA) for the purpose of converting a single-family home into a residential-office building.
- On June 25, 2019, the Planning and Zoning Commission approved a site plan for a restaurant less than 2,000 SF without a drive through for the subject property.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat - *conforming to the requirements for plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 1, Block A, TCB Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On August 27, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 5-0, with Commissioners Fishman and Womble absent.

0 12.5 25 50 75 100 Feet

P2019-036 - LOT 1, BLOCK A, TCB ADDITION
REPLAT - LOCATION MAP = 

ALAMO

SF-7

GOLIAD

PD-50



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS PRICE POINTER & MANUEL LOZANO, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14, City of Rockwall, Rockwall County, Texas, and being known as a part of Lot 20 of AMICK ADDITION, not of record, and also being a part of a tract of land as described in a Warranty deed from Eddie Walker to Stained Glass Creations, dated August 16, 2002 and being recorded in Volume 2364, Page 181 of the Real Property Records of Rockwall County, Texas, and Correction Warranty deed recorded in Volume 4754, Page 130 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a TXDOT monument found for corner in the West right-of-way line of State Highway 205 N. Goliad Street, at the intersection of said right-of-way with the north line of the above cited tract;

THENCE S. 00 deg. 20 min. 40 sec. W. along said right-of-way line, a distance of 84.84 feet to a TXDOT monument found for corner in the North line of a tract of land as described in a Warranty deed from Vana Margolese to Landau Properties, LP, dated January 23, 2002, and being recorded in Volume 2409, Page 181 of the Real Property Records of Rockwall County, Texas;

THENCE S. 89 deg. 41 min. 10 sec. W. along the common line between said tracts, a distance of 113.65 feet to a 1/2" iron rod found for corner at the Southwest corner of the above cited tract;

THENCE N. 02 deg. 05 min. 26 sec. W. along the West line of said tract, a distance of 87.95 feet to a 1/2" iron rod found for corner being the Northwest corner of said tract;

THENCE S. 88 deg. 48 min. 38 sec. E. a distance of 117.39 feet to the POINT OF BEGINNING and containing 9,975 square feet or 0.23 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as TCB ADDITION, LOT 1, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in TCB ADDITION, LOT 1, BLOCK A, have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development. Property owner is responsible for all maintenance, repair, and replacement of storm systems in easements.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

PRICE POINTER _____

MANUEL LOZANO _____

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared PRICE POINTER known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared MANUEL LOZANO known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires: _____

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.



Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission _____ Date _____

APPROVED

I hereby certify that the above and foregoing plat of TCB ADDITION, LOT 1, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, _____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____, _____.

Mayor, City of Rockwall _____

City Secretary City of Rockwall _____

City Engineer _____

Date _____

FINAL PLAT

TCB ADDITION
LOT 1, BLOCK A

0.23 ACRES OR 9975 S.F.

(1 LOT)

BEING A REPLAT OF BLOCK 20B

AMICK ADDITION

B. F. BOYDSTUN SURVEY

ABSTRACT NO. 14

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND											
TV	GAS	TEL	PH	PP							
TELEPHONE	METER	METER	METER	POLE							
CABLE	METER	METER	HYDRANT								
ELEC	ELEC	WTR	LP	1/2" BF							
ELECTRIC	BOX	ELECTRIC	WATER	IRON PIPE FOUND							
METER	SUBSPACE	METER	POLE	1" CORNER							
	JUNCTION	BOX									
—	—	—	—	—							
FENCE	EASEMENT LINE	AR COND. UNIT	PROPANE TANK								

OWNER:
PRICE POINTER
MANUEL LOZANO
906 N GOLIAD STREET
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 10150900

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE APRIL 19, 2019
SCALE 1" = 20' FILE # 20020657-P
CLIENT PRICE POINTER & LOZANO

CITY CASE P2019-

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rockwall City Council
FROM: Joey Boyd, Assistant City Manager
DATE: August 21, 2019
SUBJECT: Athletic Field Feasibility Study

Mike Svez with Pros Consulting will be at the meeting on Tuesday, September 3, 2019 to provide a presentation on the findings of the Athletic Field Feasibility Study. A copy of the study is included in the packet for review. Staff will be available to answer any questions.



Athletic Field Feasibility Study

August 2019



City of Rockwall
The New Horizon





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Chapter One – EXECUTIVE SUMMARY

1.1 OVERVIEW

The City of Rockwall is a growing and dynamic community with an estimated population of 47,000. The community is proud of its world class parks and recreation system that matches Rockwall’s reputation of being a vibrant and attractive community in which to live, work, play and visit.

The Parks and Recreation Department manages and operates a range of parks and recreation facilities, and offers recreational opportunities for people of all ages and abilities.

A significant aspect of the Parks and Recreation Department’s offerings is providing athletic fields for youth and adult sports programs. With a growing population and increased participation in athletic field sports programs, the City desired to understand its needs for more athletic fields. The City subsequently contracted with PROS Consulting and MHS Planning and Design to complete an Athletic Field Feasibility Study.

1.2 PROJECT OUTCOMES

The outcomes of the Athletic Field Feasibility Study are to:

- Provide a review of the existing facility and uses and collection of background Information.
- Analyze current uses by all users of existing facilities.
- Gather information from City staff, through public workshops and focus group and stakeholder meetings. Utilize other methods needed to collect relevant data related to current and future uses.
- Determine needs related to increased use of the athletic fields.
- Establish a prioritized project list that identifies needs, improvements and enhancements to existing facilities and the development of new athletic fields.

1.3 PROJECT PROCESS

The process of developing the Rockwall Athletic Field Feasibility Study followed a logical planning path as illustrated below:





The foundation of the work as to “mine” local knowledge through the use of a creative and comprehensive public participation process. It was important to engage community members who enjoy the opportunity to participate in planning as well as to encourage thoughts from other stakeholders that typically do not voice their opinions. The public input process incorporated a variety of methods that included interviews, focus group meetings and public forums. The data generated from these critical community interactions was used to aid the consulting team when accurately articulating the true unmet needs, addressing key operational issues, providing recommendations for system improvements, and strategizing to move the Rockwall athletic field system forward for optimum results.

1.4 FEASIBILITY STUDY ORGANIZATION

This Athletic Field Feasibility Study presents the overall analysis, findings, and recommendations of the consulting team related to the areas outlined in the scope of services. This study begins with an Introduction that provides an overview, and the following sections respond to the desired categories outlined in the study scope to reveal findings, determine needs and to offer operational and capital improvement recommendations.

1.5 SUMMARY OF KEY FINDINGS AND RECOMMENDATIONS

Following the assessment of the City’s athletic field system, a variety of key findings were identified to support the implementation of the *Feasibility Study*. These key findings help to guide decision-making for the next fifteen years.

1.5.1 COMMUNITY PROFILE CITY OF ROCKWALL

POPULATION

The population is increasing and is projected to experience a 28% population growth over the next 15 years (66,714). This is much greater than the national average over the same time period. With a fast-growing population, park and recreation services will need to strategically invest, develop, and maintain athletic facilities in relation to current and future residential growth.

AGE SEGMENTATION

Rockwall has a balanced age segmentation with the largest group being 35-54+. Over the next 15 years, the service area is projected to remain balanced but also age slightly as the 55+ segment will be 31.8% in 2033.

RACE AND ETHNICITY

A slightly diversifying population will likely focus the City on providing traditional and non-traditional programming and service offerings while always seeking to identify emerging activities and sports that in some cases will be defined by cultural influences.

HOUSEHOLDS AND INCOME

With median and per capita household income averages above state and national averages, it would be important for the City to prioritize providing offerings that are first class with exceptional customer service while seeking opportunities to create revenue generation.

ROCKWALL ISD**POPULATION**

The population is increasing significantly and is projected to experience a 55% population growth over the next 15 years (127,073). This is much greater than the national average over the same time period. With a fast-growing population, park and recreation services will need to strategically invest, develop, and maintain athletic facilities in relation to current and future residential growth.

AGE SEGMENTATION

The service area has a balanced age segmentation with the largest group being 35-54+. Over the next 15 years, the service area is projected to remain balanced but also age slightly as the 55+ segment will be 31.1% in 2033.

RACE AND ETHNICITY

A slightly diversifying population will likely focus the City on providing traditional and non-traditional programming and service offerings to the service area's residents while always seeking to identify emerging activities and sports that in some cases will be defined by cultural influences.

HOUSEHOLDS AND INCOME

With median and per capita household income averages above city, state and national averages, it would be important for the City to prioritize providing offerings to service area residents that are first class with exceptional customer service while seeking opportunities to create revenue generation.

CITY OF ROCKWALL TRADE SERVICE AREA**POPULATION**

The population is increasing significantly and is projected to experience a 50% population growth over the next 15 years (354,082). This is much greater than the national average over the same time period. With a fast-growing population, park and recreation services will need to strategically invest, develop, and maintain athletic facilities in relation to current and future residential growth.

AGE SEGMENTATION

The service area has a balanced age segmentation with the largest group being 35-54+. Over the next 15 years, the service area is projected to remain balanced but also age slightly as the 55+ segment will be 29.4% in 2033.

RACE AND ETHNICITY

A slightly diversifying population will likely focus the City on providing traditional and non-traditional programming and service offerings to the service area's residents while always seeking to identify emerging activities and sports that in some cases will be defined by cultural influences.

HOUSEHOLDS AND INCOME

With median and per capita household income averages at or above city, state and national averages, it would be important for the City to prioritize providing offerings to service area residents that are first class with exceptional customer service while seeking opportunities to create revenue generation.

1.5.2 CURRENT PARTICIPATION IN ATHLETIC FIELD SPORTS – KEY TAKEAWAYS

- All organizations surveyed indicated that 90% of participants reside within the Rockwall ISD service area.
- All organizations surveyed indicated that 50% of participants reside within the City of Rockwall.
- All organizations surveyed indicated that participation in their programs is approaching maximum capacity.
- Based on program participation waiting lists, all organizations anticipate 10-25% growth in participation in programs over the next five years, ONLY IF additional athletic fields are made available.
- All organizations surveyed recognize the challenges of utilizing greenspace in neighborhood parks for sport practices (lack of parking, lack of restroom facilities, adverse impact on neighbors).

1.5.3 COMMUNITY INPUT KEY FINDINGS

There has been extensive public input and participation as part of this process. Twelve (12) leadership interviews and community focus groups, and four public workshops were conducted as the foundation of public participation.

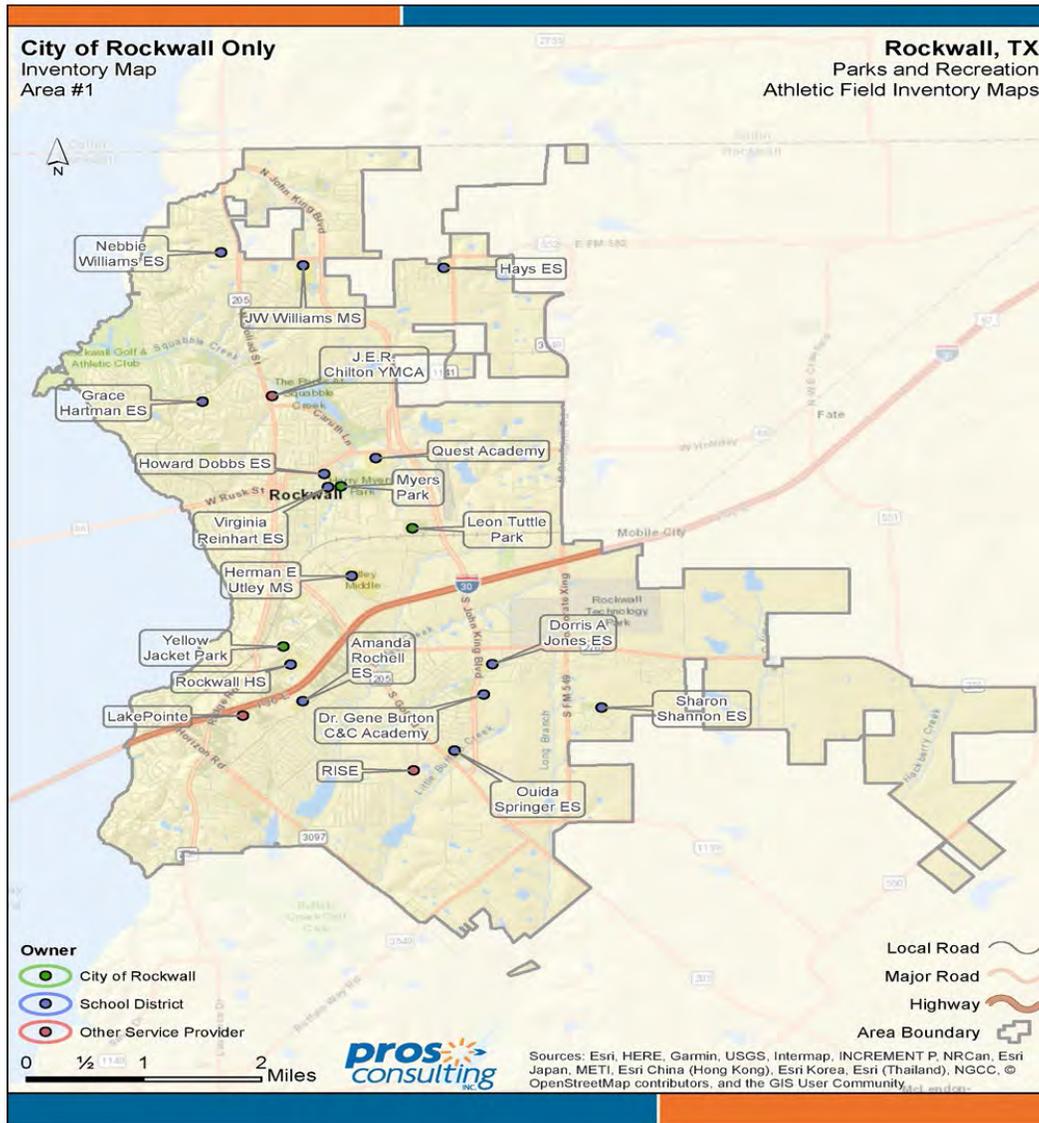
The following summarizes the themes of community input:

- Participants felt that the Rockwall's athletic field system has a strong albeit limited presence in the community.
- Participants see the system as excellently maintained with great staff and enjoy the programs and amenities offered.
- Updating and expanding the athletic field system was continually expressed throughout all focus groups as demand for athletic fields significantly outweighs the supply. Meeting the local need for athletic fields should be prioritized ahead of opportunities for sports tourism.
- Participants are routinely having to drive to the Dallas Metro Region to participate in weekend sport tournaments as field capacity in Rockwall to host large tournaments does not exist.

1.5.4 MARKET ANALYSIS

CITY OF ROCKWALL

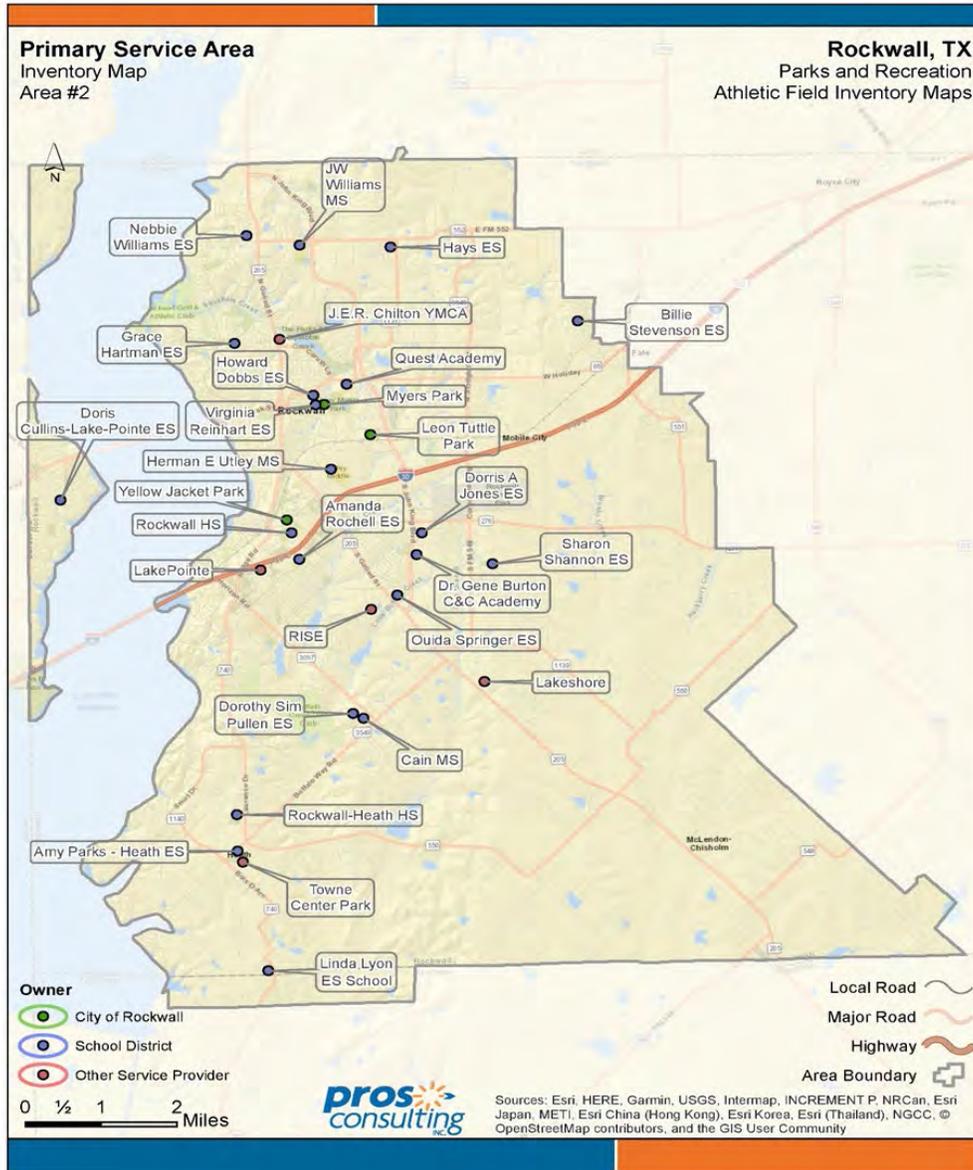
INVENTORY MAP



- The City of Rockwall owns, manages, and maintains three locations where athletic fields are publicly available.
- The City of Rockwall only provides diamond athletic fields as part of its athletic field system. It does not provide rectangular or multi-purpose fields.
- The City of Rockwall is the primary provider of diamond athletic fields in the City of Rockwall.
- The Rockwall Independent School District is the primary provider of rectangular or multi-purpose fields in the City and makes these fields available for rent to the community.

CITY OF ROCKWALL ISD

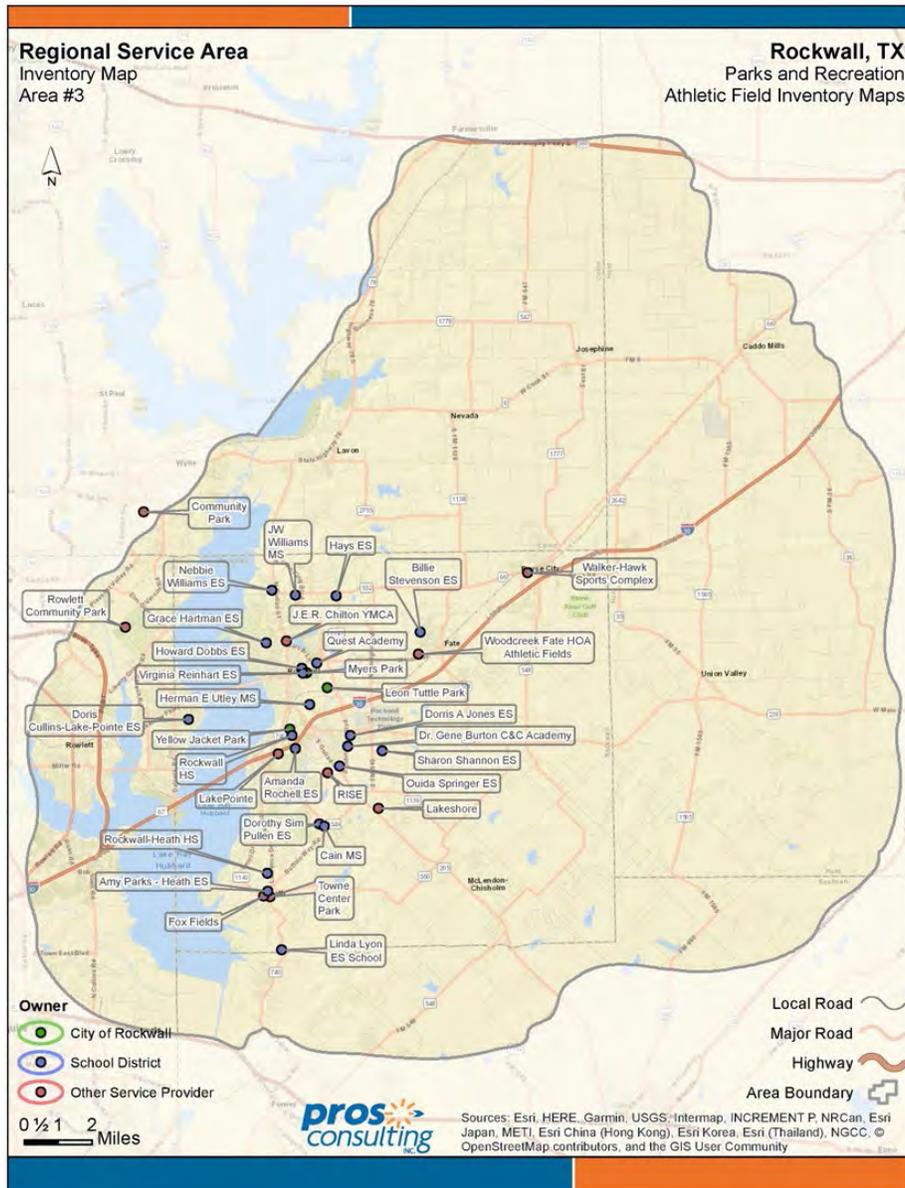
INVENTORY MAP



- The City of Rockwall owns, manages, and maintains three locations where athletic fields are publicly available.
- The City of Rockwall only provides diamond athletic fields as part of its athletic field system. It does not provide rectangular or multi-purpose fields.
- The City of Rockwall is a primary provider of diamond athletic fields in the ISD service area.
- The Rockwall Independent School District is the primary provider of rectangular or multi-purpose fields in the City and makes these fields available for rent to the community.

CITY OF ROCKWALL TRADE SERVICE AREA

INVENTORY MAP



- The City of Rockwall owns, manages, and maintains three locations where athletic fields are publicly available in the service area.
- The City of Rockwall only provides diamond athletic fields as part of its athletic field system. It does not provide rectangular or multi-purpose fields.
- The City of Rockwall is a primary provider of diamond athletic fields in the Trade Area service area.
- The Rockwall Independent School District is the primary provider of rectangular or multi-purpose fields in the City and makes these fields available for rent to the community.



1.5.5 LEVEL OF SERVICE AND FACILITY ANALYSIS

Level of Service (LOS) standards are guidelines that define service areas based on population that support investment decisions related to athletic fields. LOS standards can and will change over time; as the population increases, the need to acquire additional land and develop athletic fields also increases as will the costs to do so.

The LOS standards analysis is a review of the inventory of athletic fields in relation to the total population of the study area and community needs. Ultimately, these standards should be used as goals for Rockwall leadership to use in measuring service levels and making decisions about providing athletic fields. The standards should not be the sole determinant of how Rockwall will invest in its athletic field system over the next 15 years.

CITY OF ROCKWALL

The current service levels adopted have served Rockwall well, however with the rapid increase in population will not be sufficient in meeting the athletic field needs in the future. Coupled with the athletic field system assessments, community input and analysis conducted, it is recommended at a minimum, that the City adopt the Athletic Field LOS Standards as recommended by the consulting team as shown below.

2019 Inventory - Fields				2019 Facility Standards		2034 Facility Standards		CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL		
Total Inventory	Current Service Level		Recommended Service Levels		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	Meet Standard/ Need Exists		Additional Facilities/ Amenities Needed	
ATHLETIC FIELDS										
Diamond, (Baseball) Teen/Adult	4.00	1.00 field per	11,733	1.00 field per	10,000	Need Exists	1 Field(s)	Need Exists	3 Field(s)	50%
Diamond, (Baseball/Softball) Youth and Adult	9.00	1.00 field per	5,215	1.00 field per	5,000	Meets Standard	0 Field(s)	Need Exists	4 Field(s)	89%
Diamond, (Baseball/Softball) Youth ONLY	4.00	1.00 field per	11,733	1.00 field per	10,000	Need Exists	1 Field(s)	Need Exists	3 Field(s)	75%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	12.00	1.00 field per	3,911	1.00 field per	3,500	Need Exists	1 Field(s)	Need Exists	7 Field(s)	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	17.00	1.00 field per	2,761	1.00 field per	3,000	Meets Standard	- Field(s)	Need Exists	5 Field(s)	0%

CITY OF ROCKWALL ISD

The current service levels adopted have served the ISD service area well, however with the rapid increase in population will not be sufficient in meeting the athletic field needs in the future. Coupled with the athletic field system assessments, community input and analysis conducted, *the PREFERRED recommendation of the consulting team is for the City adopt the Athletic Field LOS Standards as shown below for the ISD service area and invest in athletic fields based on the percentage of service area's population that is comprised of City of Rockwall residents.*

2019 Inventory - Facilities				2019 Facility Standards		2034 Facility Standards		PERCENTAGE OF POPULATION IN ROCKWALL 2019	PERCENTAGE OF POPULATION IN ROCKWALL 2034	Rockwall Contribution Level (in terms of meeting field needs based on % of population)	CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL		
Total Inventory	Current Service Level		Recommended Service Levels		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	Meet Standard/ Need Exists					Additional Facilities/ Amenities Needed	
ATHLETIC FIELDS													
Diamond, (Baseball) Teen/Adult	6.00	1.00 field per	13,589	1.00 field per	10,000	Need Exists	2 Field(s)	Need Exists	7 Field(s)	58%	53%	4	33%
Diamond, (Baseball/Softball) Youth and Adult	11.00	1.00 field per	7,412	1.00 field per	5,000	Need Exists	5 Field(s)	Need Exists	14 Field(s)	58%	53%	8	73%
Diamond, (Baseball/Softball) Youth ONLY	6.00	1.00 field per	13,589	1.00 field per	10,000	Need Exists	2 Field(s)	Need Exists	7 Field(s)	58%	53%	4	50%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	23.00	1.00 field per	3,545	1.00 field per	3,500	Meets Standard	0 Field(s)	Need Exists	13 Field(s)	58%	53%	7	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	22.00	1.00 field per	3,705	1.00 field per	3,000	Need Exists	5 Field(s)	Need Exists	20 Field(s)	58%	53%	11	0%

CITY OF ROCKWALL TRADE SERVICE AREA

The current service levels adopted have served Rockwall well, however with the rapid increase in population will not be sufficient in meeting the athletic field needs in the future. Coupled with the athletic field system assessments, community input and analysis conducted, If the City chooses to adopt the recommended Athletic Field LOS Standards for the trade area service area as shown below, the consulting team recommends that the City only invest in athletic fields based on the percentage of percentage of service area’s population that is comprised of City of Rockwall residents.

2019 Inventory - Facilities				2019 Facility Standards		2034 Facility Standards		PERCENTAGE OF POPULATION IN ROCKWALL 2019	PERCENTAGE OF POPULATION IN ROCKWALL 2033	CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL		
Total Inventory	Current Service Level		Recommended Service Levels		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	Meet Standard/ Need Exists				Additional Facilities/ Amenities Needed	
ATHLETIC FIELDS												
Diamond, (Baseball) Teen/Adult	6.00	1.00	field per 39,397	1.00	field per 10,000	Need Exists	18 Field(s)	Need Exists	29 Field(s)	20%	19%	33%
Diamond, (Baseball/Softball) Youth and Adult	19.00	1.00	field per 12,441	1.00	field per 5,000	Need Exists	28 Field(s)	Need Exists	52 Field(s)	20%	19%	42%
Diamond, (Baseball/Softball) Youth ONLY	14.00	1.00	field per 16,884	1.00	field per 10,000	Need Exists	10 Field(s)	Need Exists	21 Field(s)	20%	19%	21%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	28.00	1.00	field per 8,442	1.00	field per 3,500	Need Exists	40 Field(s)	Need Exists	73 Field(s)	20%	19%	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	35.00	1.00	field per 6,754	1.00	field per 3,000	Need Exists	44 Field(s)	Need Exists	83 Field(s)	20%	19%	0%

LEVEL OF SERVICE AND FIELD PRIORITIZATION SUMMARY

In reviewing the current athletic field offerings against the desired offerings of the community, there is great need to expand or add athletic fields in Rockwall. The PREFERRED recommendation of the consulting team is for the City adopt the Athletic Field LOS Standards for the ISD service area and invest in athletic fields based on the percentage of service area’s population that is comprised of City of Rockwall residents.

2019 Inventory - Facilities				2019 Facility Standards		2034 Facility Standards		PERCENTAGE OF POPULATION IN ROCKWALL 2019	PERCENTAGE OF POPULATION IN ROCKWALL 2034	Rockwall Contribution Level (in terms of meeting field needs based on % of population)	CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL		
Total Inventory	Current Service Level		Recommended Service Levels		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	Meet Standard/ Need Exists					Additional Facilities/ Amenities Needed	
ATHLETIC FIELDS													
Diamond, (Baseball) Teen/Adult	6.00	1.00	field per 13,589	1.00	field per 10,000	Need Exists	2 Field(s)	Need Exists	7 Field(s)	58%	53%	4	33%
Diamond, (Baseball/Softball) Youth and Adult	11.00	1.00	field per 7,412	1.00	field per 5,000	Need Exists	5 Field(s)	Need Exists	14 Field(s)	58%	53%	6	73%
Diamond, (Baseball/Softball) Youth ONLY	6.00	1.00	field per 13,589	1.00	field per 10,000	Need Exists	2 Field(s)	Need Exists	7 Field(s)	58%	53%	4	50%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	23.00	1.00	field per 3,545	1.00	field per 3,500	Meets Standard	0 Field(s)	Need Exists	13 Field(s)	58%	53%	7	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	22.00	1.00	field per 3,706	1.00	field per 3,000	Need Exists	5 Field(s)	Need Exists	20 Field(s)	58%	53%	11	0%

Prioritizing athletic field needs provides Rockwall with an objective tool for evaluating the priority that should be placed on parks and recreation investments. The priority needs rating reflects the importance residents place on items and the unmet needs (needs that are only being partly met or not met) for each athletic field typology relative to the athletic field typology that rated the highest overall. Since decisions related to future investments should consider both the level of unmet need and the importance of facilities and programs, the priority needs rating weights each of these components equally.

ATHLETIC FIELD NEEDS RANKING
1. Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY
2. Diamond, (Baseball/Softball) Youth and Adult
3. Rectangle Fields (Soccer, Lacrosse, Football) - U12+
4. Diamond, (Baseball/Softball) Youth ONLY
5. Diamond, (Baseball) Teen/Adult

1.5.6 RECOMMENDED CAPITAL IMPROVEMENT PLAN (CIP) – ISD SERVICE AREA

This section of the plan reflects the capital improvement recommendations that are necessary to fulfill the athletic field needs of the community BASED ON THE PREFERRED LEVEL OF SERVICE RECOMMENDED – THE ISD SERVICE AREA.

SUMMARY BY PROJECT	
Tier	Estimated Total Project Cost
Leon Tuttle Sports Complex	\$960,000
Yellowjacket Park	\$1,845,000
Harry Myers Park	\$2,435,000
New Multi-Purpose Field Complex	\$20,000,000
New Diamond Field Complex	\$20,000,000
TOTAL	\$45,240,000

1.5.7 ALTERNATIVE CAPITAL IMPROVEMENT PLAN (CIP) – CITY OF ROCKWALL SERVICE AREA

This section of the plan reflects the capital improvement recommendations that are necessary to fulfill the athletic field needs of the community BASED ON THE CITY OF ROCKWALL LEVEL OF SERVICE.

SUMMARY BY PROJECT	
Tier	Estimated Total Project Cost
Leon Tuttle Sports Complex	\$960,000
Yellowjacket Park	\$1,845,000
Harry Myers Park	\$2,435,000
New Athletic Field Complex	\$30,000,000
TOTAL	\$35,240,000

1.6 FUNDING THE FEASIBILITY STUDY

To achieve the outcomes identified in the key findings and recommendations as presented in the Feasibility Study, a reliable and sustainable funding plan is needed. The consulting team identified and analyzed primary funding sources that may be used to fund portions of the capital improvement plan as well as the operations and maintenance for new athletic field complexes as part of the Feasibility Study process.

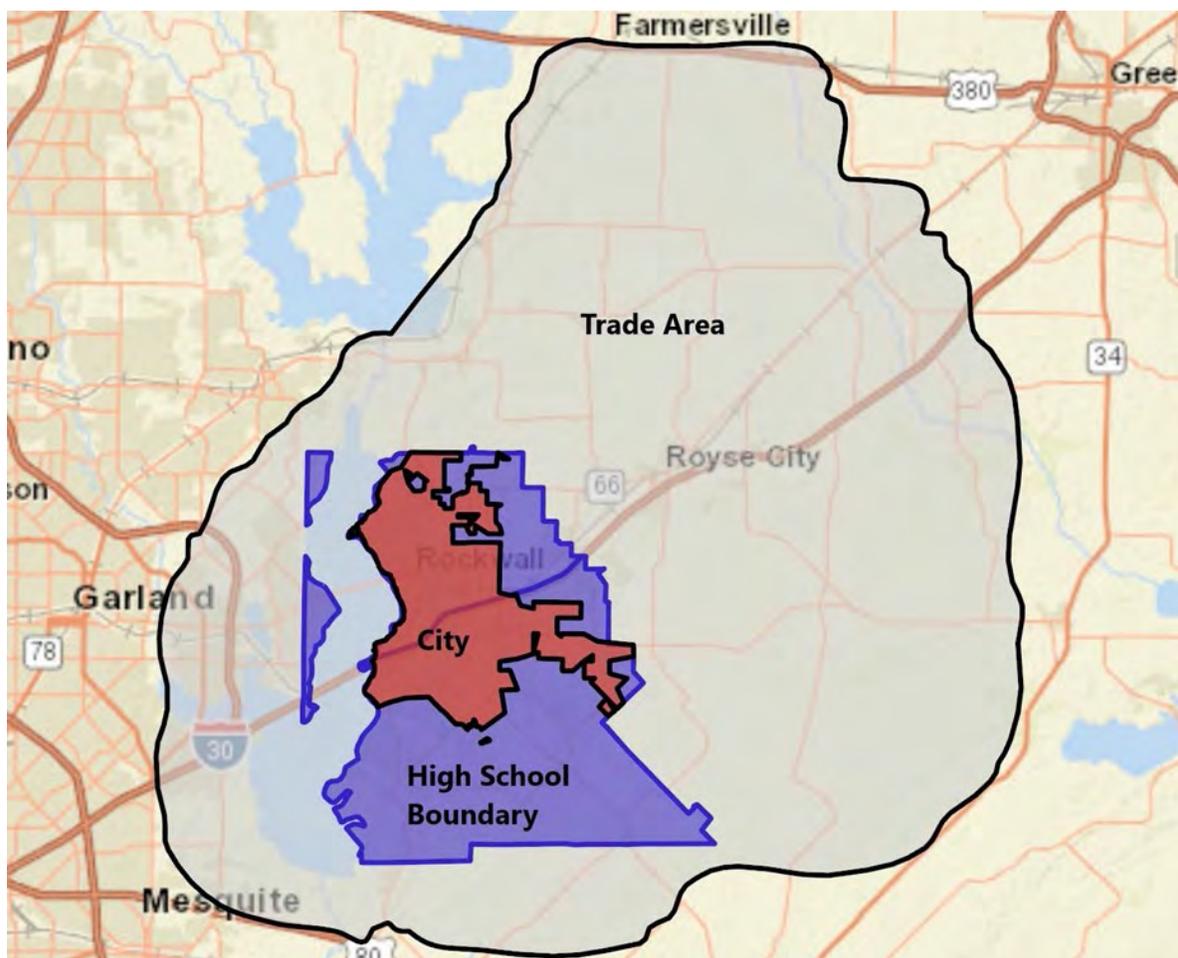
Chapter Two – COMMUNITY PROFILE

The Demographic and Trend Analysis provides an understanding of the population of the City of Rockwall. This analysis demonstrates the overall size of total population by specific age segment, race and ethnicity, and the overall economic status and spending power of the residents through household income statistics. It is important to note that while the demographics analysis evaluates the population characteristics based on the geographic area, the Parks and Recreation Department does tend to serve an audience outside that as well.

All future demographic projections are based on historical trends. All projections should be utilized with the understanding that unforeseen circumstances during or after the time of the projections could have a significant bearing on the validity of the final projections.

2.1 DEMOGRAPHIC ANALYSIS METHODOLOGY

Demographic data used for the analysis was obtained from U.S. Census Bureau and from ESRI, the largest research and development organization dedicated to Geographical Information Systems (GIS) and specializing in population projections and market trends. All data was acquired in January 2019 and reflects actual numbers as reported in the 2010 Censuses, and estimates for 2018 and 2023 as obtained by ESRI. Straight line linear regression was utilized for projected 2028 and 2033 demographics.



2.1.1 RACE AND ETHNICITY DEFINITIONS

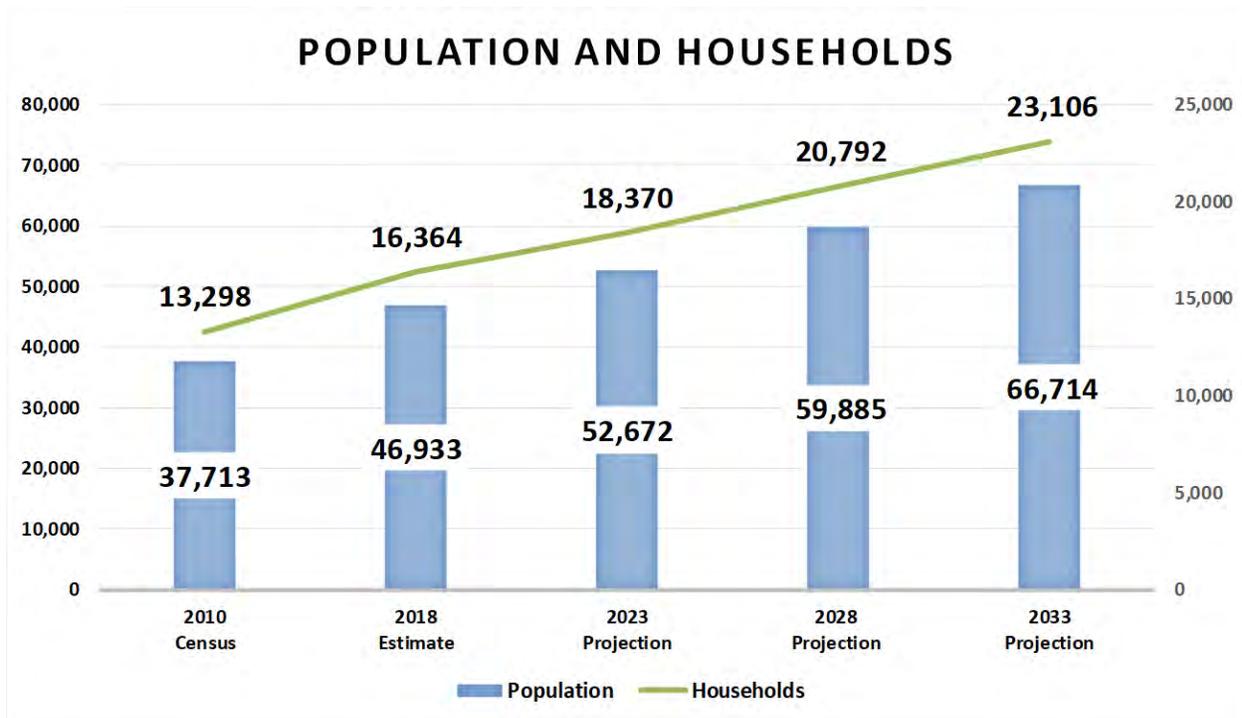
The minimum categories for data on race and ethnicity for Federal statistics, program administrative reporting, and civil rights compliance reporting are defined as below. The Census 2010 data on race are not directly comparable with data from the 2000 Census and earlier censuses; caution must be used when interpreting changes in the racial composition of the US population over time. The latest (Census 2010) definitions and nomenclature are used within this analysis.

- American Indian - This includes a person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
- Asian - This includes a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- Black - This includes a person having origins in any of the black racial groups of Africa.
- Native Hawaiian or Other Pacific Islander - This includes a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- White - This includes a person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
- Some Other Race - Includes all other responses not included in the "White", "Black or African American", "American Indian and Alaska Native", "Asian" and "Native Hawaiian and Other Pacific Islander" race categories described above.
- Two or more races - People may have chosen to provide two or more races either by checking two or more race responses.
- Hispanic or Latino - This is an ethnic distinction, a subset of a race as defined by the Federal Government; this includes a person of Mexican, Puerto Rican, Cuban, South or Central American, or other Spanish culture or origin, regardless of race.

2.2 DEMOGRAPHIC ANALYSIS – CITY OF ROCKWALL SERVICE AREA

2.2.1 POPULATION

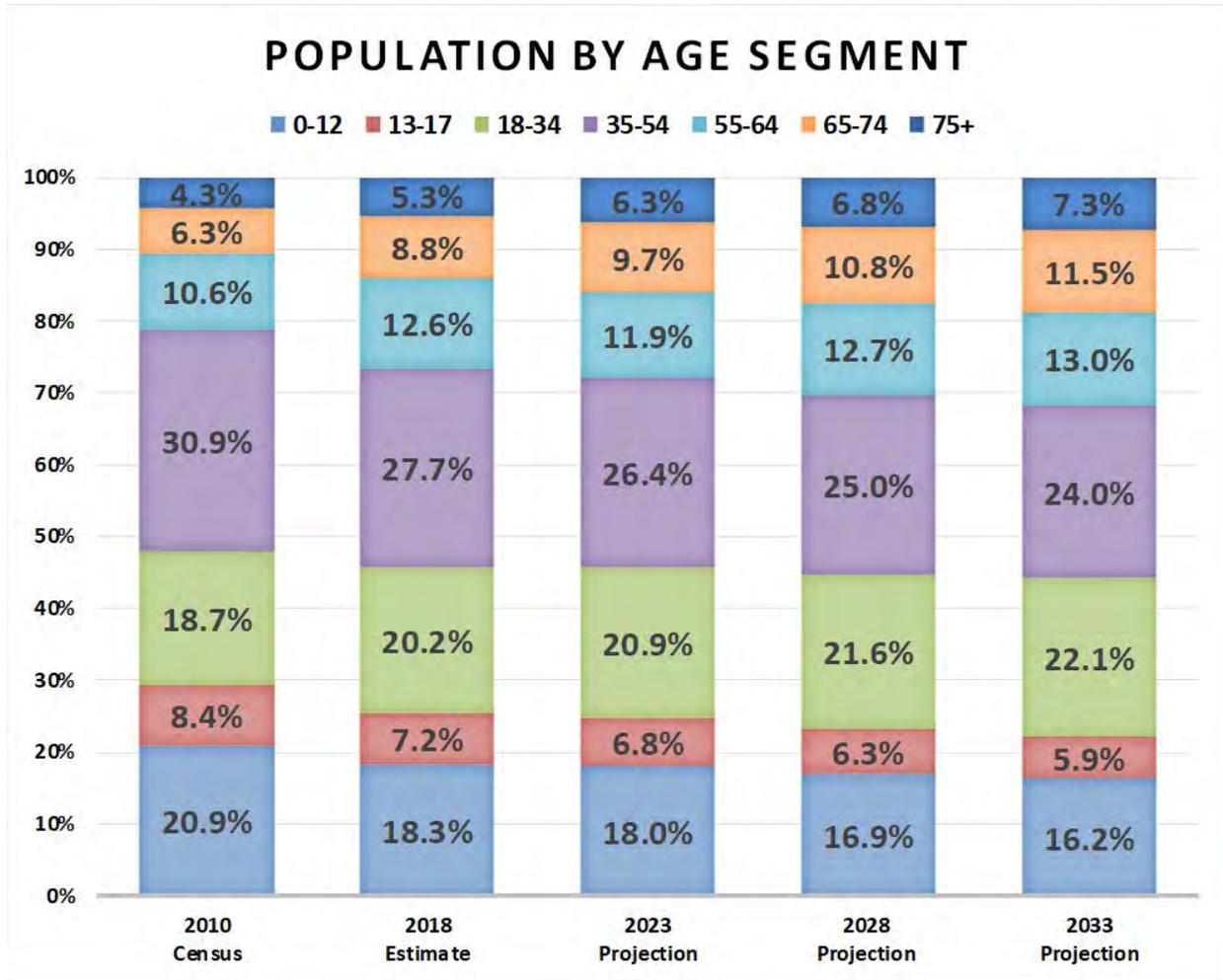
The City’s population has experienced a slight growing trend in recent years and is currently estimated at 46,933 individuals. Projecting ahead, the total population is expected to continue to grow at rate two times greater than the U.S. annual growth rate (0.8%) over the next 15 years. Projections indicate that the service area is expected to grow by 28% over the next 15 years and will have 66,714 residents living within 23,106 households by 2033.



2.2.2 AGE SEGMENT

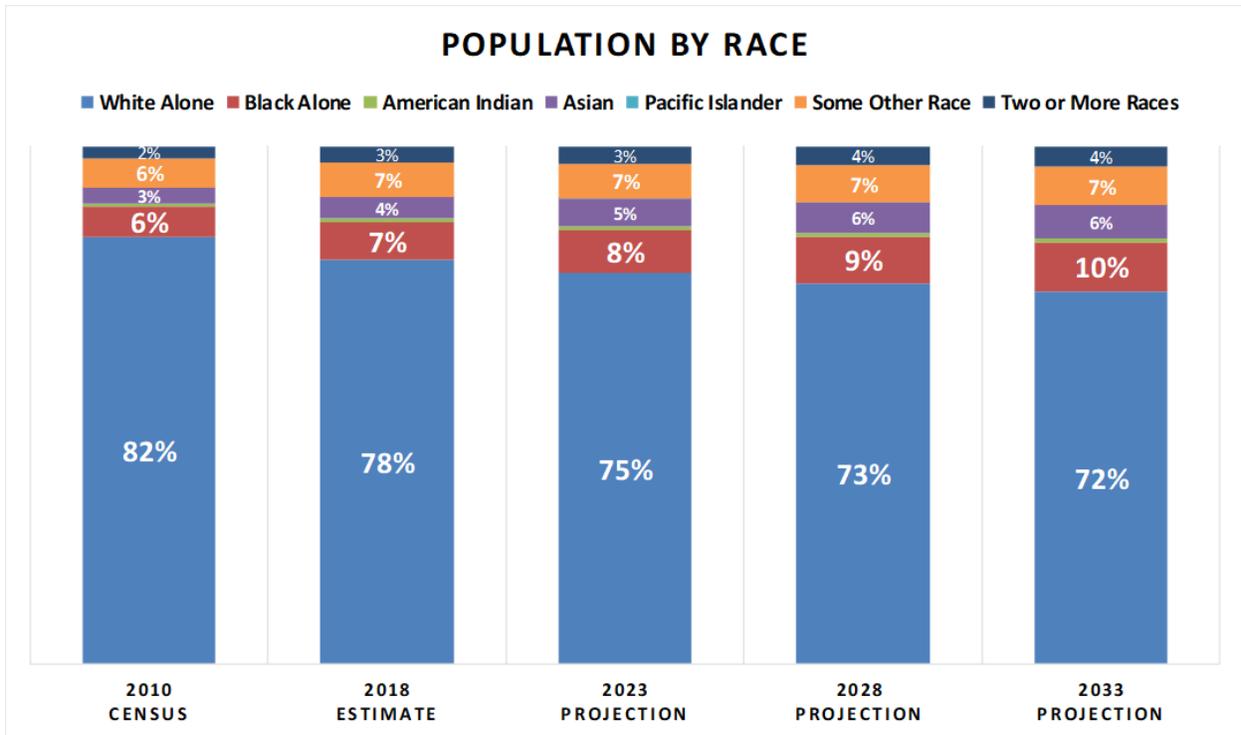
Evaluating the population by age segments, the City exhibits a balanced distribution among the major age segments. Currently, the largest major age segment is the 35-54 segment, making up 27.7% of the population.

The overall age composition of the population within the City is projected to remain balanced and age slightly over the next 15 years as the 55+ age segment will make up 31.8% of the City's population.

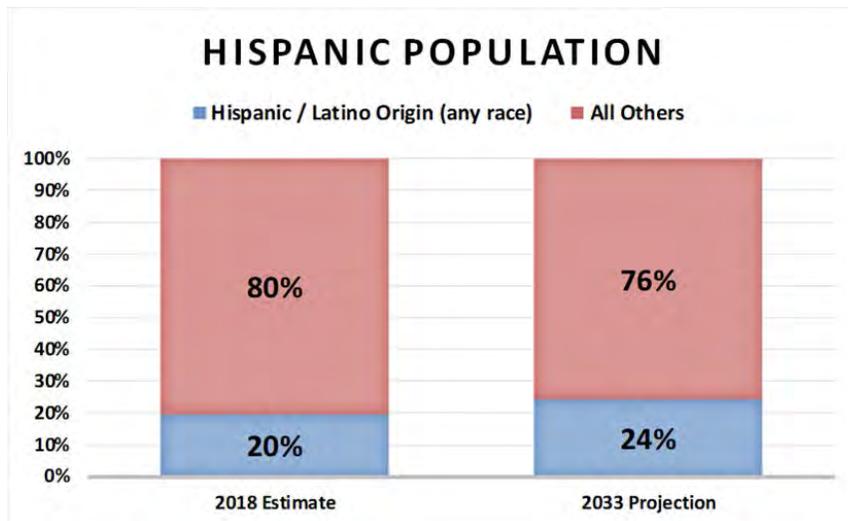


2.2.3 RACE AND ETHNICITY

In analyzing race, the City’s current populations are predominately White Alone. The 2018 estimates show that 78% of the service area’s population falls into the White Alone category, while the Black Alone category (7%) represents the largest minority. The predictions for 2033 expect that the service area’s population by race will diversify with a decrease in the White Alone population by approximately 6% and slight increases in most every other category.

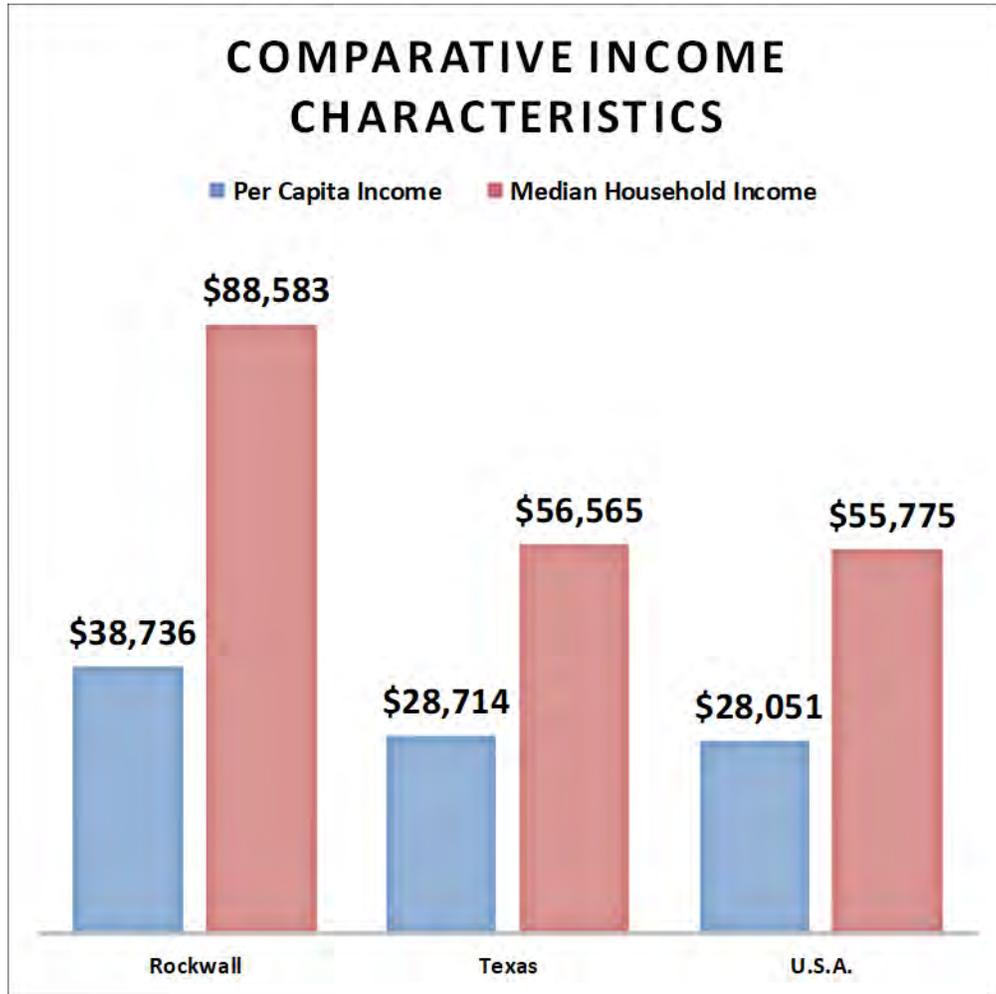


Based on the 2018 estimate, those of Hispanic/Latino origin represented 20% of the service area’s total population. The Hispanic/Latino population is expected to experience a slight increase to 24% by 2033.



2.2.4 INCOME

As seen in chart below, the City's per capita and median household income levels are above both the state's and national averages.



CITY OF ROCKWALL SERVICE AREA DEMOGRAPHIC IMPLICATIONS

The following implications are derived from the analyses provided above. Each implication is organized by the outlined demographic information sections.

POPULATION

The population is increasing and is projected to experience a 28% population growth over the next 15 years. This is much greater than the national average over the same time period. With a fast-growing population, park and recreation services will need to strategically invest, develop, and maintain athletic facilities in relation to current and future residential growth.

AGE SEGMENTATION

Rockwall has a balanced age segmentation with the largest group being 35-54+. Over the next 15 years, the service area is projected to remain balanced but also age slightly as the 55+ segment will be 31.8% in 2033.

RACE AND ETHNICITY

A slightly diversifying population will likely focus the City on providing traditional and non-traditional programming and service offerings while always seeking to identify emerging activities and sports that in some cases will be defined by cultural influences.

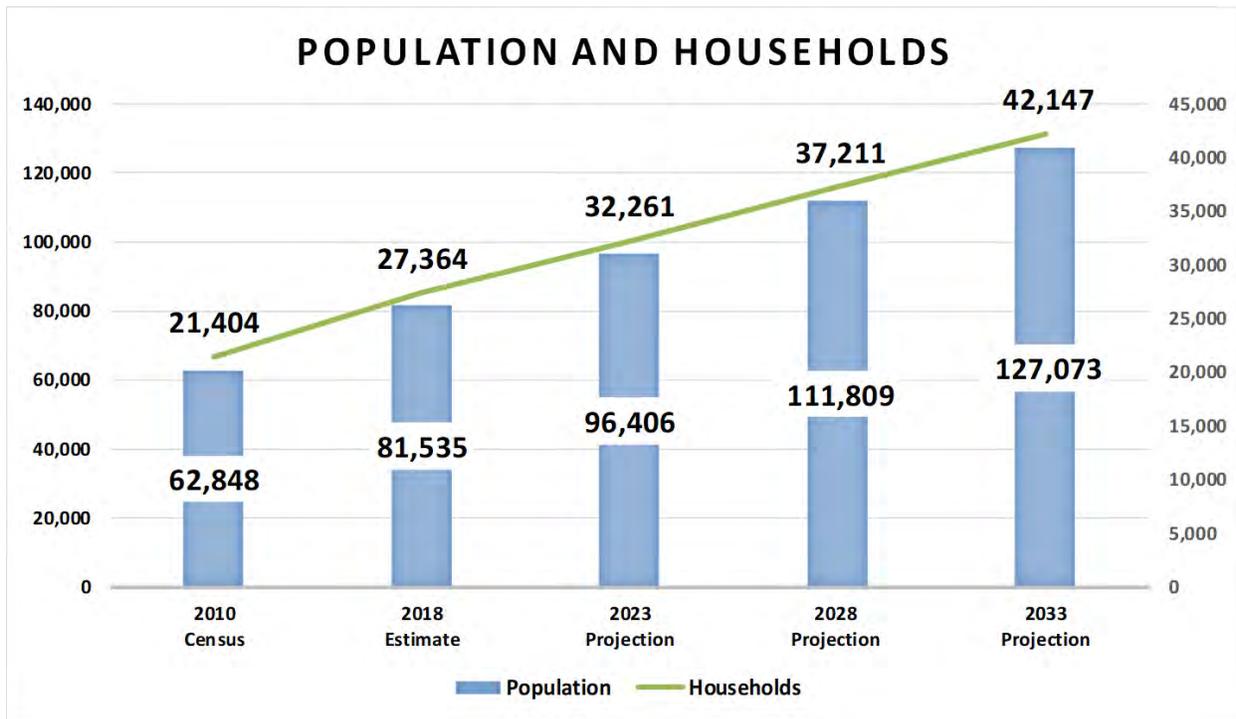
HOUSEHOLDS AND INCOME

With median and per capita household income averages above state and national averages, it would be important for the City to prioritize providing offerings that are first class with exceptional customer service while seeking opportunities to create revenue generation.

2.3 DEMOGRAPHIC ANALYSIS – ROCKWALL INDEPENDENT SCHOOL DISTRICT (ISD) SERVICE AREA

2.3.1 POPULATION

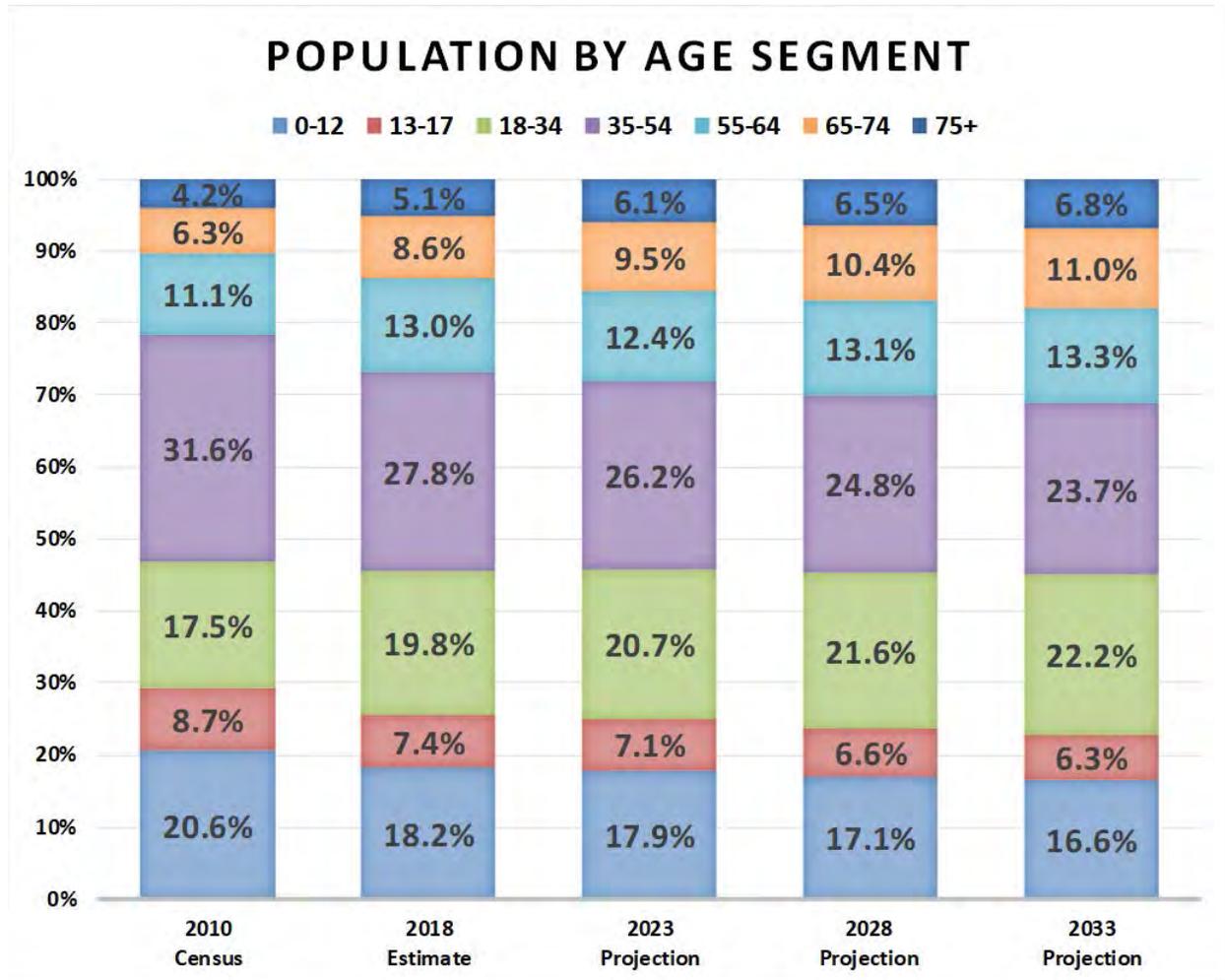
The ISD’s service area population has experienced a growing trend in recent years and is currently estimated at 81,535 individuals. Projecting ahead, the total population is expected to continue to grow at rate four and a half times greater than the U.S. annual growth rate (0.8%) over the next 15 years. Projections indicate that the service area is expected to grow by 55% over the next 15 years and will have 127,073 residents living within 42,147 households by 2033.



2.3.2 AGE SEGMENT

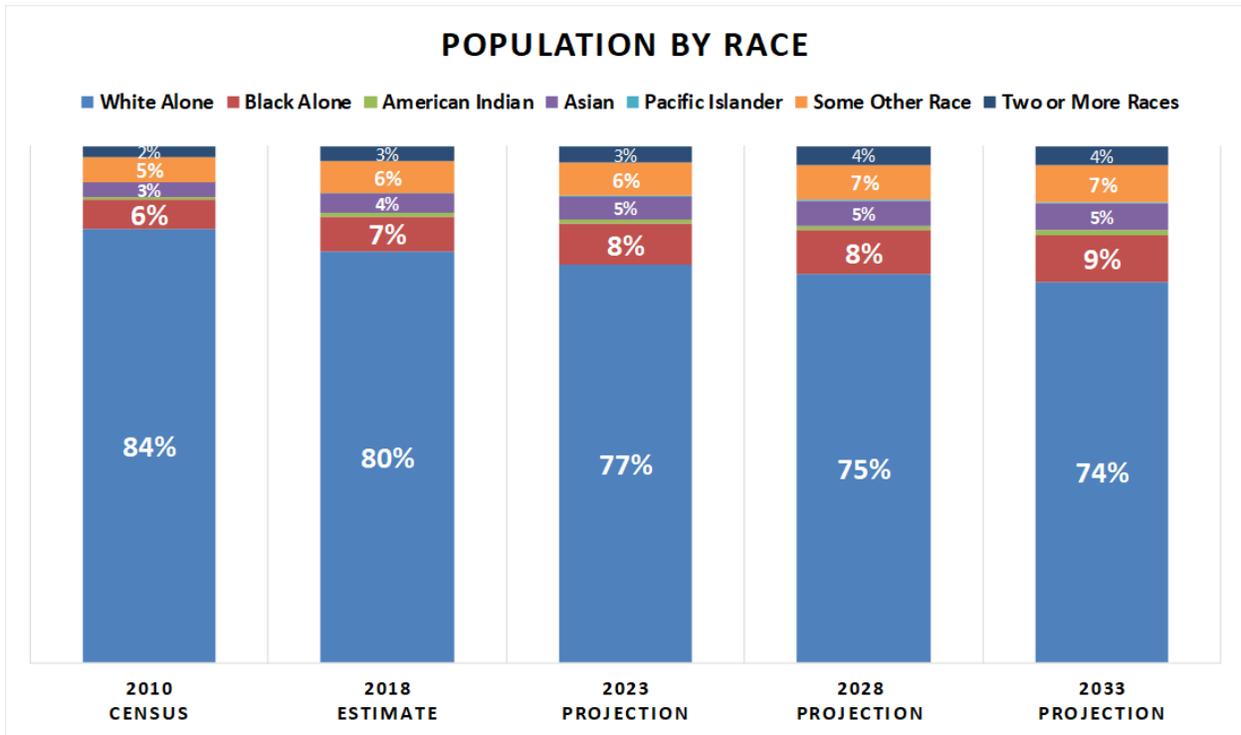
Evaluating the population by age segments, the ISD’s service area exhibits a balanced distribution among the major age segments. Currently, the largest major age segment is the 35-54 segment, making up 27.8% of the population.

The overall age composition of the population within the service area is projected to remain balanced and age slightly over the next 15 years as the 55+ age segment will make up 31.1% of the service area’s population.

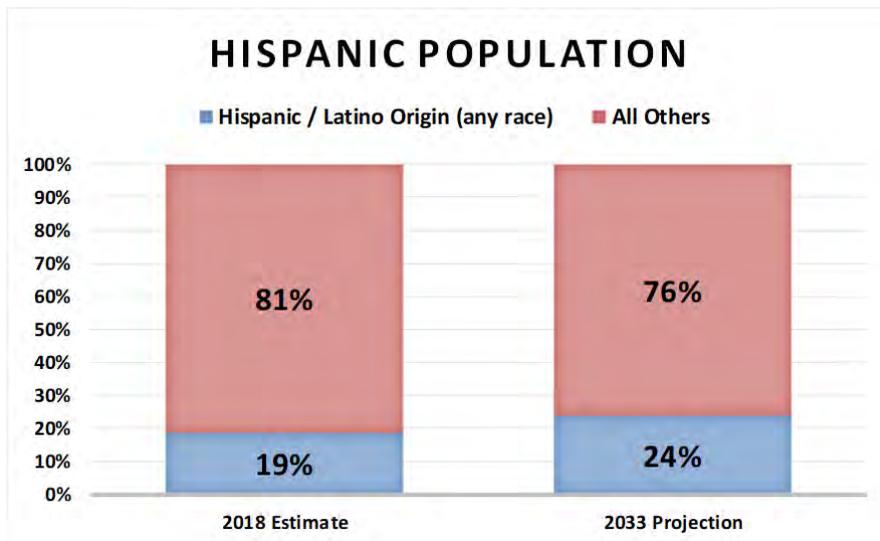


2.3.3 RACE AND ETHNICITY

In analyzing race, the ISD service area's current populations are predominately White Alone. The 2018 estimates show that 78% of the service area's population falls into the White Alone category, while the Black Alone category (7%) represents the largest minority. The predictions for 2033 expect that the service area's population by race will diversify with a decrease in the White Alone population by approximately 6% and slight increases in most every other category.

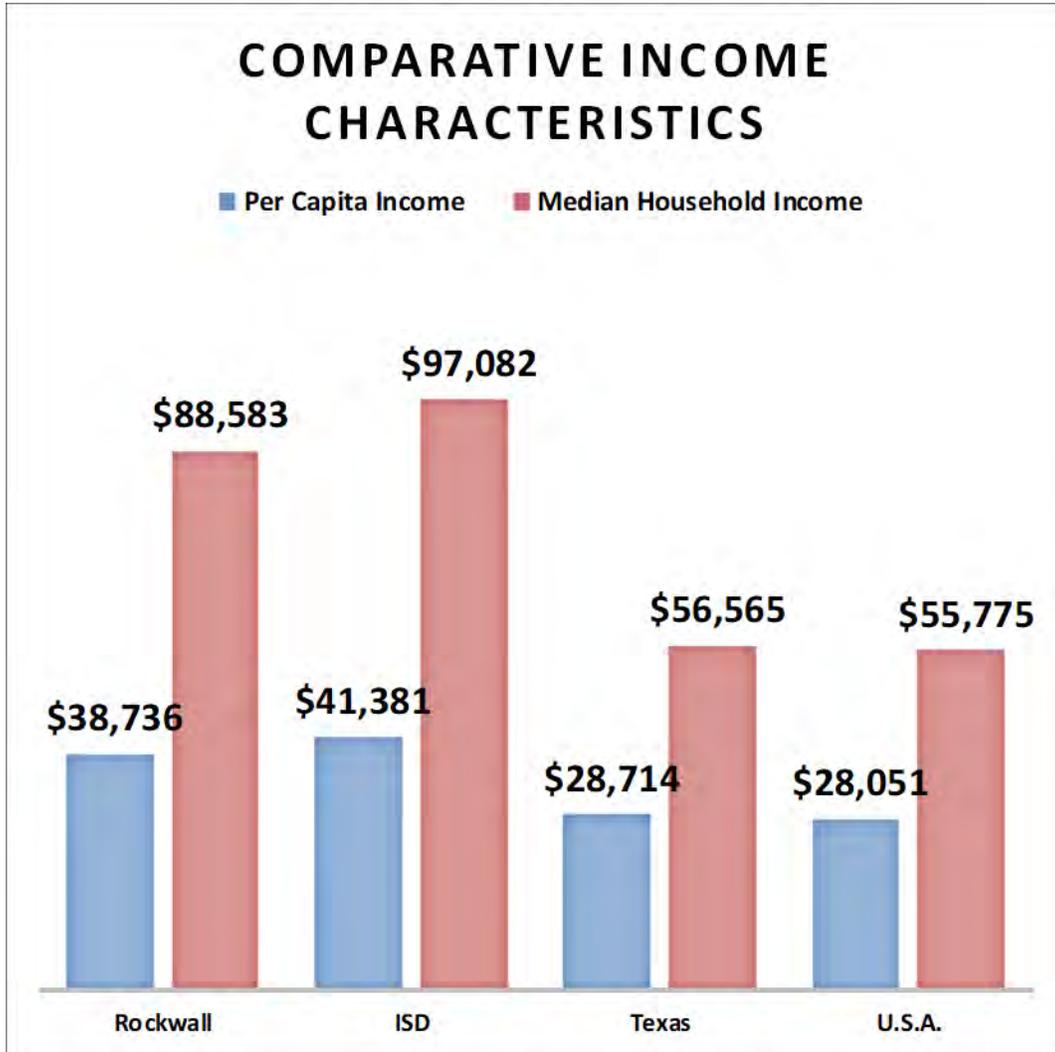


Based on the 2018 estimate, those of Hispanic/Latino origin represented 19% of the service area's total population. The Hispanic/Latino population is expected to experience a slight increase to 24% by 2033.



2.3.4 INCOME

As seen in chart below, the ISD service area's per capita and median household income levels are above city's, the state's and national averages.



ROCKWALL ISD SERVICE AREA DEMOGRAPHIC IMPLICATIONS

The following implications are derived from the analyses provided above. Each implication is organized by the outlined demographic information sections.

POPULATION

The population is increasing significantly and is projected to experience a 55% population growth over the next 15 years. This is much greater than the national average over the same time period. With a fast-growing population, park and recreation services will need to strategically invest, develop, and maintain athletic facilities in relation to current and future residential growth.

AGE SEGMENTATION

The service area has a balanced age segmentation with the largest group being 35-54+. Over the next 15 years, the service area is projected to remain balanced but also age slightly as the 55+ segment will be 31.1% in 2033.

RACE AND ETHNICITY

A slightly diversifying population will likely focus the City on providing traditional and non-traditional programming and service offerings to the service area's residents while always seeking to identify emerging activities and sports that in some cases will be defined by cultural influences.

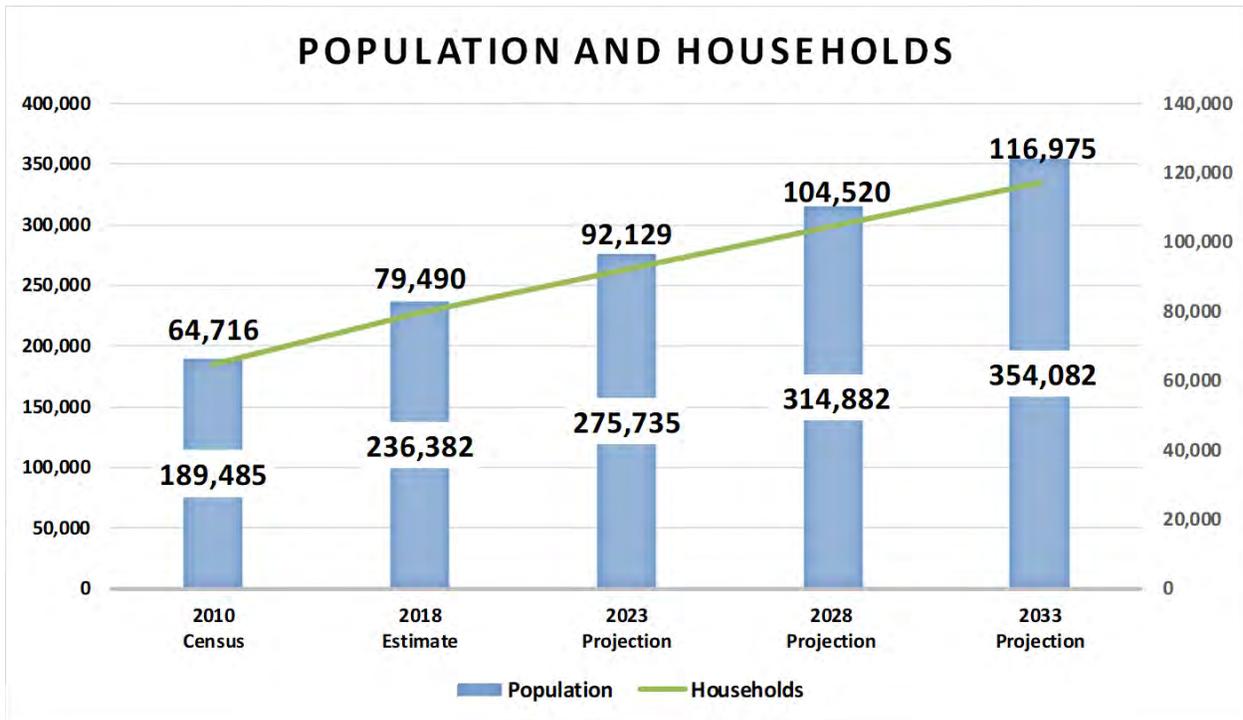
HOUSEHOLDS AND INCOME

With median and per capita household income averages above city, state and national averages, it would be important for the City to prioritize providing offerings to service area residents that are first class with exceptional customer service while seeking opportunities to create revenue generation.

2.4 DEMOGRAPHIC ANALYSIS – CITY OF ROCKWALL TRADE AREA SERVICE AREA

2.4.1 POPULATION

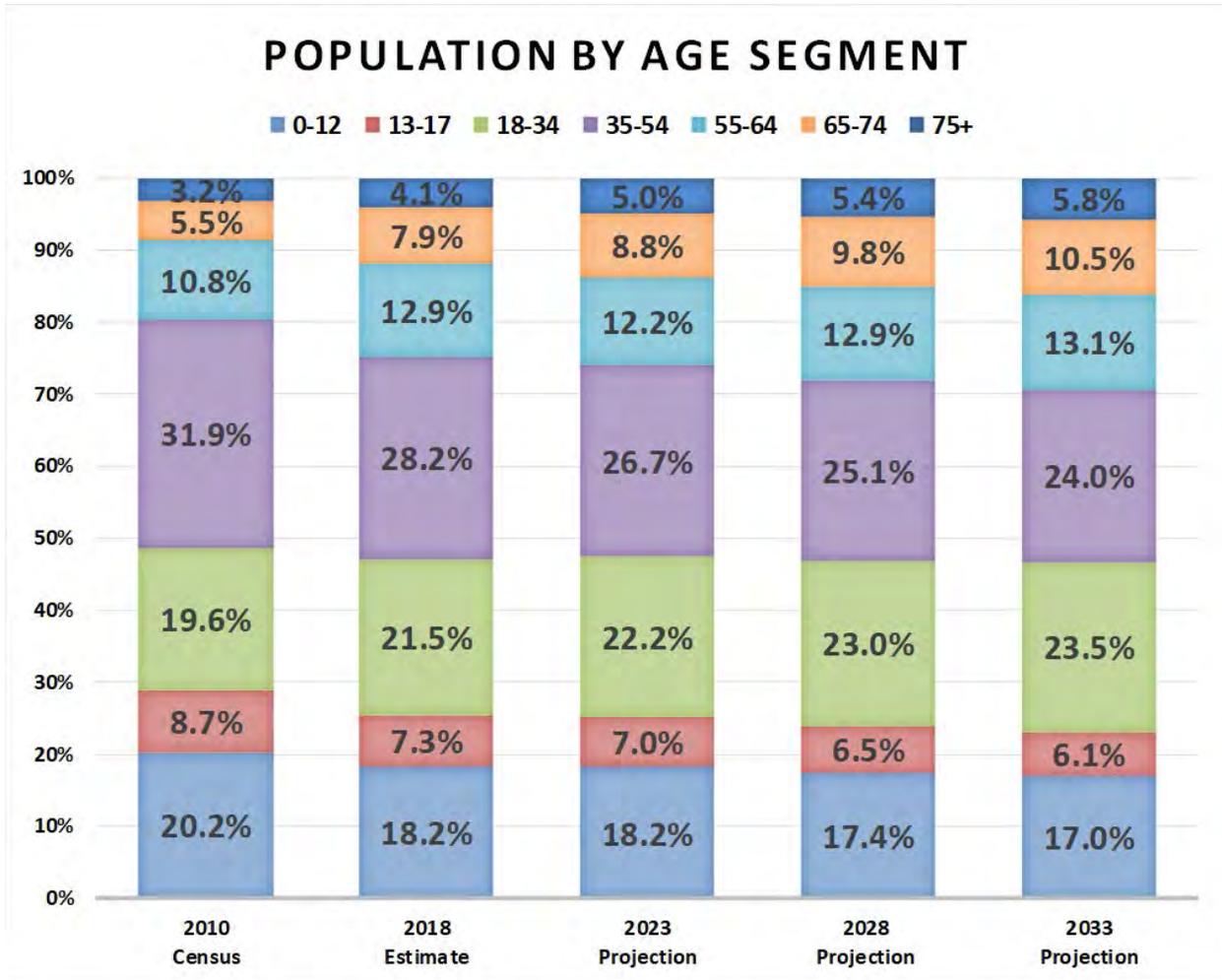
The trade area’s service area population has experienced a growing trend in recent years and is currently estimated at 237,382 individuals. Projecting ahead, the total population is expected to continue to grow at rate four times greater than the U.S. annual growth rate (0.8%) over the next 15 years. Projections indicate that the service area is expected to grow by 50% over the next 15 years and will have 354,082 residents living within 116,975 households by 2033.



2.4.2 AGE SEGMENT

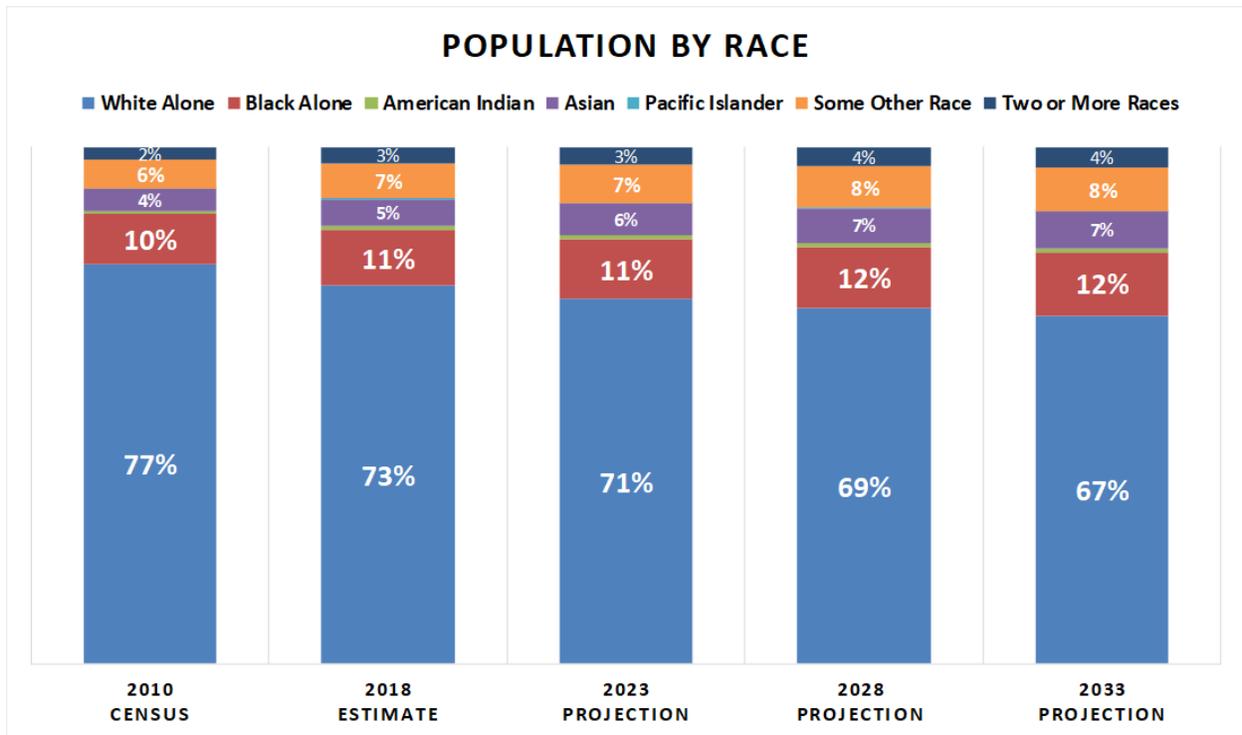
Evaluating the population by age segments, the trade area’s service area exhibits a balanced distribution among the major age segments. Currently, the largest major age segment is the 35-54 segment, making up 28.2% of the population.

The overall age composition of the population within the service area is projected to remain balanced and age slightly over the next 15 years as the 55+ age segment will make up 29.4% of the service area’s population.

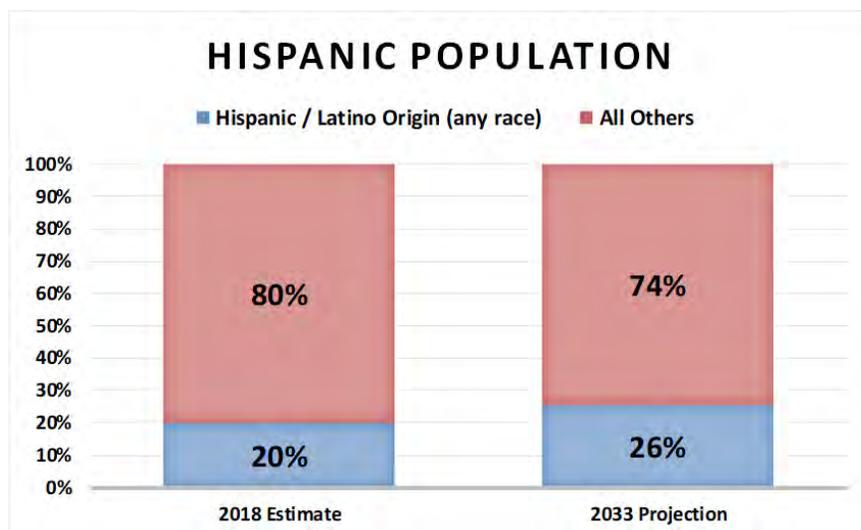


2.4.3 RACE AND ETHNICITY

In analyzing race, the trade area service area’s current populations are predominately White Alone. The 2018 estimates show that 73% of the service area’s population falls into the White Alone category, while the Black Alone category (11%) represents the largest minority. The predictions for 2033 expect that the service area’s population by race will diversify with a decrease in the White Alone population by approximately 6% and slight increases in most every other category.

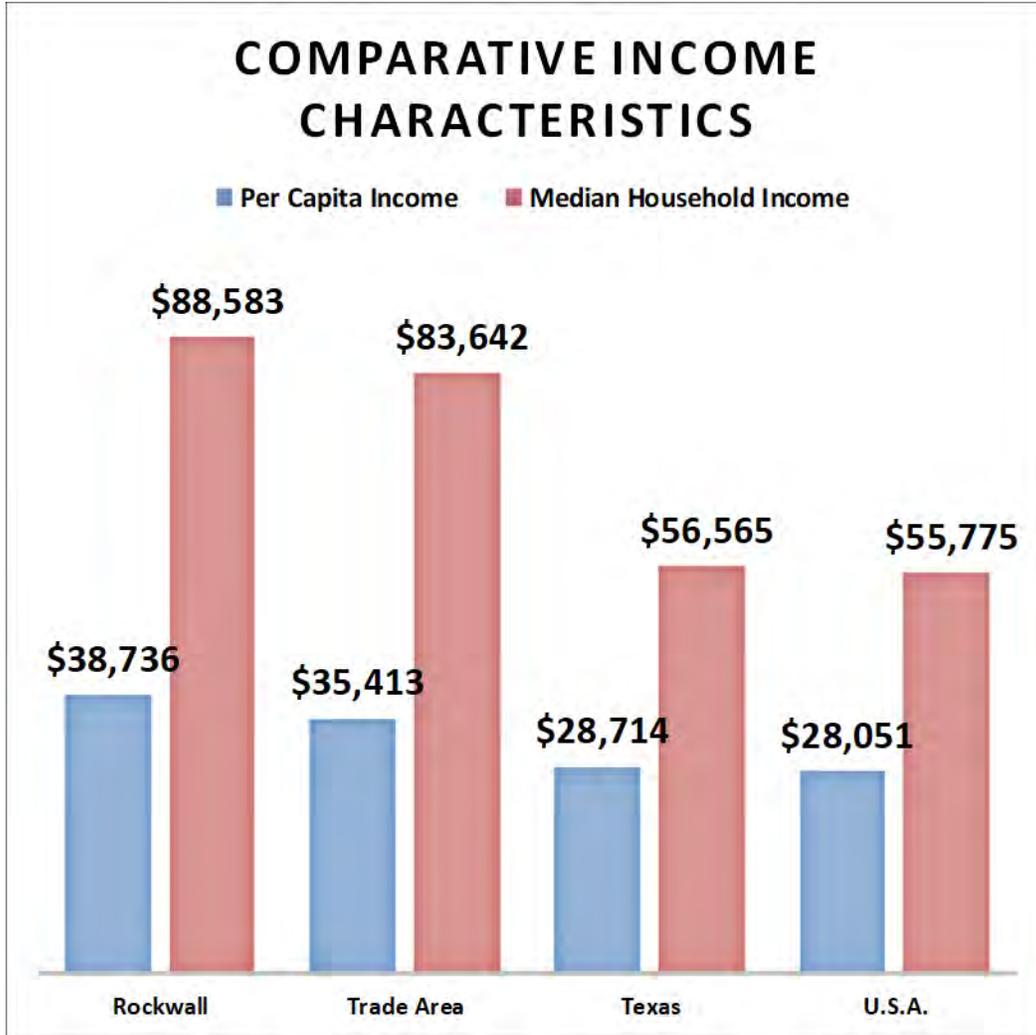


Based on the 2018 estimate, those of Hispanic/Latino origin represented 20% of the service area’s total population. The Hispanic/Latino population is expected to experience a slight increase to 26% by 2033.



2.4.4 INCOME

As seen in chart below, the trade area's service area per capita and median household income levels are slightly below the city's levels but above that of the state's and national averages.



ROCKWALL TRADE AREA SERVICE AREA DEMOGRAPHIC IMPLICATIONS

The following implications are derived from the analyses provided above. Each implication is organized by the outlined demographic information sections.

POPULATION

The population is increasing significantly and is projected to experience a 50% population growth over the next 15 years. This is much greater than the national average over the same time period. With a fast-growing population, park and recreation services will need to strategically invest, develop, and maintain athletic facilities in relation to current and future residential growth.

AGE SEGMENTATION

The service area has a balanced age segmentation with the largest group being 35-54+. Over the next 15 years, the service area is projected to remain balanced but also age slightly as the 55+ segment will be 29.4% in 2033.

RACE AND ETHNICITY

A slightly diversifying population will likely focus the City on providing traditional and non-traditional programming and service offerings to the service area's residents while always seeking to identify emerging activities and sports that in some cases will be defined by cultural influences.

HOUSEHOLDS AND INCOME

With median and per capita household income averages at or above city, state and national averages, it would be important for the City to prioritize providing offerings to service area residents that are first class with exceptional customer service while seeking opportunities to create revenue generation.

2.5 DEMOGRAPHIC SUMMARY

Each of the measured service areas around the are demographically similar and project to be similar in 15 years. The growth is significantly greater than that of national averages (2-4.5% annually) over the next 15 years. However, it is anticipated that the makeup of the service areas population will change as it is expected to age slightly and diversify over the next 15 years.

2.6 NATIONAL RECREATION TRENDS ANALYSIS

The Trends Analysis provides an understanding of national, regional, and local recreational trends as well as generational participation trends. Trends data used for this analysis was obtained from Sports & Fitness Industry Association's (SFIA), National Recreation and Park Association (NRPA), and Environmental Systems Research Institute, Inc. (ESRI). All trends data is based on current and/or historical participation rates, statistically-valid survey results, or NRPA Park Metrics.

2.6.1 METHODOLOGY

The Sports & Fitness Industry Association's (SFIA) *Sports, Fitness & Recreational Activities Topline Participation Report 2019* was utilized in evaluating the following trends:

- National Sport and Fitness Participatory Trends
- Core vs. Casual Participation Trends
- Participation by Generation
- Non-Participant Interest by Age Segment



The study is based on findings from surveys carried out in 2018 by the Physical Activity Council (PAC), resulting in a total of 20,069 online interviews. Surveys were administered to all genders, ages, income levels, regions, and ethnicities to allow for statistical accuracy of the national population. A sample size of 20,069 completed interviews is considered by SFIA to result in a high degree of statistical accuracy. A sport with a participation rate of five percent has a confidence interval of plus or minus 0.31 percentage points at a 95 percent confidence interval. Using a weighting technique, survey results are applied to the total U.S. population figure of 300,652,039 people (ages six and older). The purpose of the report is to establish levels of activity and identify key participatory trends in recreation across the U.S.

CORE VS. CASUAL PARTICIPATION

In addition to overall participation rates, SFIA further categorizes active participants as either core or casual participants based on frequency. Core participants have higher participatory frequency than casual participants. The thresholds that define casual versus core participation may vary based on the nature of each individual activity. For instance, core participants engage in most fitness and recreational activities more than 50 times per year, while for sports, the threshold for core participation is typically 13 times per year.

In a given activity, core participants are more committed and tend to be less likely to switch to other activities or become inactive (engage in no physical activity) than casual participants. This may also explain why activities with more core participants tend to experience less pattern shifts in participation rates than those with larger groups of casual participants.

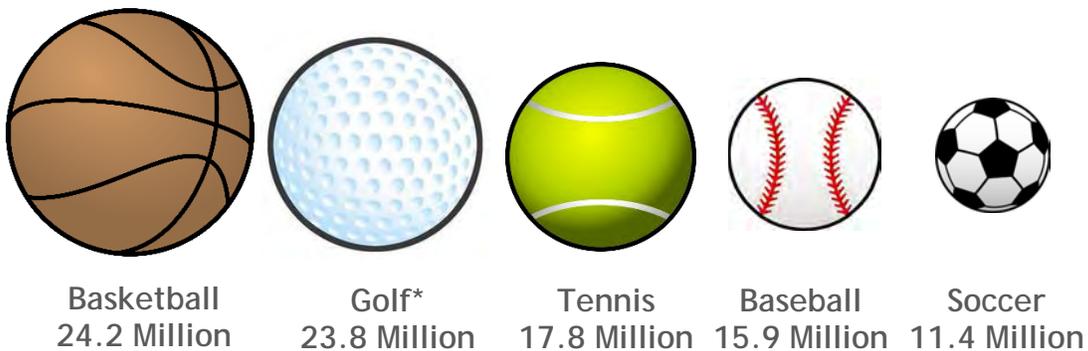
NATIONAL SPORT AND FITNESS PARTICIPATORY TRENDS

2.6.2 NATIONAL TRENDS IN GENERAL SPORTS

PARTICIPATION LEVELS

The sports most heavily participated in the United States were Basketball (24.2 million) and Golf (23.8 million in 2017), which have participation figures well in excess of the other activities within the general sports category. Followed by Tennis (17.8 million), Baseball (15.9 million), and Soccer (11.4 million).

The popularity of Basketball, Golf, and Tennis can be attributed to the ability to compete with relatively small number of participants. Even though Golf has experienced a recent decrease in participation, it still continues to benefit from its wide age segment appeal and is considered a life-long sport. Basketball's success can be attributed to the limited amount of equipment needed to participate and the limited space requirements necessary, which make basketball the only traditional sport that can be played at the majority of American dwellings as a drive-way pickup game.



FIVE-YEAR TREND

Since 2013, Roller Hockey (33.6%) and Rugby (31.9%) have emerged as the overall fastest growing sports. During the last five-years, Baseball (19.5%), Cheerleading (18.7%), and Flag Football (17.1%) have also experienced significant growth. Based on the five-year trend, the sports that are most rapidly declining include Ultimate Frisbee (-46.6%), Touch Football (-22.7%), Tackle Football (-16.4%), Badminton (-11.4%), and Outdoor Soccer (-10.4%).

ONE-YEAR TREND

In general, the most recent year shares a similar pattern with the five-year trends; with Pickleball (5.4%), Basketball (3.5%), and Baseball (1.5%) experiencing the greatest increases in participation this past year. However, some sports that increased rapidly over the past five years have experienced recent decreases in participation, such as Roller Hockey (-5.5%). Other sports including Squash (-13.9%) and Ultimate Frisbee (-13.3%) have also seen a significant decrease in participate over the last year.

National Participatory Trends - General Sports					
Activity	Participation Levels			% Change	
	2013	2017	2018	5-Year Trend	1-Year Trend
Golf (9 or 18-Hole Course)	24,720	23,829	N/A	N/A	N/A
Basketball	23,669	23,401	24,225	2.3%	3.5%
Tennis	17,678	17,683	17,841	0.9%	0.9%
Baseball	13,284	15,642	15,877	19.5%	1.5%
Soccer (Outdoor)	12,726	11,924	11,405	-10.4%	-4.4%
Softball (Slow Pitch)	6,868	7,283	7,386	7.5%	1.4%
Football, Flag	5,610	6,551	6,572	17.1%	0.3%
Badminton	7,150	6,430	6,337	-11.4%	-1.4%
Volleyball (Court)	6,433	6,317	6,317	-1.8%	0.0%
Football, Touch	7,140	5,629	5,517	-22.7%	-2.0%
Soccer (Indoor)	4,803	5,399	5,233	9.0%	-3.1%
Football, Tackle	6,165	5,224	5,157	-16.4%	-1.3%
Volleyball (Sand/Beach)	4,769	4,947	4,770	0.0%	-3.6%
Gymnastics	4,972	4,805	4,770	-4.1%	-0.7%
Track and Field	4,071	4,161	4,143	1.8%	-0.4%
Cheerleading	3,235	3,816	3,841	18.7%	0.7%
Racquetball	3,824	3,526	3,480	-9.0%	-1.3%
Pickleball	N/A	3,132	3,301	N/A	5.4%
Ultimate Frisbee	5,077	3,126	2,710	-46.6%	-13.3%
Ice Hockey	2,393	2,544	2,447	2.3%	-3.8%
Softball (Fast Pitch)	2,498	2,309	2,303	-7.8%	-0.3%
Lacrosse	1,813	2,171	2,098	15.7%	-3.4%
Wrestling	1,829	1,896	1,908	4.3%	0.6%
Roller Hockey	1,298	1,834	1,734	33.6%	-5.5%
Rugby	1,183	1,621	1,560	31.9%	-3.8%
Squash	1,414	1,492	1,285	-9.1%	-13.9%
Boxing for Competition	1,134	1,368	1,310	15.5%	-4.2%
NOTE: Participation figures are in 000's for the US population ages 6 and over					
Legend:	Large Increase (greater than 25%)	Moderate Increase (0% to 25%)	Moderate Decrease (0% to -25%)	Large Decrease (less than -25%)	

CORE VS. CASUAL TRENDS IN GENERAL SPORTS

Highly participated in sports, such as Basketball, Baseball, and Slow Pitch Softball, have a larger core participant base (participate 13+ times per year) than casual participant base (participate 1-12 times per year). While less mainstream sports, such as Ultimate Frisbee, Roller Hockey, Squash, and Boxing for Competition have larger casual participation base. These participants may be more inclined to switch to other sports or fitness activities, which is likely why they have all experienced a decline in participation this past year.

National Core vs Casual Participatory Trends - General Sports								
Activity	Participation Levels						% Change	
	2013		2017		2018		5-Year Trend	1-Year Trend
#	%	#	%	#	%			
Golf (9 or 18-Hole Course)	24,720	100%	23,829	100%	N/A	100%	N/A	N/A
Basketball	23,669	100%	23,401	100%	24,225	100%	2.3%	3.5%
<i>Casual (1-12 times)</i>	6,998	30%	8,546	37%	9,335	39%	33.4%	9.2%
<i>Core(13+ times)</i>	16,671	70%	14,856	63%	14,890	61%	-10.7%	0.2%
Tennis	17,678	100%	17,683	100%	17,841	100%	0.9%	0.9%
Baseball	13,284	100%	15,642	100%	15,877	100%	19.5%	1.5%
<i>Casual (1-12 times)</i>	4,201	32%	6,405	41%	6,563	41%	56.2%	2.5%
<i>Core (13+ times)</i>	9,083	68%	9,238	59%	9,314	59%	2.5%	0.8%
Soccer (Outdoor)	12,726	100%	11,924	100%	11,405	100%	-10.4%	-4.4%
<i>Casual (1-25 times)</i>	6,532	51%	6,665	56%	6,430	56%	-1.6%	-3.5%
<i>Core (26+ times)</i>	6,194	49%	5,259	44%	4,975	44%	-19.7%	-5.4%
Softball (Slow Pitch)	6,868	100%	7,283	100%	7,386	100%	7.5%	1.4%
<i>Casual (1-12 times)</i>	2,685	39%	3,060	42%	3,281	44%	22.2%	7.2%
<i>Core(13+ times)</i>	4,183	61%	4,223	58%	4,105	56%	-1.9%	-2.8%
Badminton	7,150	100%	6,430	100%	6,337	100%	-11.4%	-1.4%
<i>Casual (1-12 times)</i>	4,834	68%	4,564	71%	4,555	72%	-5.8%	-0.2%
<i>Core(13+ times)</i>	2,316	32%	1,867	29%	1,782	28%	-23.1%	-4.6%
Volleyball (Court)	6,433	100%	6,317	100%	6,317	100%	-1.8%	0.0%
<i>Casual (1-12 times)</i>	2,715	42%	2,939	47%	2,867	45%	5.6%	-2.4%
<i>Core(13+ times)</i>	3,718	58%	3,378	53%	3,450	55%	-7.2%	2.1%
Football, Flag	5,610	100%	6,551	100%	6,572	100%	17.1%	0.3%
<i>Casual (1-12 times)</i>	2,813	50%	3,572	55%	3,573	54%	27.0%	0.0%
<i>Core(13+ times)</i>	2,797	50%	2,979	45%	2,999	46%	7.2%	0.7%
<i>Core Age 6 to 17 (13+ times)</i>	1,363	50%	1,565	55%	1,578	54%	15.8%	0.8%
Football, Touch	7,140	100%	5,629	100%	5,517	100%	-22.7%	-2.0%
<i>Casual (1-12 times)</i>	3,952	55%	3,332	59%	3,313	60%	-16.2%	-0.6%
<i>Core(13+ times)</i>	3,188	45%	2,297	41%	2,204	40%	-30.9%	-4.0%
Volleyball (Sand/Beach)	4,769	100%	4,947	100%	4,770	100%	0.0%	-3.6%
<i>Casual (1-12 times)</i>	3,261	68%	3,544	72%	3,261	68%	0.0%	-8.0%
<i>Core(13+ times)</i>	1,509	32%	1,403	28%	1,509	32%	0.0%	7.6%
Football, Tackle	6,165	100%	5,224	100%	5,157	100%	-16.4%	-1.3%
<i>Casual (1-25 times)</i>	2,601	42%	2,145	41%	2,258	44%	-13.2%	5.3%
<i>Core(26+ times)</i>	3,564	58%	3,078	59%	2,898	56%	-18.7%	-5.8%
<i>Core Age 6 to 17 (26+ times)</i>	2,586	42%	2,427	41%	2,353	44%	-9.0%	-3.0%
Gymnastics	4,972	100%	4,805	100%	4,770	100%	-4.1%	-0.7%
<i>Casual (1-49 times)</i>	3,209	65%	3,139	65%	3,047	64%	-5.0%	-2.9%
<i>Core(50+ times)</i>	1,763	35%	1,666	35%	1,723	36%	-2.3%	3.4%
Soccer (Indoor)	4,803	100%	5,399	100%	5,233	100%	9.0%	-3.1%
<i>Casual (1-12 times)</i>	1,967	41%	2,657	49%	2,452	47%	24.7%	-7.7%
<i>Core(13+ times)</i>	2,836	59%	2,742	51%	2,782	53%	-1.9%	1.5%

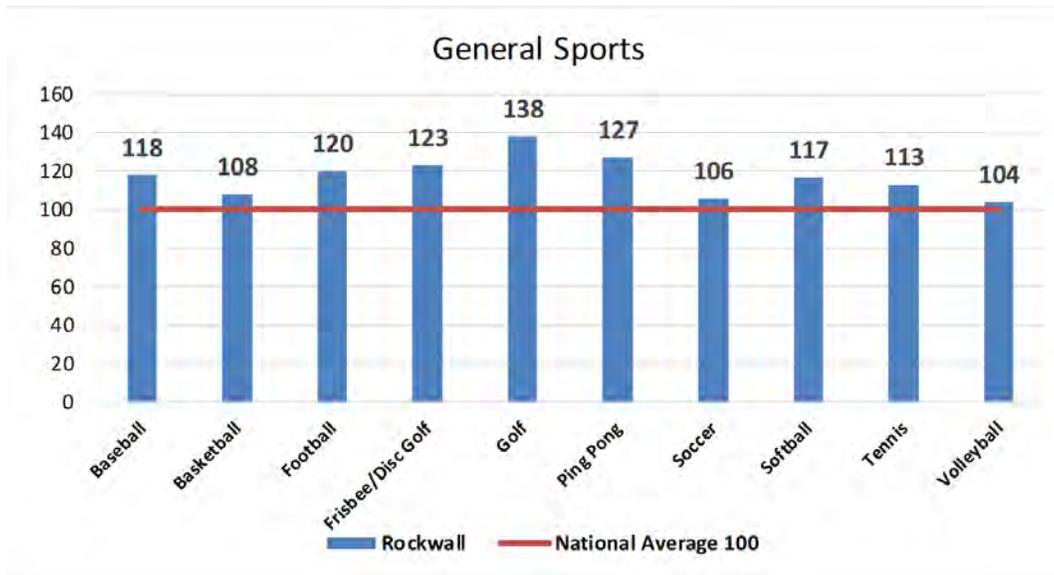
NOTE: Participation figures are in 000's for the US population ages 6 and over

Participation Growth/Decline	Large Increase (greater than 25%)	Moderate Increase (0% to 25%)	Moderate Decrease (0% to -25%)	Large Decrease (less than -25%)	
Core vs Casual Distribution	Mostly Core Participants (greater than 75%)	More Core Participants (56-74%)	Evenly Divided (45-55% Core and Casual)	More Casual Participants (56-74%)	Mostly Casual Participants (greater than 75%)

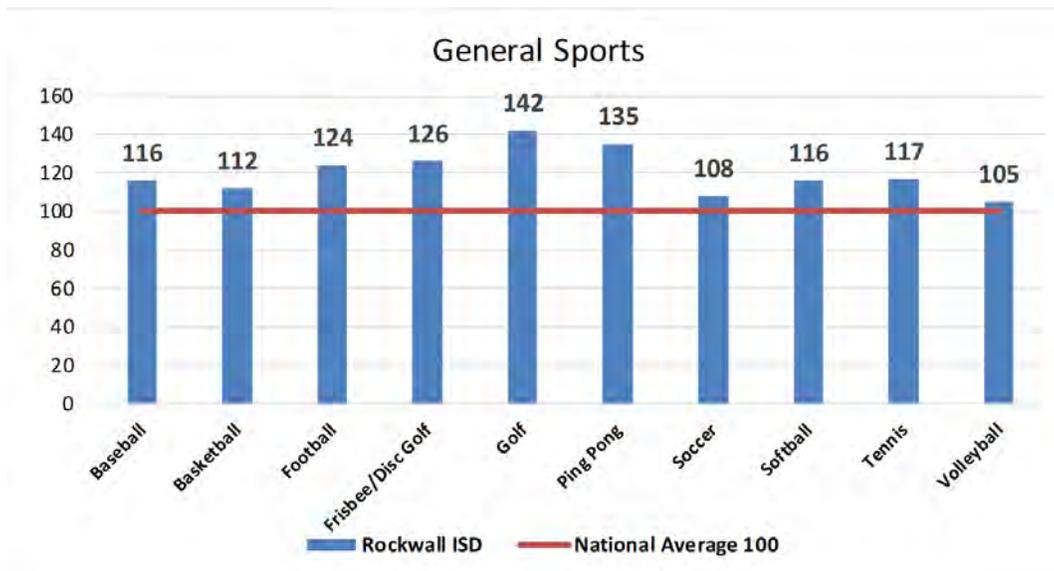
2.7 LOCAL TRENDS - MARKET POTENTIAL

A Market Potential Data (MPI) measures the probable demand for a service in the target area. The MPI communicates the likelihood that a resident of the service area will exhibit certain consumer behavior when compared to the US National average. The National average is 100, therefore above 100 would represent a higher than average participation rate. The following sections illustrate the index of the greatest recreation market potential in each of the service areas.

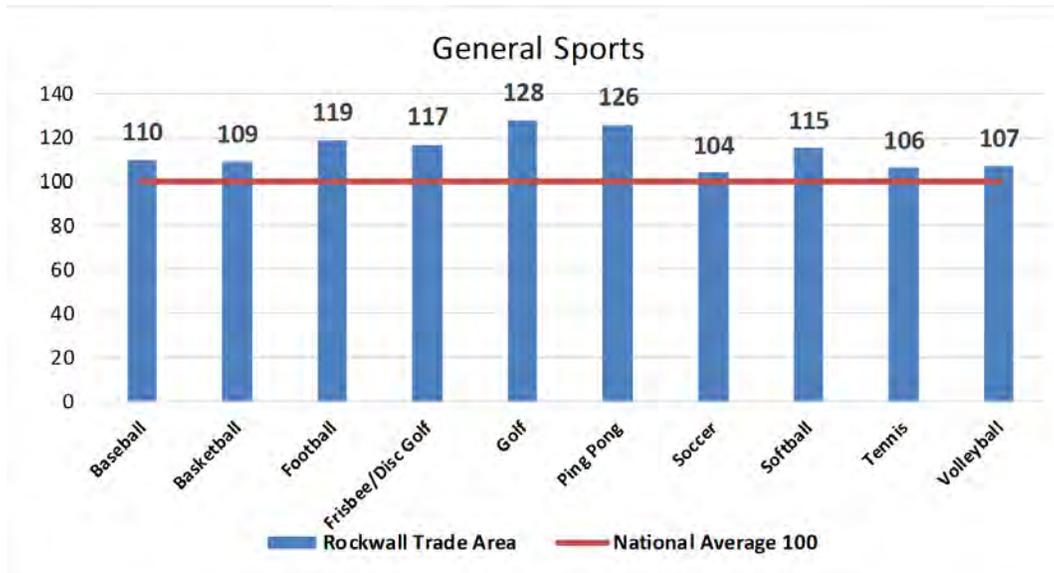
2.7.1 CITY OF ROCKWALL - GENERAL SPORTS MPI



2.7.2 ROCKWALL INDEPENDENT SCHOOL DISTRICT (ISD) SERVICE AREA - GENERAL SPORTS MPI



2.7.3 CITY OF ROCKWALL TRADE AREA SERVICE AREA – GENERAL SPORTS MPI



2.7.4 CONCLUSION

It is critically important for the Rockwall to understand the national participation trends in recreation activities. In doing so, the department can gain general insight into the lifecycle stage of recreation sports programs and activities and thereby anticipate potential changes in need and demand for the programs and activities that it provides to the residents of Rockwall.

Locally, participation in team sports in all three service areas are strong and indicate an opportunity to grow these services.

2.8 CURRENT PARTICIPATION IN ATHLETIC FIELDS SPORTS

The following chart summarizes the current participation level in the various athletic field sports that utilize fields within the Rockwall ISD service area. The strong participation numbers support the high market potential indices noted on the previous page.

Athletic Field Sports Participation	Youth T-Ball, Baseball & Softball	Adult Softball	Youth & Adult Soccer	Youth Football & Cheer	Youth Lacrosse
PROVIDER/ORGANIZATION					
City of Rockwall *	13,325				
LakePointe Church	165		1,700	0	
J.E.R. Chilton YMCA	250		2,000	750	
Rockwall Football				1,200	
Rockwall-Heath Lacrosse					130
RISE (club soccer field rental)			100		
North Texas Soccer			5,000		
TOTALS	14,865	0	8,800	1,950	130

* Includes participation in 17 tournaments hosted by City totaling 11,200

2.8.1 KEY TAKEAWAYS

- All organizations surveyed indicated that 90% of participants reside within the Rockwall ISD service area.
- All organizations surveyed indicated that 50% of participants reside within the City of Rockwall.
- All organizations surveyed indicated that participation in their programs is approaching maximum capacity.
- Based on program participation waiting lists, all organizations anticipate 10-25% growth in participation in programs over the next five years, ONLY IF additional athletic fields are made available.
- All organizations surveyed recognize the challenges of utilizing greenspace in neighborhood parks for sport practices (lack of parking, lack of restroom facilities, adverse impact on neighbors).

Chapter Three - COMMUNITY INPUT

There has been extensive public input and participation as part of this process. Twelve (12) leadership interviews and community focus groups, and four public workshops were conducted as the foundation of public participation.

3.1 INPUT OPPORTUNITIES

The qualitative data collected included multiple leadership interviews, focus groups and community meetings. A summary of the public input opportunities is provided below.

Note: The findings listed below are solely the opinion of the attendees at these meetings and do not reflect the overall community, staff or the consultant's opinion.

- Twelve (12) leadership group interviews and focus groups were conducted to be representative, but not exhaustive of interests affecting athletic fields in the City of Rockwall. These sessions included:
 - Administration and leadership
 - Stakeholders
 - Users and non-users of the athletic field system
 - Parks, recreation, and sports user groups
 - Business and community leaders
- Four (4) community meetings were conducted in order to capture representative interests, needs, and priorities of residents through City Council and Parks and Recreation Advisory Board workshops.

3.2 KEY LEADERSHIP, FOCUS GROUP AND PUBLIC INPUT SUMMARY

3.2.1 OVERVIEW

There has been extensive public input and participation in the planning process. Key leadership interviews and focus groups were conducted to help gain an understanding of the community values, as well as determining the priorities for athletic field needs of the City of Rockwall.

3.2.2 SUMMARY

- Participants felt that the Rockwall's athletic field system has a strong albeit limited presence in the community.
- Participants see the system as excellently maintained with great staff and enjoy the programs and amenities offered.
- Updating and expanding the athletic field system was continually expressed throughout all focus groups as demand for athletic fields significantly outweighs the supply. Meeting the local need for athletic fields should be prioritized ahead of opportunities for sports tourism.
- Participants are routinely having to drive to the Dallas Metro Region to participate in weekend sport tournaments as field capacity in Rockwall to host large tournaments does not exist.

Chapter Four – ATHLETIC FIELD INVENTORY ASSESSMENT AND SERVICE LEVEL ANALYSIS

Athletic Field Assessments were conducted as part of the Athletic Field Feasibility Study. The purpose of the assessments is to evaluate the existing conditions and functionality of the athletic fields owned by the City of Rockwall. This review includes the athletic field inventory of Leon Tuttle Athletic Complex, Yellow Jacket Park and Harry Myers Park and a full assessment of the conditions at each of these sites. In addition to the City of Rockwall's fields, an inventory of associated with Rockwall Independent School District fields and the City of Rockwall's Trade Area is also provided. The inventory and assessments provide insight and suggestions as to possible repair, replacement or modification of each field element to meet the recreational use requirements in the City. The results of the assessments are summarized in this report.

On January 17, 2019, Rockwall City Staff and MHS Planning & Design spent the afternoon walking, and inventorying the existing sports fields owned by the City of Rockwall. During the walk through, members of the City of Rockwall staff supplied key information regarding athletic field condition and performance. These individuals also provided considerable insight into the functional relationships and challenges present that affect customer service. The following is an assessment of the city-owned facilities for recreational and club level youth athletics.

4.1 LEON TUTTLE ATHLETIC COMPLEX - 1600 AIRPORT ROAD

Leon Tuttle Athletic Complex is an 18.6-acre athletic field complex that consists of eight multi-purpose baseball/ softball fields. Each field has been constructed in order to accommodate multiple ages with the use of portable pitching mounds and base distances. A total of six of the eight fields are lighted. The existing lighting is 30-foot candles in the infield and 20-foot candles in the outfield. True tournament quality field lighting is to be 50-foot candles in the infield and 30-foot candles in the outfield.

In general, the entire site has drainage issues and water collects on fields making some of them unplayable after minor rain events.

ATHLETIC FIELDS

- Field 1: Lighted. Permanent Fence - 300'. With the use of temporary fences, this field accommodates 4U-14U.
- Field 2: Lighted. Permanent Fence - 300'. With the use of temporary fences, this field accommodates 4U-14U.
- Field 3: Lighted. Permanent Fence - 210'. With the use of temporary fences, this field accommodates 4U-10U.
- Field 4: Lighted. Permanent Fence - 300'. With the use of temporary fences, this field accommodates 4U-12U. Note: Although the permanent fence distance is far enough to accommodate 13U & 14U, the infield is not large enough to accommodate 80' base paths required.
- Field 5: Lighted. Permanent Fence - 185'. With the use of temporary fences, this field accommodates 4U-10U. Note: The permanent fence is 25' too short to accommodate 9U & 10U. In order to allow this age group to play games, the fence has been constructed at 8' tall.

- Field 6: Lighted. Permanent Fence - 280'. With the use of temporary fences, this field accommodates 4U-10U.
- Field 7: Unlighted. Permanent Fence - 185'. With the use of temporary fences, this field accommodates 4U-8U.
- Field 8: Unlighted. Permanent Fence - 185'. With the use of temporary fences, this field accommodates 4U-8U.

SITE AMENITIES

- Concession Stand - The existing concession stand is not centrally located on-site. The size of the concession stand is too small to sufficiently support tournaments. In addition to the lack of space, the existing utilities are not sufficient enough to power the concession stand. The concession stand is currently covered with a large shade canopy that is tattered and in need of replacement.
- Restroom Facilities - Two restroom facilities are located on-site.
- Soft Toss Cages & Warm-Up Areas - One large soft toss cage with six separate bays is located on site. Small lawn areas are provided as warm-up space but the amount of space is not sufficient for the total amount of teams playing.
- Parking - The site currently has a total of 200 parking spaces. Based on the recommended 50 parking spaces per field, the complex currently is in need of an additional 200 spaces.



OPPORTUNITIES FOR IMPROVEMENT - LEON TUTTLE

- **Site Grading (Drainage)** - Water flows west to east from fields 1 & 2 and pools in fields 7 & 8 causing drainage issues. It is recommended to grade each field at 1.6% slope so that water flows outward from second base to the outfield.
 - Constraints - Leon Tuttle Athletic Complex was not effectively graded which may affect future improvements.
- **Concession Stand** - The concession stand and restroom facility is 25- 30 years old. The electrical system is outdated and the facility is dilapidated. It is recommended to tear down and reconstruct the concession stand and adjoining restroom facility so that space is better utilized and adequate for tournaments.
 - Constraints - There is a limited amount of space in the existing location to rebuild the concession stand.
- **Restroom Upgrades** - The independent restroom facility between fields 5 & 8 was constructed 2-4 years ago and is still in good condition. It is recommended to conduct a feasibility study on an expansion of the restroom facility.
 - Constraints - There are currently no constraints for restrooms upgrades.
- **Batting Cages / Warm Up Areas** - There are no batting cages and a lack of warm up areas at Leon Tuttle. It is recommended to construct three batting cages to accommodate for the demand. One should be constructed behind left field of field 3, one between field 1 and field 2 and one should be constructed between field 4 and field 6. Batting cages are typically 70' long by 15' wide. Each field should have designated warm up areas with manicured lawn space.
 - Constraints - There are currently no constraints for providing batting cages and improving warm up areas.
- **Dugouts** - Many of the dugouts are in poor condition due to inclement weather and high usage. It is recommended to replace and upgrade existing dugouts at field five and other necessary fields as needed for tournament quality play and safety.
 - Constraints - There are currently no constraints for improving dugouts.
- **Site Amenities** - In order to provide a tournament quality athletic complex, it is important to implement additional site amenities. It is recommended to provide additional benches, picnic tables and covered bleachers for viewing purposes. Water fountains should be provided next to restroom facilities and the concession stand.
 - Constraints - There are currently no constraints for enhancing site amenities.
- **Parking** - There is a need to provide an additional 200 parking spaces to meet the demand of increased park usage.
 - Constraints - Leon Tuttle is built out and confined by Airport Road to the north, in the south by train tracks, in the east by Industrial Boulevard and in the west by the City Service Center. There is no space to provide additional spaces.

4.2 YELLOW JACKET PARK - 995 W YELLOWJACKET LANE

Yellow Jacket Park is a 7.6-acre park that consists of three multi-purpose baseball/softball fields. Each field has been constructed in order to accommodate multiple ages with the use of portable pitching mounds and base distances. None of the fields are currently lighted.

In general, the entire site has drainage issues and water collects on fields making some of them unplayable after minor rain events.

FIELDS

- Field 1: Unlighted. Permanent Fence - 210'. With the use of temporary fences, this field accommodates 9U-12U.
- Field 2: Unlighted. Permanent Fence - 200'. With the use of temporary fences, this field accommodates 7U-10U.
- Field 3: Unlighted. Permanent Fence - 160'. With the use of temporary fences, this field accommodates 4U-8U.

SITE AMENITIES

- Concession Stand - No concession stand is located onsite.
- Restroom Facilities - One restroom facility is located on-site.
- Batting Cages & Warm-Up Areas - No batting cages are located on site. Small lawn areas are provided as warm-up space but the amount of space is not sufficient.
- Parking - The site currently has a total of 80 parking spaces. Based on the recommended 50 parking spaces per field, the complex currently is in need of an additional 70 spaces.



OPPORTUNITIES FOR IMPROVEMENT - YELLOWJACKET PARK

- **Site Grading (Drainage)** - Yellow Jacket Park has problems with drainage as water flows east to west from fields 1 & 2 collecting in field 3. It is recommended to grade each field at 1.6% slope so water flows outward from second base to the outfield.
 - Constraints - Yellow Jacket Park was originally graded improperly which may affect future improvements.
- **Field Lighting** - The fields are unlighted and there is a need to expand the versatility of Yellow Jacket Park by providing lighting for the three. This allows for 2-3 additional hour of play which reduces the demand for field space at Leon Tuttle Park. It is recommended to light 3 fields.
 - Constraints - The neighboring retirement living community could have conflicting interests with lighting the ball fields.
- **Concession Stand** - There is a need to construct a small concession building connected to the restroom facility for game purposes. It is recommended to research the feasibility of constructing a concession building.
 - Constraints - There is a limited amount of space between fields 1 & 2.
- **Warm Up Areas / Batting Cages** - There are no batting cages and a lack of warm up space at Yellow Jacket Park. It is recommended to construct two batting cages at the south end, behind fields 2 & 3, while leaving space for open areas to warm up. Each field should have designated warm up areas with manicured lawn space.
 - Constraints - There are currently no constraints to enhancing fields by providing batting cages and warm up areas.
- **Site Amenities** - It is important to consistently update site amenities to enhance the fields at Yellow Jacket Park. It is recommended to provide additional benches and covered bleachers for spectators. Water fountains should be provided next to restroom facilities.
 - Constraints - There are currently no constraints to providing updated site amenities.
- **Parking** - There is a need to provide an additional 70 parking spots. It is recommended to expand the northeast parking lot to include additional spaces.
 - Constraints - Yellow Jacket Park is nearly built out and confined in the east by West Yellow Jacket Lane, in the west by a parking lot, in the north by commercial buildings in the south by retirement homes and a Ford service shop.

4.3 HARRY MYERS PARK - 815 E WASHINGTON ST,

Harry Myers Park consists of two multi-purpose baseball/softball fields. Each field has been constructed in order to accommodate multiple ages with the use of portable pitching mounds and base distances. Both fields are lighted but insufficient for game play.

In general, the entire site has drainage issues and water collects on fields making some of them unplayable after minor rain events.

FIELDS

- Field 1: Unlighted. Permanent Fence - 210'. With the use of temporary fences, this field accommodates 9U-12U.
- Field 2: Unlighted. Permanent Fence - 200'. With the use of temporary fences, this field accommodates 7U-10U.
- Field 3: Unlighted. Permanent Fence - 160'. With the use of temporary fences, this field accommodates 4U-8U.

SITE AMENITIES

- Concession Stand - No concession stand is located onsite.
- Restroom Facilities - One restroom facility is located on-site.
- Batting Cages & Warm-Up Areas - No batting cages are located on site. Small lawn areas are provided as warm-up space but the amount of space is not sufficient.
- Parking - The site currently has a total of 80 parking spaces. Based on the recommended 50 parking spaces per field, the complex currently is in need of an additional 70 spaces.



OPPORTUNITIES FOR IMPROVEMENT - HARRY MYERS PARK

- **Redesign and Rebuild** - It is recommended to demolish and redesign the ball fields at Harry Myers Park. The rebuilt ball fields should be graded properly so water drains with ease, have permanent outfield fences, and field lighting. In addition, it is recommended to construct a shared use batting cage, covered spectator areas and provide manicured lawns with warm up space on each field. During the conceptual design and planning period it is recommended to research the feasibility of constructing a third ball field and a concession stand at Harry Meyers Park.
 - **Constraints** - The site currently has the following constraints: a confined area for design, a drainage creek on the northern side of the property, a large overhead utility line runs along the outfield on field 1 and the permanent locations of the existing restroom facility and pavilion.

Chapter Five - MARKET ANALYSIS

PROS Consulting, in conjunction with the City of Rockwall and MHS, identified athletic field providers in the three service areas as defined in Chapter Two. The goal of the market analysis task is to evaluate how the City of Rockwall’s athletic field system is positioned in the market and to provide insight on how best to meet the needs of the community in the future.

5.1 CITY OF ROCKWALL SERVICE AREA

This section identifies the athletic field inventory that is publicly accessible within the City of Rockwall’s geographic boundaries.

INVENTORY MAP



INVENTORY CHART

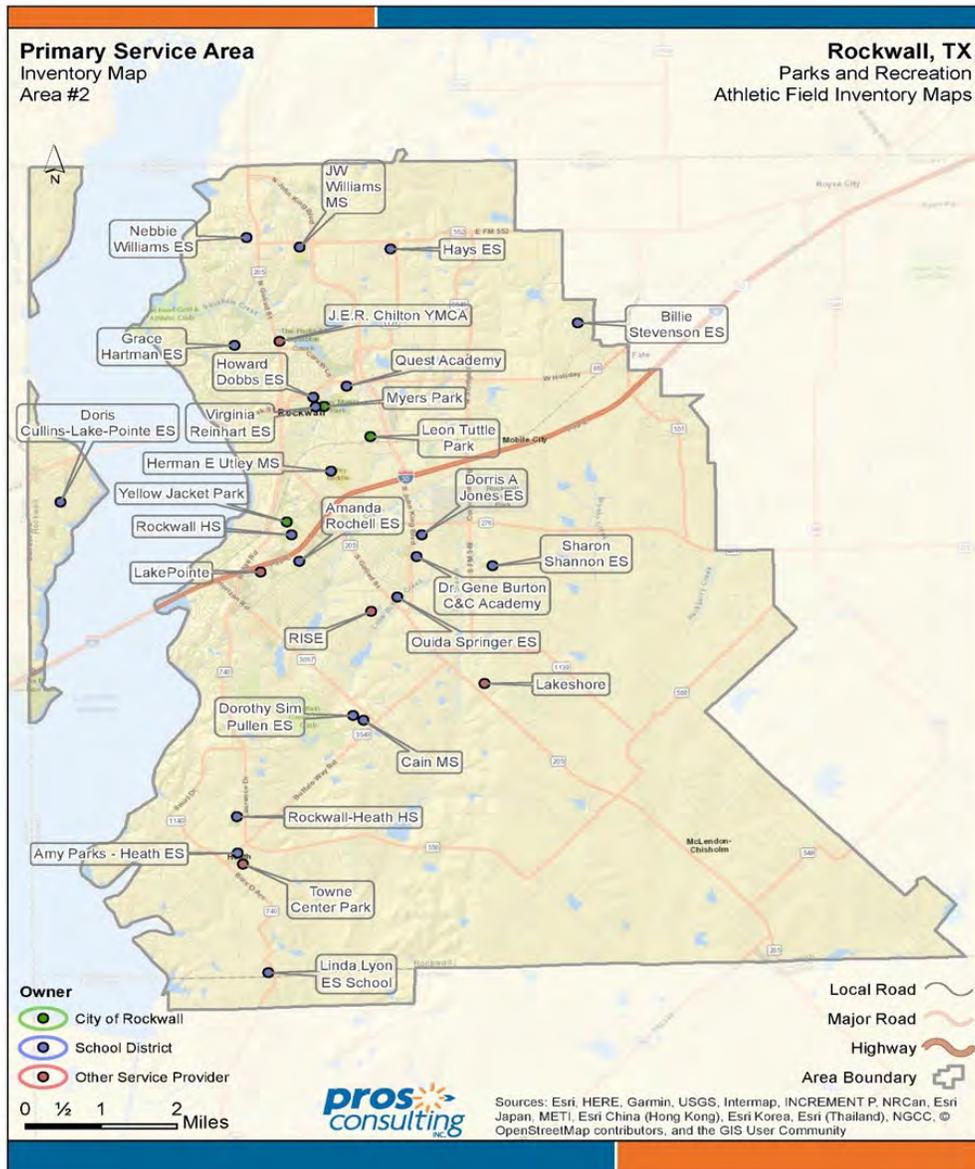
City of Rockwall Field Inventory		Adult/Teen Baseball	Adult Softball & Little League	Youth Baseball (U13) & Girls Fastpitch	Multi-Purpose (U12 & up)	Multi-Purpose (Under U12)
Park Name	Address	Amenity Inventory				
CITY OF ROCKWALL FIELDS						
Myers Park	815 E Washington St, Rockwall, TX 75087	0	2	0	0	0
Leon Tuttle Park	1600 Airport, Rd, Rockwall TX 74087	2	4	2	0	0
Yellow Jacket Park	W Yellow Jacket Ln, Rockwall, TX 75087	0	2	1	0	0
SUBTOTAL		2	8	3	0	0
OTHER SERVICE PROVIDER FIELDS						
J.E.R. Chilton YMCA	7203, 1220 N Goliad St, Rockwall, TX 75087	0	0	0	1	4
RISE	2922 S. Goliad, Rockwall, TX 75032	1	0	0	1	3
LakePointe	730 I-30, Rockwall, TX 75087	0	0	0	1	3
SUBTOTAL		1	0	0	3	10
ROCKWALL ISD FIELDS						
Rockwall High School	901 W Yellow Jacket Ln, Rockwall, TX 75087	1	0	1	2	0
Quest Academy	1050 Williams St, Rockwall, TX 75087	0	1	0	0	0
Dr. Gene Burton C&C Academy	2301 John King Blvd, Rockwall, TX 75087	0	0	0	0	0
Herman E Utley Middle School	1201 T L Townsend Dr, Rockwall, TX 75087	0	0	0	1	0
JW Williams Middle School	625 E. Farm to Market Rd 552, Rockwall, TX 75087	0	0	0	2	1
Amanda Rochell Elementary School	899 Rochell Ct, Rockwall, TX 75032	0	0	0	1	0
Hays Elementary School	1714 Tannerson Dr, Rockwall, TX 75087	0	0	0	0	2
Dorris A Jones Elementary School	2051 Trail Glen, Rockwall, TX 75032	0	0	0	1	0
Grace Hartman Elementary School	1325 Petaluma Dr, Rockwall, TX 75087	0	0	0	0	2
Howard Dobbs Elementary School	901 E Interurban St, Rockwall, TX 75087	0	0	0	0	0
Virginia Reinhart Elementary School	101 S Clark St, Rockwall, TX 75087	0	0	0	1	0
Nebbie Williams Elementary School	350 Dalton Rd, Rockwall, TX 75087	0	0	0	0	1
Ouida Springer Elementary School	3025 Limestone Hill Ln, Rockwall, TX 75032	0	0	0	0	1
Sharon Shannon Elementary School	3130 Fontanna Blvd, Rockwall, TX 75032	0	0	0	1	0
SUBTOTAL		1	1	1	9	7
GRAND TOTAL		4	9	4	12	17

- The City of Rockwall owns, manages, and maintains three locations where athletic fields are publicly available.
- The City of Rockwall only provides diamond athletic fields as part of its athletic field system. It does not provide rectangular or multi-purpose fields.
- The City of Rockwall is the primary provider of diamond athletic fields in the City of Rockwall.
- The Rockwall Independent School District is the primary provider of rectangular or multi-purpose fields in the City and makes these fields available for rent to the community.

5.2 ROCKWALL ISD SERVICE AREA

This section identifies the athletic field inventory that is publicly accessible within the Rockwall ISD's geographic boundaries.

INVENTORY MAP



INVENTORY CHART

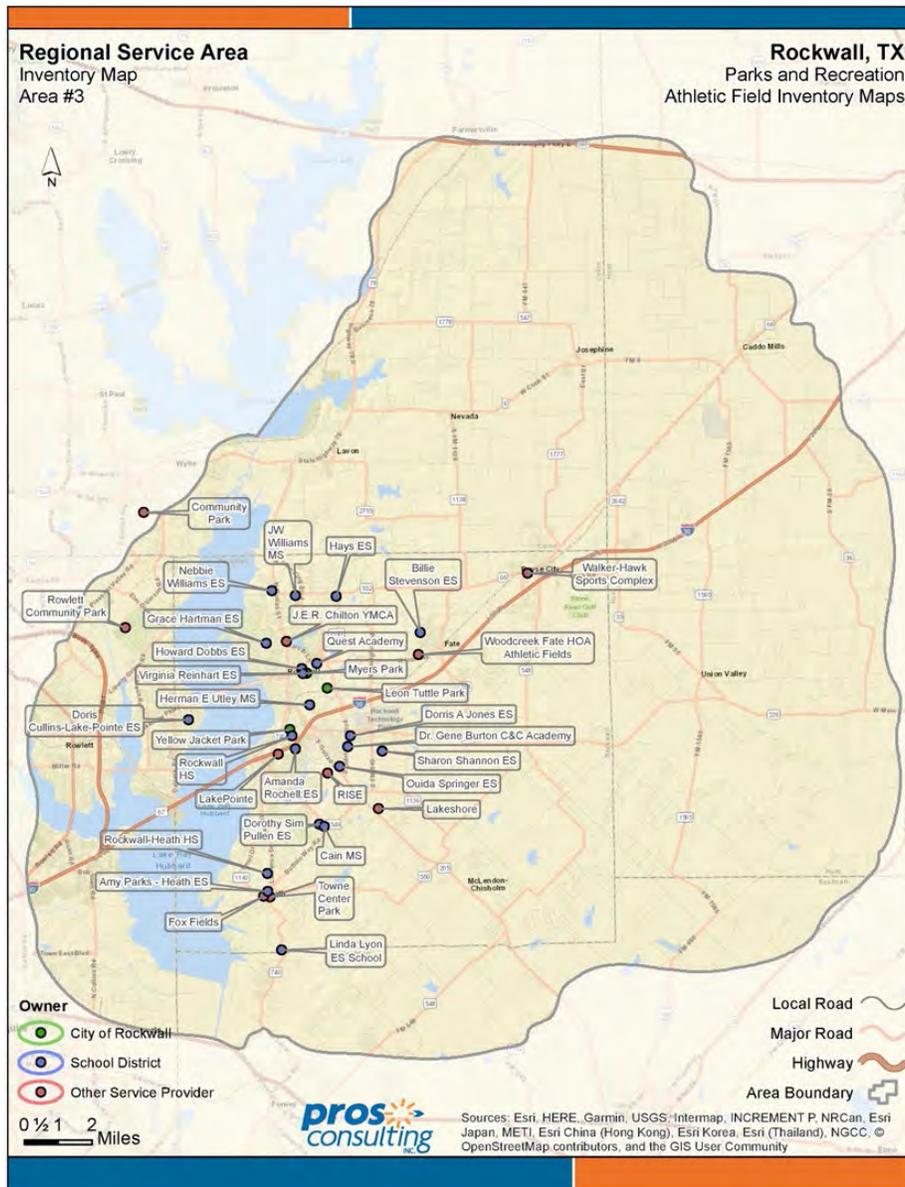
Rockwall ISD Service Area Inventory		Adult/Teen Baseball	Adult Softball & Little League	Youth Baseball (U13) & Girls Flag/Softball	Multi-Purpose (U12 & up)	Multi-Purpose (under U12)
Park Name	Address	Amenity Inventory				
CITY OF ROCKWALL FIELDS						
Myers Park	815 E Washington St, Rockwall, TX 75087	0	2	0	0	0
Leon Tuttle Park	1600 Airport, Rd, Rockwall TX 74087	2	4	2	0	0
Yellow Jacket Park	W Yellow Jacket Ln, Rockwall, TX 75087	0	2	1	0	0
SUBTOTAL		2	8	3	0	0
OTHER SERVICE PROVIDER FIELDS						
J.E.R. Chilton YMCA	7203, 1220 N Goliad St, Rockwall, TX 75087	0	0	0	1	4
RSE	2922 S. Goliad, Rockwall, TX 75032	1	0	0	1	3
LakePointe	730 J30, Rockwall, TX 75087	0	0	0	1	3
Lakeshore	5575 State Hwy 205, Rockwall, TX 75032	0	0	0	1	0
Towne Center Park	200 Laurence Dr, Heath, TX 75032	0	1	0	2	1
SUBTOTAL		1	1	0	6	11
ROCKWALL ISD FIELDS						
Rockwall High School	901 W Yellow Jacket Ln, Rockwall, TX 75087	1	0	1	2	0
Rockwall-Heath High School	801 Laurence Dr, Rockwall, TX 75032	2	0	2	4	0
Quest Academy	1050 Williams St, Rockwall, TX 75087	0	1	0	0	0
Dr. Gene Burton CAC Academy	2301 John King Blvd, Rockwall, TX 75087	0	0	0	0	0
Cain Middle School	4620 Farm To Market Rd 3097, Rockwall, TX 75032	0	0	0	3	0
Harman E Utley Middle School	1201 T. L. Townsend Dr, Rockwall, TX 75087	0	0	0	1	0
JW Williams Middle School	425 E. Farm to Market Rd 552, Rockwall, TX 75087	0	0	0	2	1
Amanda Rodbell Elementary School	899 Rochell Ct, Rockwall, TX 75032	0	0	0	1	0
Amy Parks - Heath Elementary School	330 Laurence Dr, Rockwall, TX 75032	0	1	0	0	1
Billie Stevenson Elementary School	636 Stevenson Dr, Rockwall, TX 75087	0	0	0	0	1
Hays Elementary School	1714 Tannerson Dr, Rockwall, TX 75087	0	0	0	0	2
Doris Cullis-Lake-Pointe Elementary School	5701 Scenic Dr, Rowlett, TX 75088	0	0	0	0	1
Dorothy Sim Pullen Elementary	6492 Fm 3097 Rockwall TX 75032	0	0	0	1	0
Doris A. Jones Elementary School	2051 Trail Glen, Rockwall, TX 75032	0	0	0	1	0
Grace Hartman Elementary School	1325 Petaluma Dr, Rockwall, TX 75087	0	0	0	0	2
Howard Dobbs Elementary School	901 E Interurban St, Rockwall, TX 75087	0	0	0	0	0
Virginia Reinhart Elementary School	101 S Clark St, Rockwall, TX 75087	0	0	0	1	0
Linda Lyon Elementary School (located in Heath)	2186 Trophy Drive, Heath, TX 75126	0	0	0	0	1
Nebbie Williams Elementary School	350 Dalton Rd, Rockwall, TX 75087	0	0	0	0	1
Outda Springer Elementary School	3025 Limestone Hill Ln, Rockwall, TX 75032	0	0	0	0	1
Sharon Shannon Elementary School	3130 Fontanna Blvd, Rockwall, TX 75032	0	0	0	1	0
SUBTOTAL		3	2	3	17	11
GRAND TOTAL		6	11	6	23	22

- The City of Rockwall owns, manages, and maintains three locations where athletic fields are publicly available.
- The City of Rockwall only provides diamond athletic fields as part of its athletic field system. It does not provide rectangular or multi-purpose fields.
- The City of Rockwall is a primary provider of diamond athletic fields in the ISD service area.
- The Rockwall Independent School District is the primary provider of rectangular or multi-purpose fields in the City and makes these fields available for rent to the community.

5.3 CITY OF ROCKWALL TRADE SERVICE AREA

This section identifies the athletic field inventory that is publicly accessible within the City of Rockwall's Trade Area geographic boundaries.

INVENTORY MAP



INVENTORY CHART

City of Rockwall Trade Area Service Area Field Inventory		Adult/Teen Baseball	Adult Softball & Little League	Youth Baseball (U13) & Girls Fastpitch	Multi-Purpose (U12 & up)	Multi-Purpose (Under U12)
Park Name	Address	Amenity Inventory				
CITY OF ROCKWALL FIELDS						
Myers Park	815 E Washington St, Rockwall, TX 75087	0	2	0	0	0
Leon Tuttle Park	1400 Airport, Rd, Rockwall, TX 74087	2	4	2	0	0
Yellow Jacket Park	W Yellow Jacket Ln, Rockwall, TX 75087	0	2	1	0	0
SUBTOTAL		2	8	3	0	0
OTHER SERVICE PROVIDER FIELDS						
J.E.R. Chilton YMCA	7203, 1220 N Goliad St, Rockwall, TX 75087	0	0	0	1	4
RISE	2922 S. Goliad, Rockwall, TX 75032	1	0	0	1	3
LakePointe	730 I-30, Rockwall, TX 75087	0	0	0	1	3
Lakeshore	5575 State Hwy 205, Rockwall, TX 75032	0	0	0	1	0
Towne Center Park	200 Laurence Dr, Heath, TX 75032	0	1	0	2	1
Roadlet Community Park	8500 St Andrews Ln, Rowlett, TX 75089	0	4	4	3	4
Community Park	800 Thomas St, Wylie, TX 75096	0	0	4	1	4
Walker Hawk Sports Complex	100 Edy Campbell Blvd, Royse City, TX 75189	0	4	0	1	0
Fox Fields	200 Laurence Dr, Heath, TX 75032	0	0	0	0	3
Woodcreek Falls HOA Athletic Fields	100 Woodcreek Blvd, Rockwall, TX 75087	0	0	0	0	2
SUBTOTAL		1	9	8	11	24
ROCKWALL ISD FIELDS						
Rockwall High School	901 W Yellow Jacket Ln, Rockwall, TX 75087	1	0	1	2	0
Rockwall Heath High School	801 Laurence Dr, Rockwall, TX 75032	2	0	2	4	0
Quail Academy	1050 Williams St, Rockwall, TX 75087	0	1	0	0	0
Dr. Gene Burton CAC Academy	2301 John King Blvd, Rockwall, TX 75087	0	0	0	0	0
Cain Middle School	6620 Farm To Market Rd 3097, Rockwall, TX 75032	0	0	0	3	0
Herman E. Utley Middle School	1201 T. L. Townsend Dr, Rockwall, TX 75087	0	0	0	1	0
JW Williams Middle School	425 E. Farm to Market Rd 552, Rockwall, TX 75087	0	0	0	2	1
Amanda Rachel Elementary School	899 Rachel Ct, Rockwall, TX 75032	0	0	0	1	0
Amy Parks - Heath Elementary School	330 Laurence Dr, Rockwall, TX 75032	0	1	0	0	1
Billie Stevenson Elementary School	436 Stevenson Dr, Rockwall, TX 75087	0	0	0	0	1
Hays Elementary School	1714 Tamerson Dr, Rockwall, TX 75087	0	0	0	0	2
Deris Cullers Lake Pointe Elementary School	5701 Scenic Dr, Rowlett, TX 75088	0	0	0	0	1
Dorothy Sue Pullen Elementary	6492 Fm 3097 Rockwall TX 75032	0	0	0	1	0
Doris A Jones Elementary School	2051 Trail Glen, Rockwall, TX 75032	0	0	0	1	0
Grace Hartman Elementary School	1325 Pedaluna Dr, Rockwall, TX 75087	0	0	0	0	2
Howard Dobbs Elementary School	901 E Interurban St, Rockwall, TX 75087	0	0	0	0	0
Virginia Reinart Elementary School	101 S Clark St, Rockwall, TX 75087	0	0	0	1	0
Linda Lyon Elementary School School (located in Heath)	2186 Trophy Drive, Heath, TX 75126	0	0	0	0	1
Nobbie Williams Elementary School	350 Dalton Rd, Rockwall, TX 75087	0	0	0	0	1
Quids Springer Elementary School	3025 Limestone Hill Ln, Rockwall, TX 75032	0	0	0	0	1
Sharon Shannon Elementary School	3130 Fontanna Blvd, Rockwall, TX 75032	0	0	0	1	0
SUBTOTAL		3	2	3	17	11
GRAND TOTAL		6	19	14	28	35

- The City of Rockwall owns, manages, and maintains three locations where athletic fields are publicly available in the service area.
- The City of Rockwall only provides diamond athletic fields as part of its athletic field system. It does not provide rectangular or multi-purpose fields.
- The City of Rockwall is a primary provider of diamond athletic fields in the Trade Area service area.
- The Rockwall Independent School District is the primary provider of rectangular or multi-purpose fields in the City and makes these fields available for rent to the community.

5.3.1 SUMMARY

The City of Rockwall is a primary provider diamond athletic fields in each of the three services areas, however does not contribute any rectangular or multi-purpose field inventory to meet the demand for sports such as soccer, football and lacrosse.



Chapter Six - LEVEL OF SERVICE STANDARDS

Level of Service (LOS) standards are guidelines that define service areas based on population that support investment decisions related to athletic fields. LOS standards can and will change over time; as the population increases, the need to acquire additional land and develop athletic fields also increases as will the costs to do so.

The LOS standards analysis is a review of the inventory of athletic fields in relation to the total population of the study area and community needs. Ultimately, these standards should be used as goals for Rockwall leadership to use in measuring service levels and making decisions about providing athletic fields. The standards **should not** be the sole determinant of how Rockwall will invest in its athletic field system over the next 15 years.

6.1 CITY OF ROCKWALL LEVEL OF SERVICE STANDARDS

6.1.1 CURRENT CITY OF ROCKWALL LEVEL OF SERVICE

The current level-of-service for athletic fields in the City of Rockwall service area are displayed below.

2019 Inventory - Fields							
	City of Rockwall Inventory	School District Inventory	Other Provider Inventory	Total Inventory	Current Service Level		
ATHLETIC FIELDS							
Diamond, (Baseball) Teen/Adult	2.00	1.00	1.00	4.00	1.00	field per	11,733
Diamond, (Baseball/Softball) Youth and Adult	8.00	1.00	-	9.00	1.00	field per	5,215
Diamond, (Baseball/Softball) Youth ONLY	3.00	1.00	-	4.00	1.00	field per	11,733
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	-	9.00	3.00	12.00	1.00	field per	3,911
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	-	7.00	10.00	17.00	1.00	field per	2,761

6.1.2 SERVICE LEVELS RECOMMENDATION

The current service levels adopted have served Rockwall well, however with the rapid increase in population will not be sufficient in meeting the athletic field needs in the future. Coupled with the athletic field system assessments, community input and analysis conducted, it is recommended at a minimum, that the City adopt the Athletic Field LOS Standards as recommended by the consulting team as shown on the following page.

2019 Inventory - Fields				2019 Facility Standards		2034 Facility Standards		CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL		
	Total Inventory	Current Service Level	Recommended Service Levels	Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed			
ATHLETIC FIELDS										
Diamond, (Baseball) Teen/Adult	4.00	1.00 field per	11,733	1.00 field per	10,000	Need Exists	1 Field(s)	Need Exists	3 Field(s)	50%
Diamond, (Baseball/Softball) Youth and Adult	9.00	1.00 field per	5,215	1.00 field per	5,000	Meets Standard	0 Field(s)	Need Exists	4 Field(s)	89%
Diamond, (Baseball/Softball) Youth ONLY	4.00	1.00 field per	11,733	1.00 field per	10,000	Need Exists	1 Field(s)	Need Exists	3 Field(s)	75%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	12.00	1.00 field per	3,911	1.00 field per	3,500	Need Exists	1 Field(s)	Need Exists	7 Field(s)	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	17.00	1.00 field per	2,761	1.00 field per	3,000	Meets Standard	- Field(s)	Need Exists	5 Field(s)	0%

6.2 CITY OF ROCKWALL SERVICE AREA TECHNICAL NEEDS ANALYSIS

6.2.1 EQUITY MAPPING – CURRENT INVENTORY

The City of Rockwall service area’s athletic field system has evolved over time and distribution of sites and facilities throughout the community is reflected in the current site locations.

To further illustrate the distribution of current athletic fields in the City, an equity-mapping analysis was conducted to show the service areas and the gaps in service of the *current* inventory of athletic field types and amenities based on the *recommended* LOS standard. The recommended standards established are also indicated in the map title.

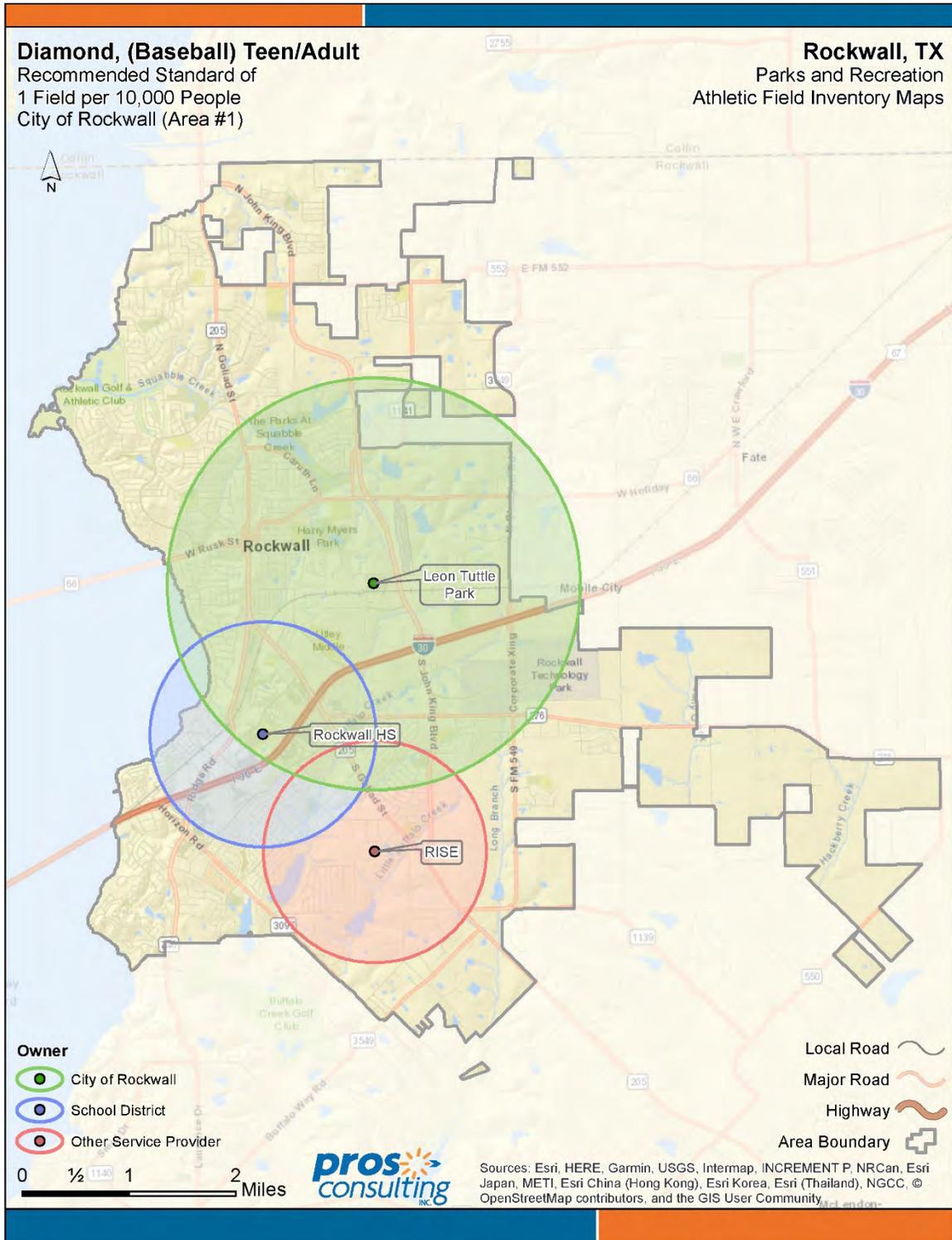
The equity mapping service areas for each athletic field type are calculated by the quantity of inventory of each site extended in a uniform radius until the population served by the recommended standard is reached. Shaded areas indicate the extent of the service area based on recommended inventories; unshaded areas indicate locations that would remain outside of the standard service area for each park type or park asset. Unshaded areas are not always the most appropriate location for future parks or park assets. They only represent areas that might be more thoroughly reviewed for potential additional facilities.

Although there are occasions when the equity mapping service areas may extend beyond the City’s borders, only the City of Rockwall’s population was utilized for calculating service area standards in this analysis.

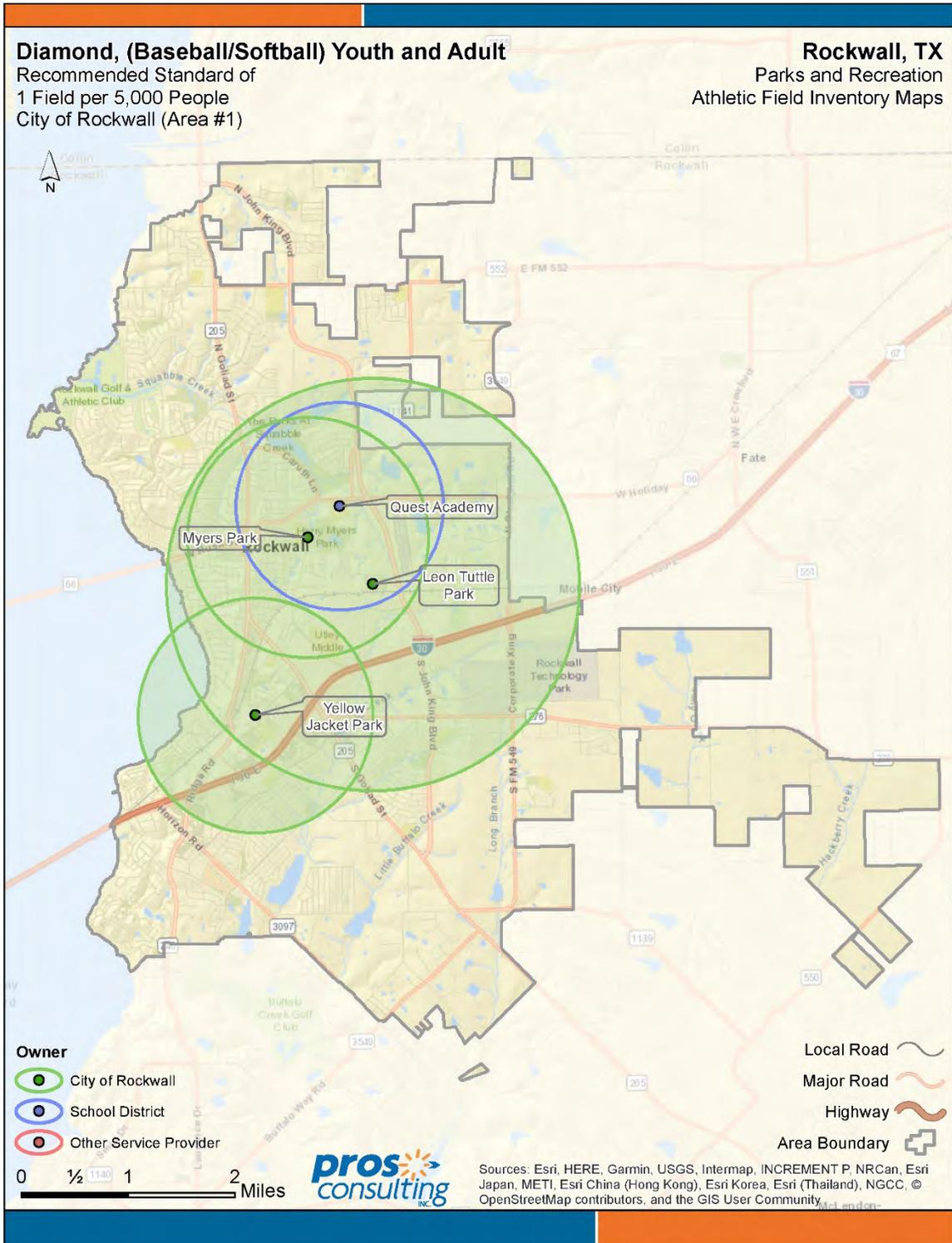
Community-wide maps of existing athletic fields in the City of Rockwall service area identified in this Athletic Field Feasibility Study are provided in the pages that follow. The maps on the following pages identify existing:

1. Diamond, (Baseball) Teen/Adult
2. Diamond, (Baseball/Softball) Youth and Adult
3. Diamond, (Baseball/Softball) Youth ONLY
4. Rectangle Fields (Soccer, Lacrosse, Football) - U12+
5. Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY

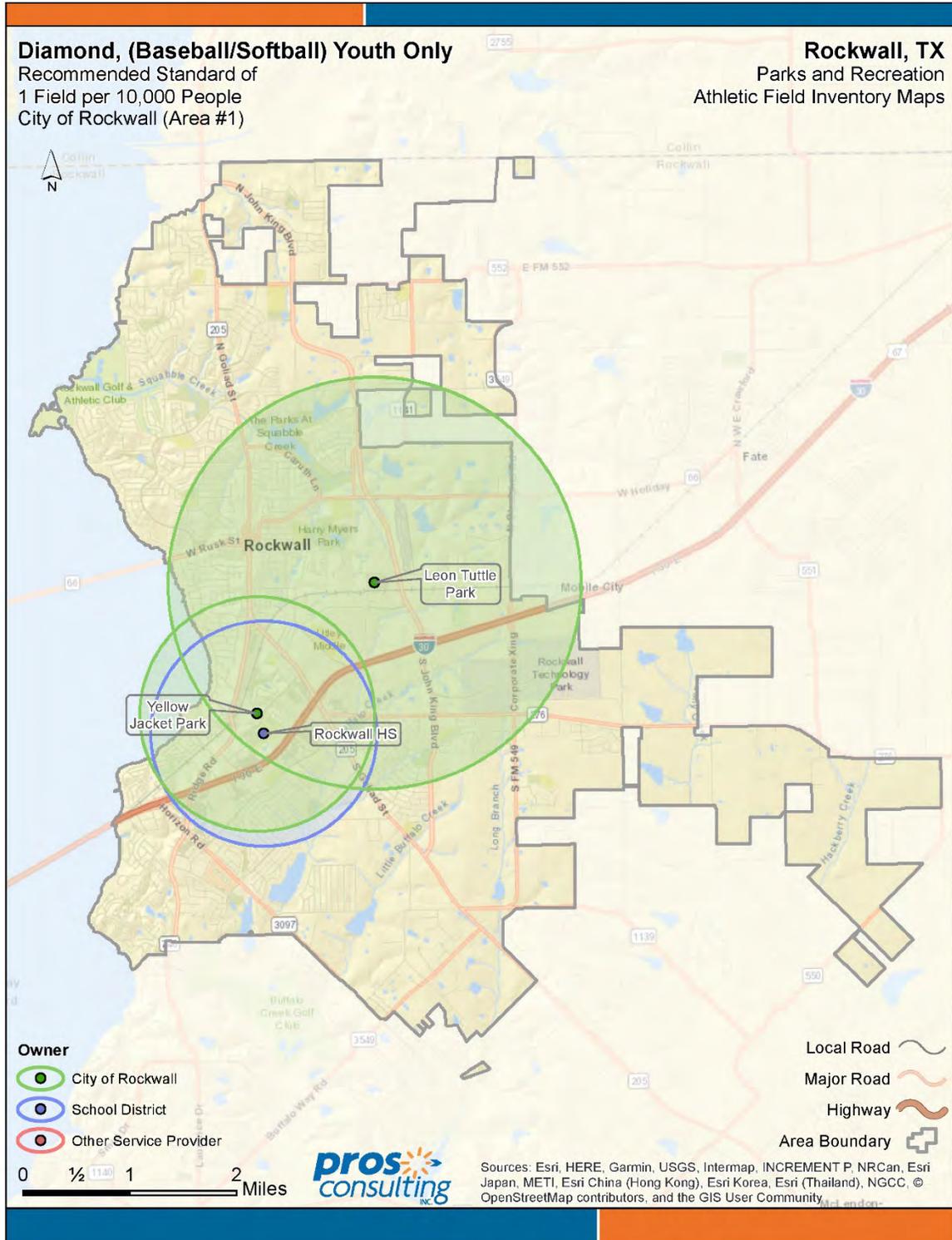
Diamond, (Baseball) Teen/Adult - Existing baseball diamond fields for teens and adults provide adequate equity in the southern and central parts of the community but opportunities exist to add fields in northern and eastern areas of the City.



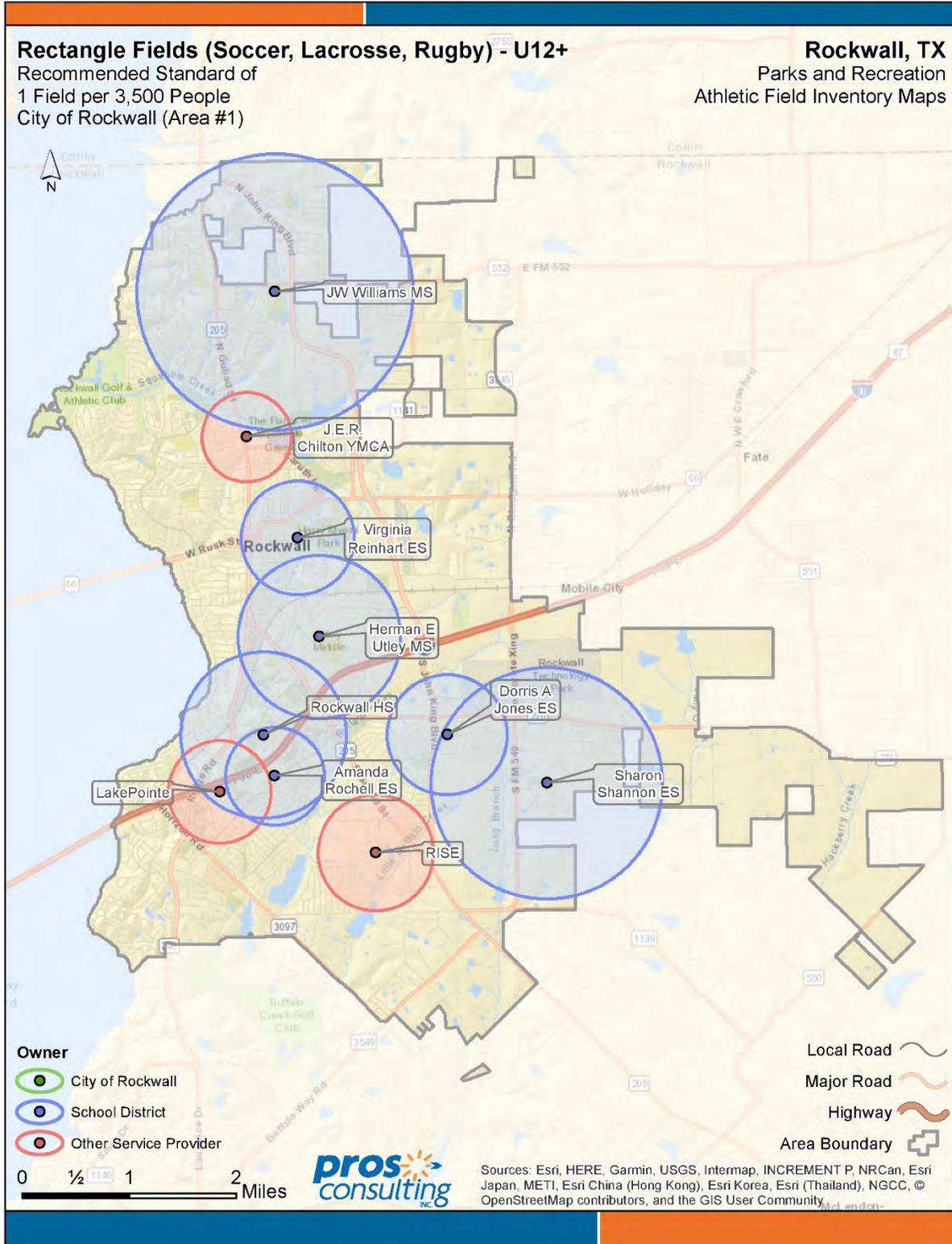
Diamond, (Baseball/Softball) Youth and Adult - Existing ball diamond fields for youth and adult softball provide adequate equity in the central part of the community but opportunities exist to add fields in northern, southern and eastern areas of the City.



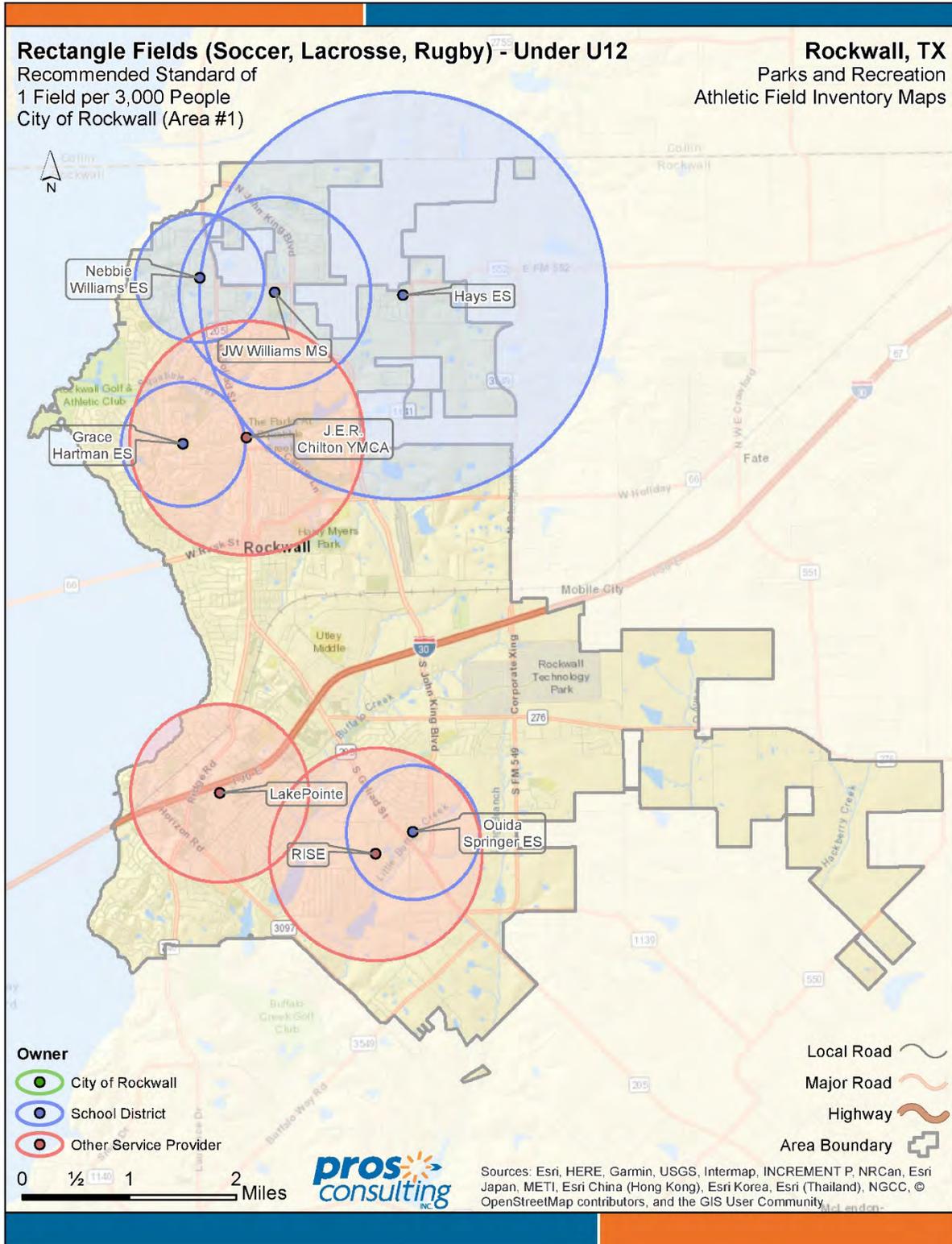
Diamond, (Baseball/Softball) Youth ONLY - Existing ball diamond fields for youth only baseball/softball provide for adequate equity in the central part of the community but opportunity exists to add fields to the northern, southern and eastern parts of the community.



Rectangle Fields (Soccer, Lacrosse, Football) - U12+ - Existing rectangular fields for U12+ are found throughout the City but opportunities to add fields to the central and eastern parts of the City exists.



Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY - Opportunity exists to add U12 rectangle fields for soccer, lacrosse and football in the central and eastern part of the City.



6.3 ROCKWALL ISD LEVEL OF SERVICE STANDARDS

6.3.1 CURRENT ROCKWALL ISD LEVEL OF SERVICE

The current level of service for athletic fields in the Rockwall ISD service area are displayed below.

2019 Inventory - Facilities							
	City of Rockwall Inventory	School District Inventory	Other Provider Inventory	Total Inventory	Current Service Level		
ATHLETIC FIELDS							
Diamond, (Baseball) Teen/Adult	2.00	3.00	1.00	6.00	1.00	field per	13,589
Diamond, (Baseball/Softball) Youth and Adult	8.00	2.00	1.00	11.00	1.00	field per	7,412
Diamond, (Baseball/Softball) Youth ONLY	3.00	3.00	-	6.00	1.00	field per	13,589
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	-	17.00	6.00	23.00	1.00	field per	3,545
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	-	11.00	11.00	22.00	1.00	field per	3,706

6.3.2 SERVICE LEVELS RECOMMENDATION

The current service levels adopted have served the ISD service area well, however with the rapid increase in population will not be sufficient in meeting the athletic field needs in the future. Coupled with the athletic field system assessments, community input and analysis conducted, *the PREFERRED recommendation of the consulting team is for the City adopt the Athletic Field LOS Standards as shown below for the ISD service area and invest in athletic fields based on the percentage of service area's population that is comprised of City of Rockwall residents.*

2019 Inventory - Facilities				2019 Facility Standards				2034 Facility Standards				Rockwall Contribution Level (in terms of meeting field needs based on % of population)	CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL				
Total Inventory	Current Service Level			Recommended Service Levels			Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	PERCENTAGE OF POPULATION IN ROCKWALL 2019			PERCENTAGE OF POPULATION IN ROCKWALL 2034			
ATHLETIC FIELDS																	
Diamond, (Baseball) Teen/Adult	6.00	1.00	field per	13,589	1.00	field per	10,000	Need Exists	2	Field(s)	Need Exists	7	Field(s)	58%	53%	4	33%
Diamond, (Baseball/Softball) Youth and Adult	11.00	1.00	field per	7,412	1.00	field per	5,000	Need Exists	5	Field(s)	Need Exists	14	Field(s)	58%	53%	8	73%
Diamond, (Baseball/Softball) Youth ONLY	6.00	1.00	field per	13,589	1.00	field per	10,000	Need Exists	2	Field(s)	Need Exists	7	Field(s)	58%	53%	4	50%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	23.00	1.00	field per	3,545	1.00	field per	3,500	Meets Standard	0	Field(s)	Need Exists	13	Field(s)	58%	53%	7	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	22.00	1.00	field per	3,706	1.00	field per	3,000	Need Exists	5	Field(s)	Need Exists	20	Field(s)	58%	53%	11	0%

6.4 ROCKWALL ISD SERVICE AREA TECHNICAL NEEDS ANALYSIS

6.4.1 EQUITY MAPPING – CURRENT INVENTORY

The Rockwall ISD service area’s athletic field system has evolved over time and distribution of sites and facilities throughout the community is reflected in the current site locations.

To further illustrate the distribution of current athletic fields in the service area, an equity-mapping analysis was conducted to show the service areas and the gaps in service of the *current* inventory of athletic field types and amenities based on the *recommended* LOS standard. The recommended standards established are also indicated in the map title.

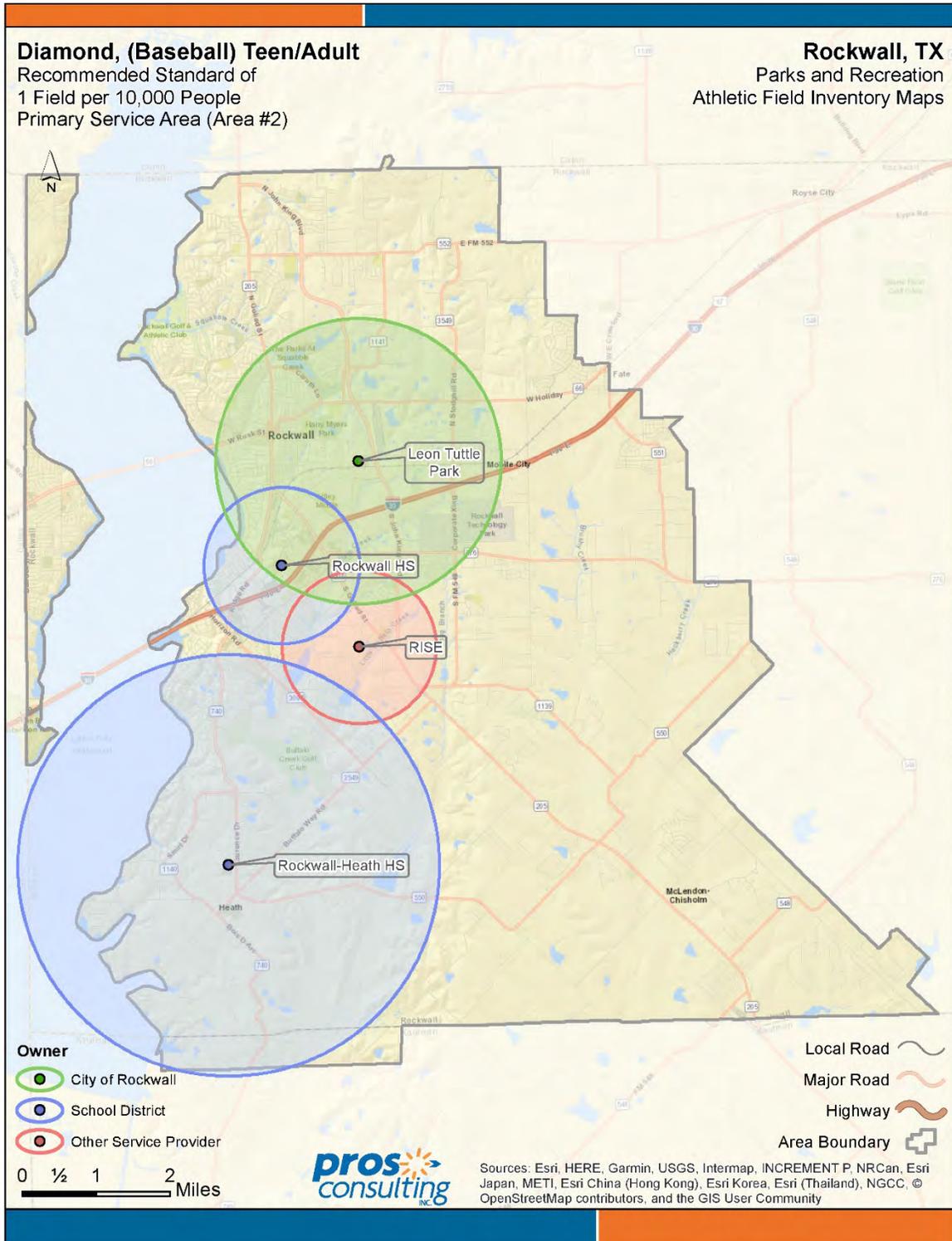
The equity mapping service areas for each athletic field type are calculated by the quantity of inventory of each site extended in a uniform radius until the population served by the recommended standard is reached. Shaded areas indicate the extent of the service area based on recommended inventories; unshaded areas indicate locations that would remain outside of the standard service area for each park type or park asset. Unshaded areas are not always the most appropriate location for future parks or park assets. They only represent areas that might be more thoroughly reviewed for potential additional facilities.

Although there are occasions when the equity mapping service areas may extend beyond the service area’s borders, only the service area’s population was utilized for calculating service area standards in this analysis.

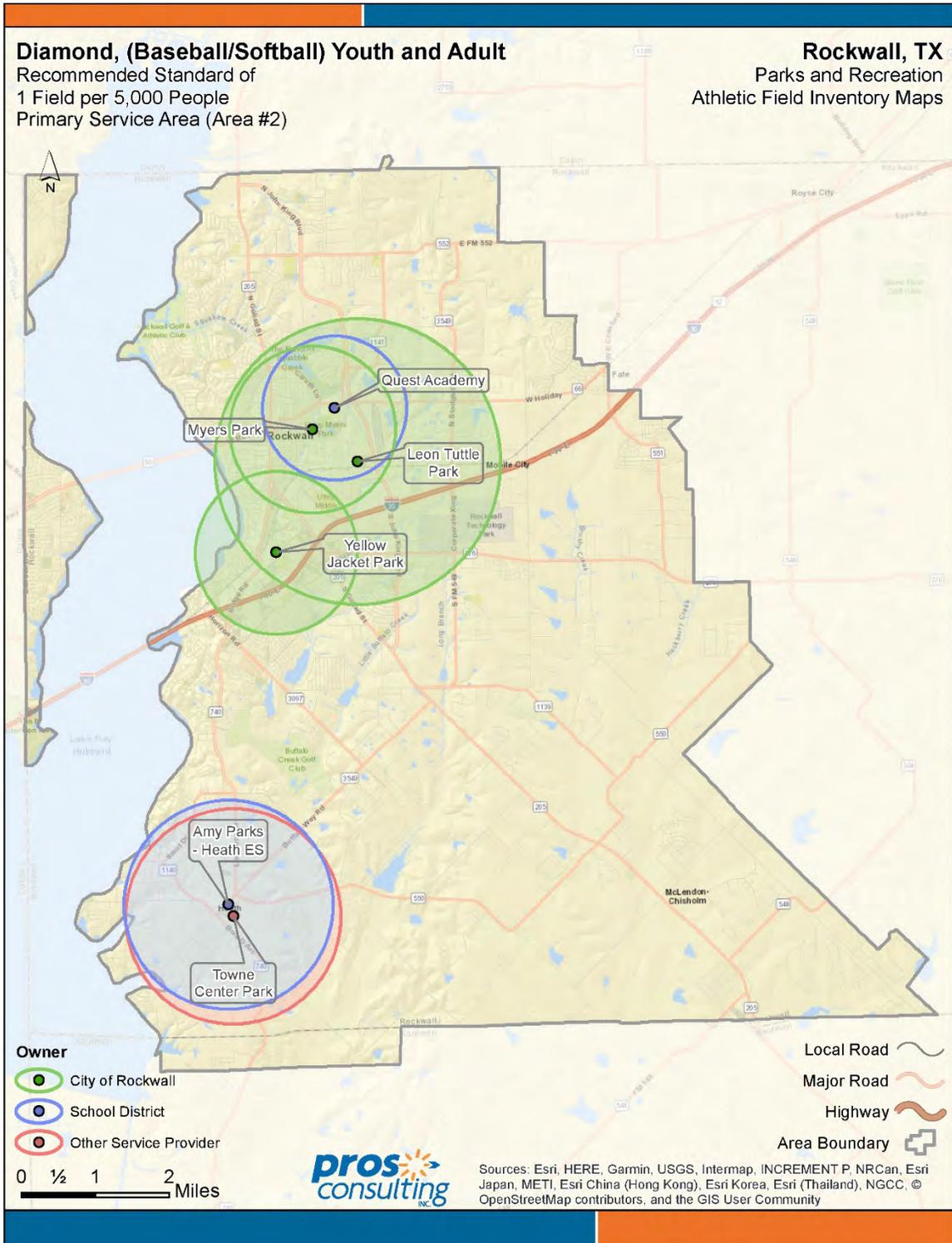
Community-wide maps of existing athletic fields in the Rockwall ISD service area identified in this Athletic Field Feasibility Study are provided in the pages that follow. The maps on the following pages identify existing:

1. Diamond, (Baseball) Teen/Adult
2. Diamond, (Baseball/Softball) Youth and Adult
3. Diamond, (Baseball/Softball) Youth ONLY
4. Rectangle Fields (Soccer, Lacrosse, Football) - U12+
5. Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY

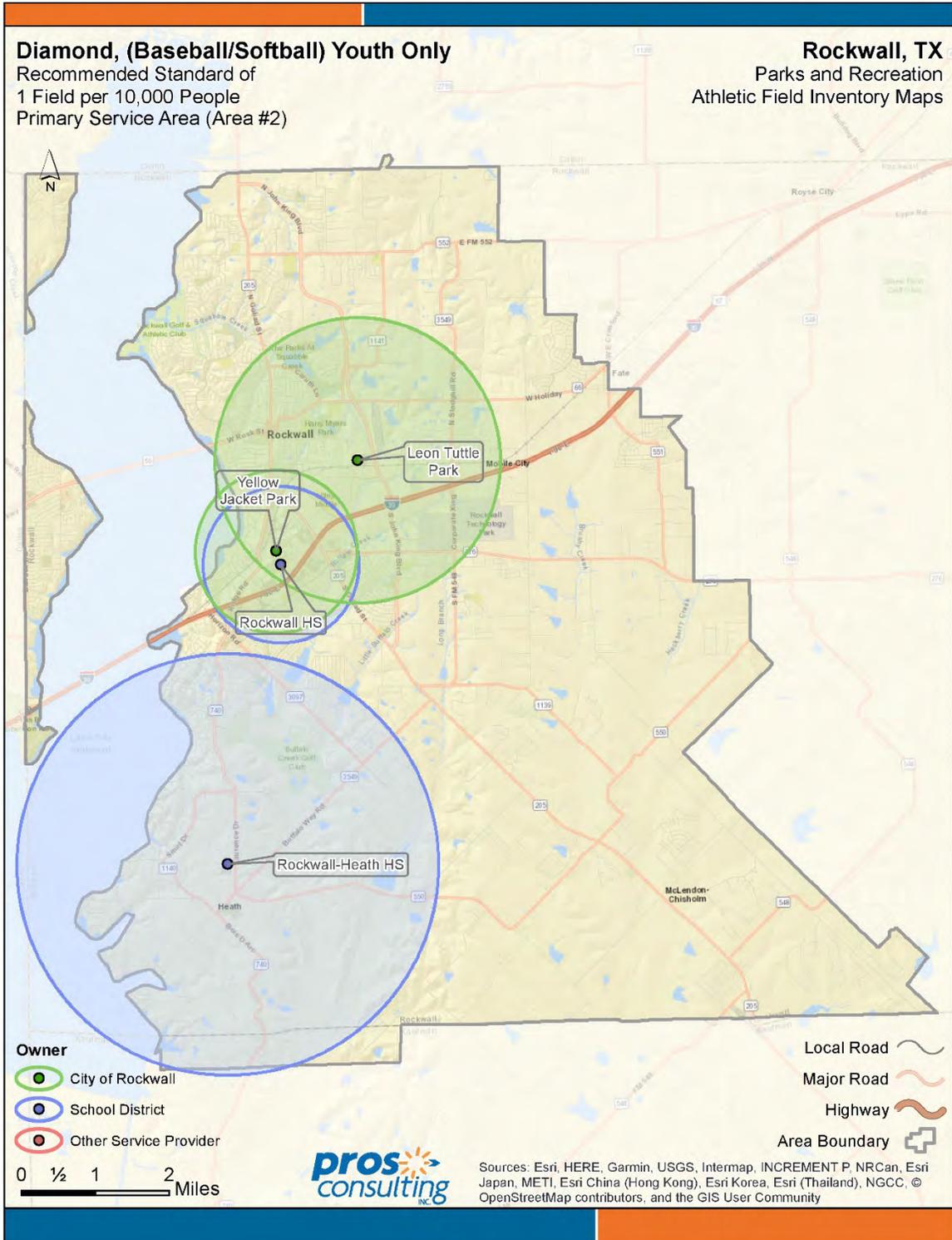
Diamond, (Baseball) Teen/Adult - Existing baseball diamond fields for teens and adults provide adequate equity in the southern and central parts of the service area but opportunities exist to add fields in northern and eastern areas of the ISD.



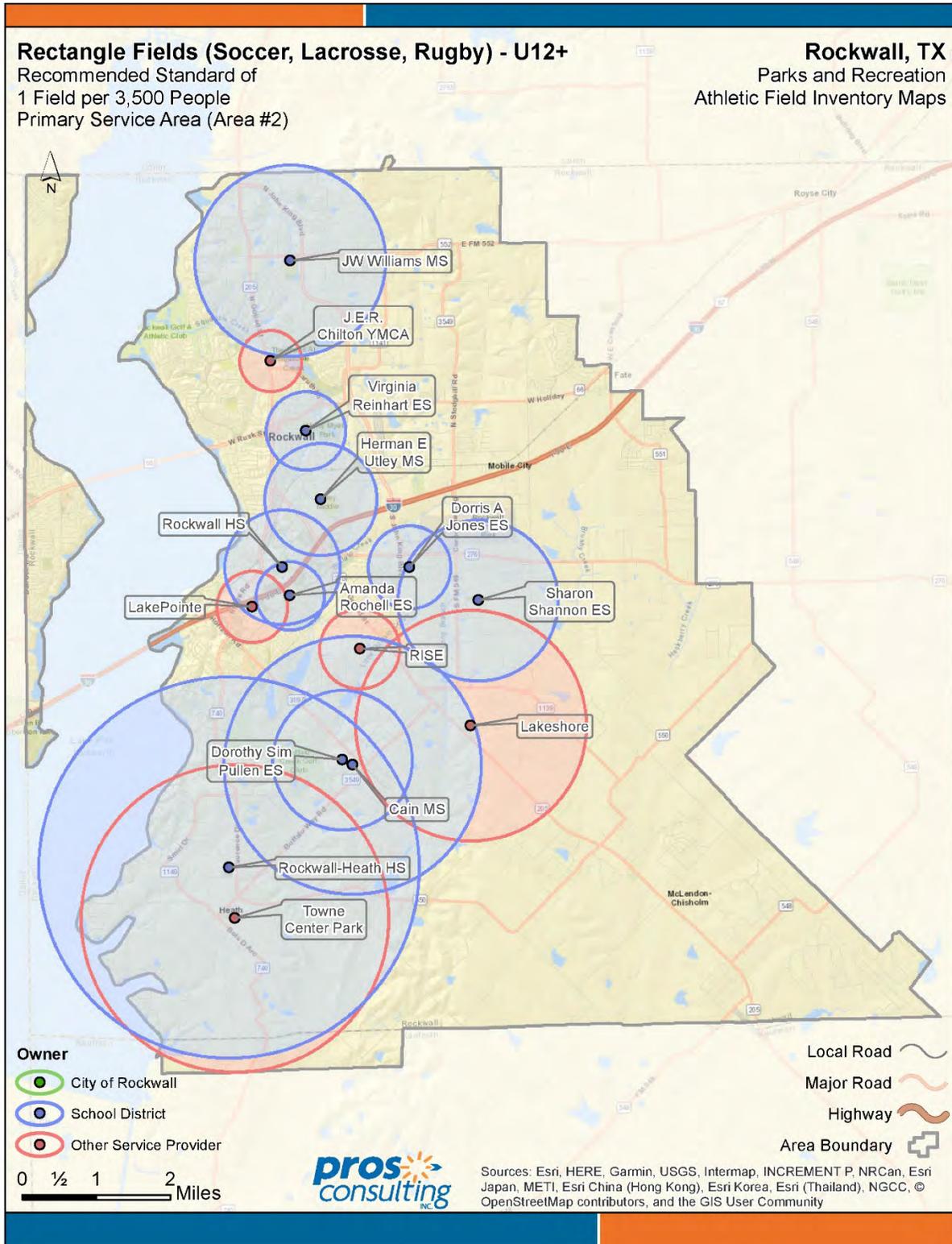
Diamond, (Baseball/Softball) Youth and Adult - Existing ball diamond fields for youth and adult softball provide adequate equity in the central part of the service areas but opportunities exist to add fields in northern, southern and eastern areas of the ISD.



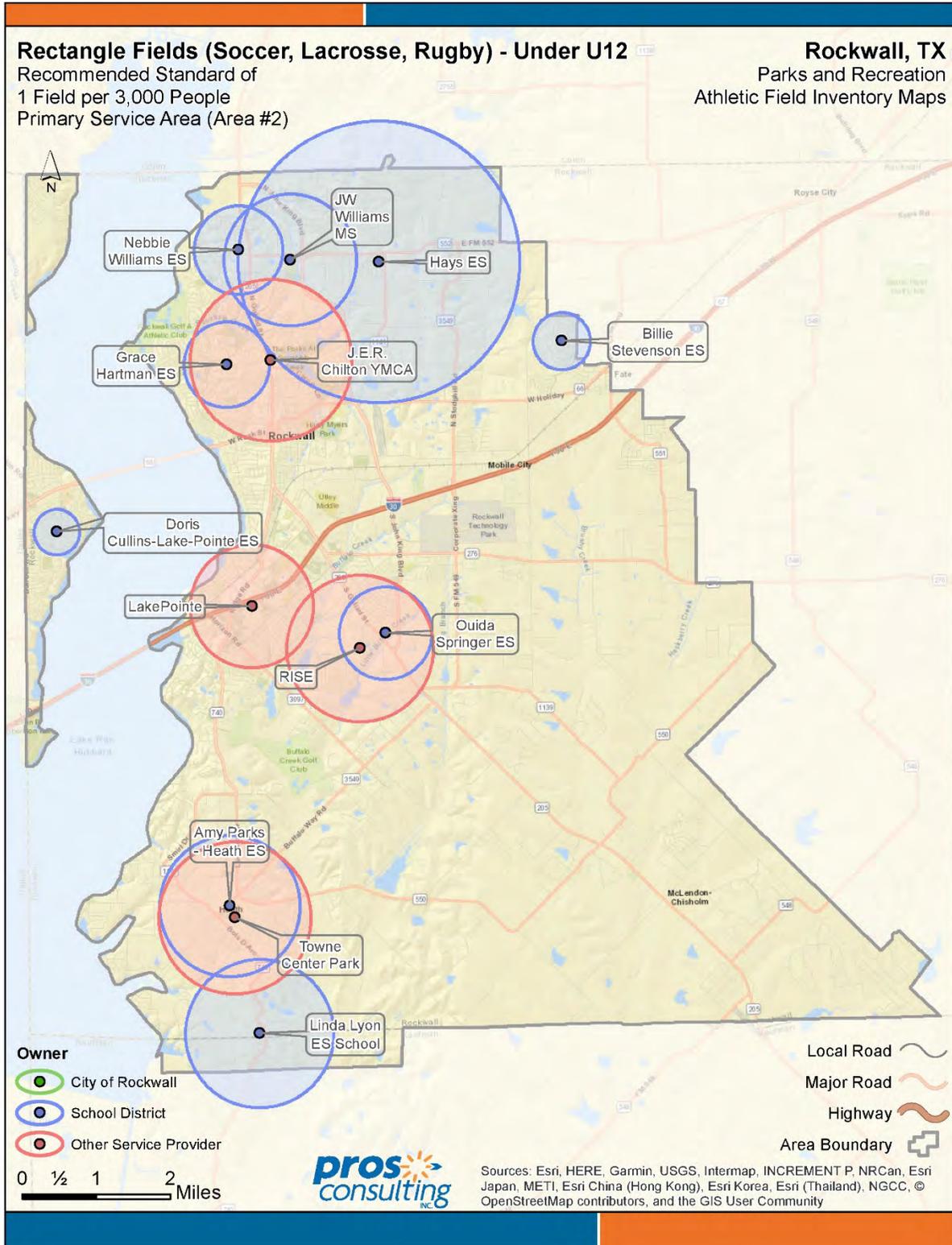
Diamond, (Baseball/Softball) Youth ONLY - Existing ball diamond fields for youth only baseball/softball provide for adequate equity in the central and southern parts of the service area but opportunity exists to add fields to the northern and eastern parts of the ISD.



Rectangle Fields (Soccer, Lacrosse, Football) - U12+ - Existing rectangular fields for U12+ are found throughout the service area but opportunities to add fields to the eastern part of the ISD exists.



Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY - Opportunity exists to add U12 rectangle fields for soccer, lacrosse and football in the central, southern and eastern part of the ISD.





6.5 CITY OF ROCKWALL TRADE AREA SERVICE AREA - LEVEL OF SERVICE STANDARDS

6.5.1 CURRENT CITY OF ROCKWALL LEVEL OF SERVICE

The current level-of-service for athletic fields in the City of Rockwall's trade area service area are displayed below.

2019 Inventory - Facilities								
	City of Rockwall Inventory	School District Inventory	Other Provider Inventory	Total Inventory	Current Service Level			
ATHLETIC FIELDS								
Diamond, (Baseball) Teen/Adult	2.00	3.00	1.00	6.00	1.00	field per	39,397	
Diamond, (Baseball/Softball) Youth and Adult	8.00	2.00	9.00	19.00	1.00	field per	12,441	
Diamond, (Baseball/Softball) Youth ONLY	3.00	3.00	8.00	14.00	1.00	field per	16,884	
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	-	17.00	11.00	28.00	1.00	field per	8,442	
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	-	11.00	24.00	35.00	1.00	field per	6,754	

6.5.2 SERVICE LEVELS RECOMMENDATION

The current service levels adopted have served Rockwall well, however with the rapid increase in population will not be sufficient in meeting the athletic field needs in the future. Coupled with the athletic field system assessments, community input and analysis conducted, *If the City chooses to adopt the recommended Athletic Field LOS Standards for the trade area service area as shown below, the consulting team recommends that the City only invest in athletic fields based on the percentage of percentage of service area's population that is comprised of City of Rockwall residents.*

2019 Inventory - Facilities				2019 Facility Standards		2034 Facility Standards		PERCENTAGE OF POPULATION IN ROCKWALL 2019	PERCENTAGE OF POPULATION IN ROCKWALL 2033	CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL						
Total Inventory	Current Service Level			Recommended Service Levels		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed				Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed				
ATHLETIC FIELDS																
Diamond, (Baseball) Teen/Adult	6.00	1.00	field per	39,397	1.00	field per	10,000	Need Exists	18	Field(s)	Need Exists	29	Field(s)	20%	19%	33%
Diamond, (Baseball/Softball) Youth and Adult	19.00	1.00	field per	12,441	1.00	field per	5,000	Need Exists	28	Field(s)	Need Exists	52	Field(s)	20%	19%	42%
Diamond, (Baseball/Softball) Youth ONLY	14.00	1.00	field per	16,884	1.00	field per	10,000	Need Exists	10	Field(s)	Need Exists	21	Field(s)	20%	19%	21%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	28.00	1.00	field per	8,442	1.00	field per	3,500	Need Exists	40	Field(s)	Need Exists	73	Field(s)	20%	19%	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	35.00	1.00	field per	6,754	1.00	field per	3,000	Need Exists	44	Field(s)	Need Exists	83	Field(s)	20%	19%	0%

6.6 CITY OF ROCKWALL TRADE AREA SERVICE AREA TECHNICAL NEEDS ANALYSIS

6.6.1 EQUITY MAPPING – CURRENT INVENTORY

The City of Rockwall Trade Area service area's athletic field system has evolved over time and distribution of sites and facilities throughout the community is reflected in the current site locations.

To further illustrate the distribution of current athletic fields in the service area, an equity-mapping analysis was conducted to show the service areas and the gaps in service of the *current* inventory of athletic field types and amenities based on the *recommended* LOS standard. The recommended standards established are also indicated in the map title.

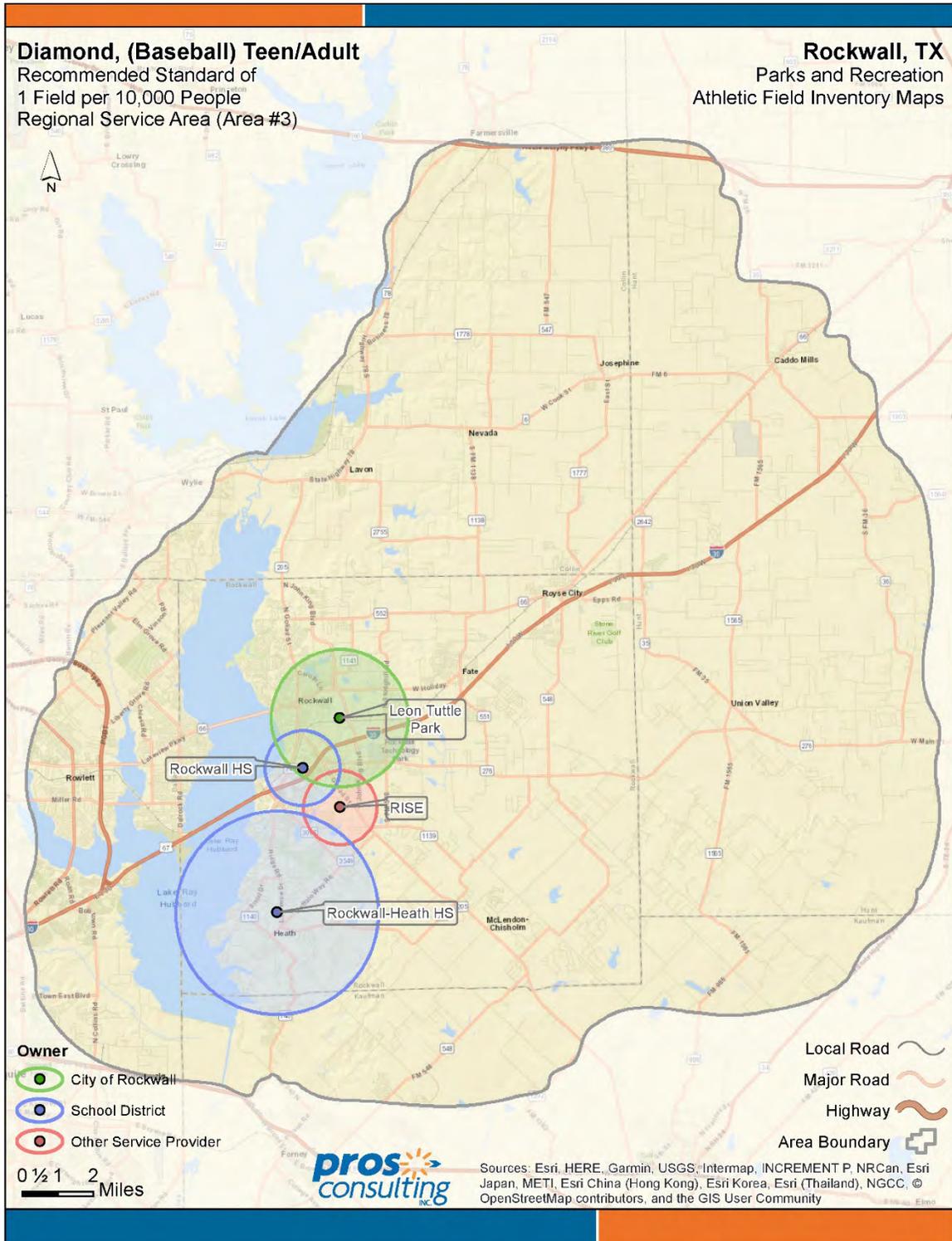
The equity mapping service areas for each athletic field type are calculated by the quantity of inventory of each site extended in a uniform radius until the population served by the recommended standard is reached. Shaded areas indicate the extent of the service area based on recommended inventories; unshaded areas indicate locations that would remain outside of the standard service area for each park type or park asset. Unshaded areas are not always the most appropriate location for future parks or park assets. They only represent areas that might be more thoroughly reviewed for potential additional facilities.

Although there are occasions when the equity mapping service areas may extend beyond the service area's borders, only the service area's population was utilized for calculating service area standards in this analysis.

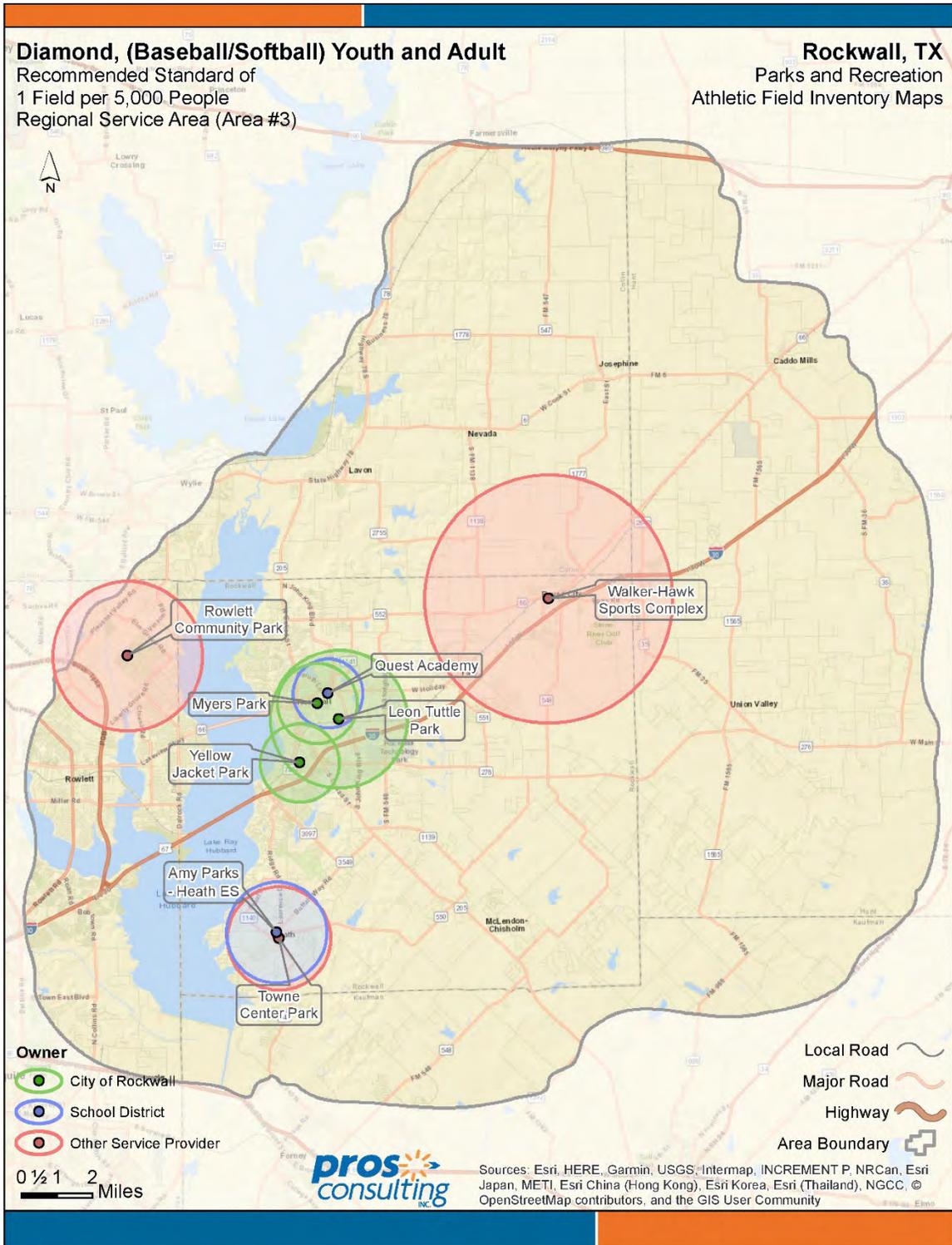
Community-wide maps of existing athletic fields in the City of Rockwall Trade Area service area identified in this Athletic Field Feasibility Study are provided in the pages that follow. The maps on the following pages identify existing:

1. Diamond, (Baseball) Teen/Adult
2. Diamond, (Baseball/Softball) Youth and Adult
3. Diamond, (Baseball/Softball) Youth ONLY
4. Rectangle Fields (Soccer, Lacrosse, Football) - U12+
5. Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY

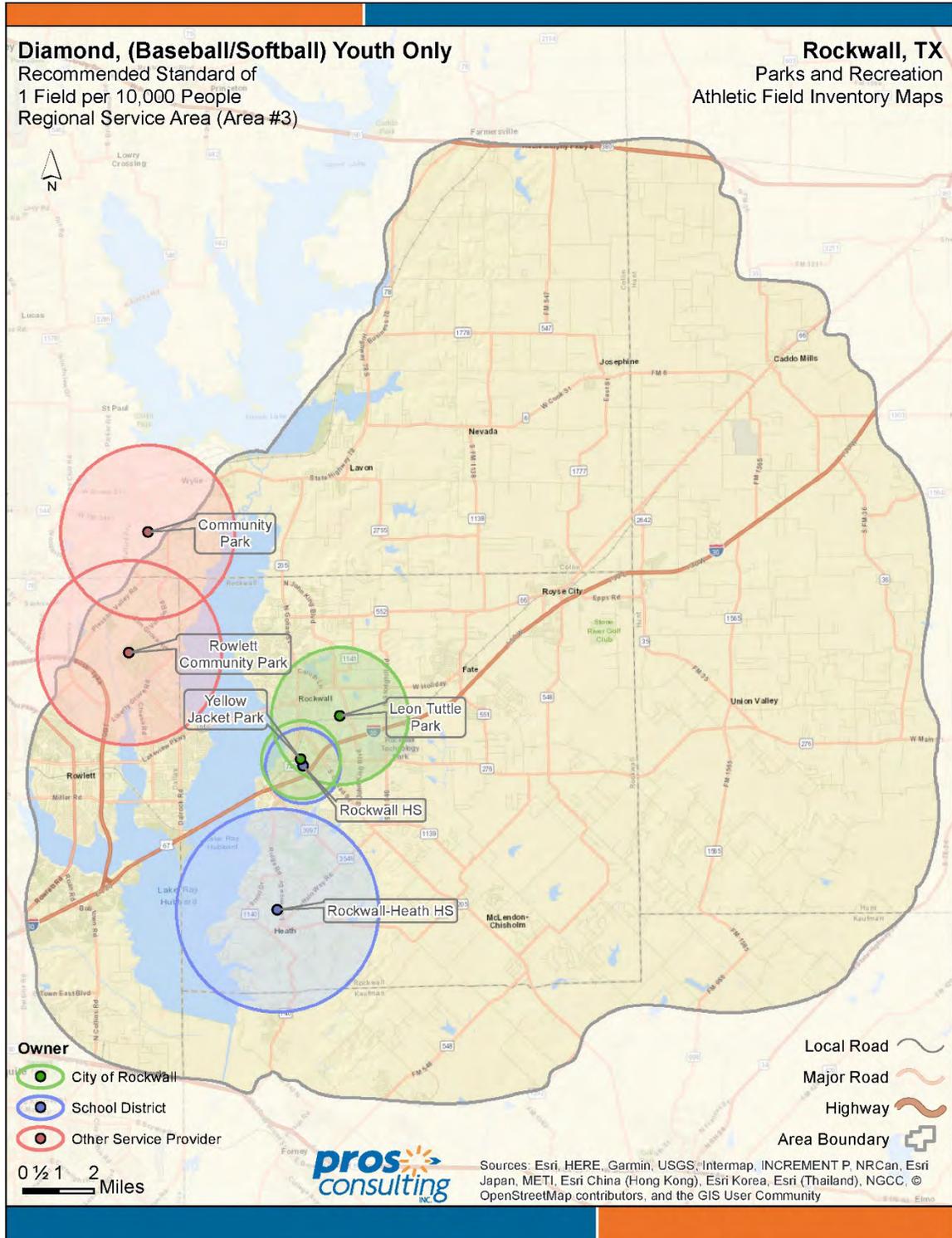
Diamond, (Baseball) Teen/Adult - Existing baseball diamond fields for teens and adults are only provided within the vicinity of the City of Rockwall thereby showing a large void of this field type throughout the service area.



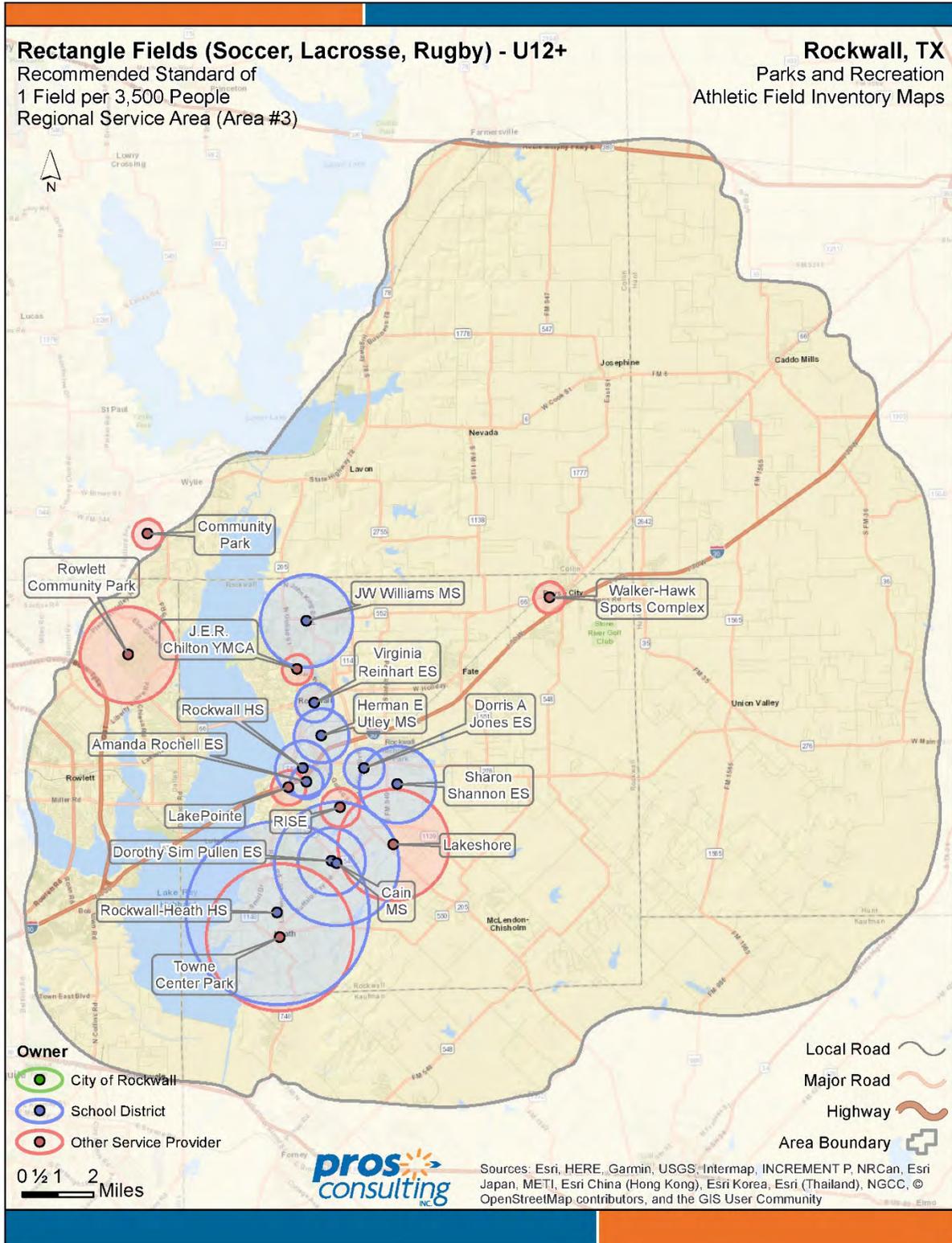
Diamond, (Baseball/Softball) Youth and Adult - Existing ball diamond fields for youth and adult softball are only provided primarily in and adjacent to the City of Rockwall as well as Royse City.



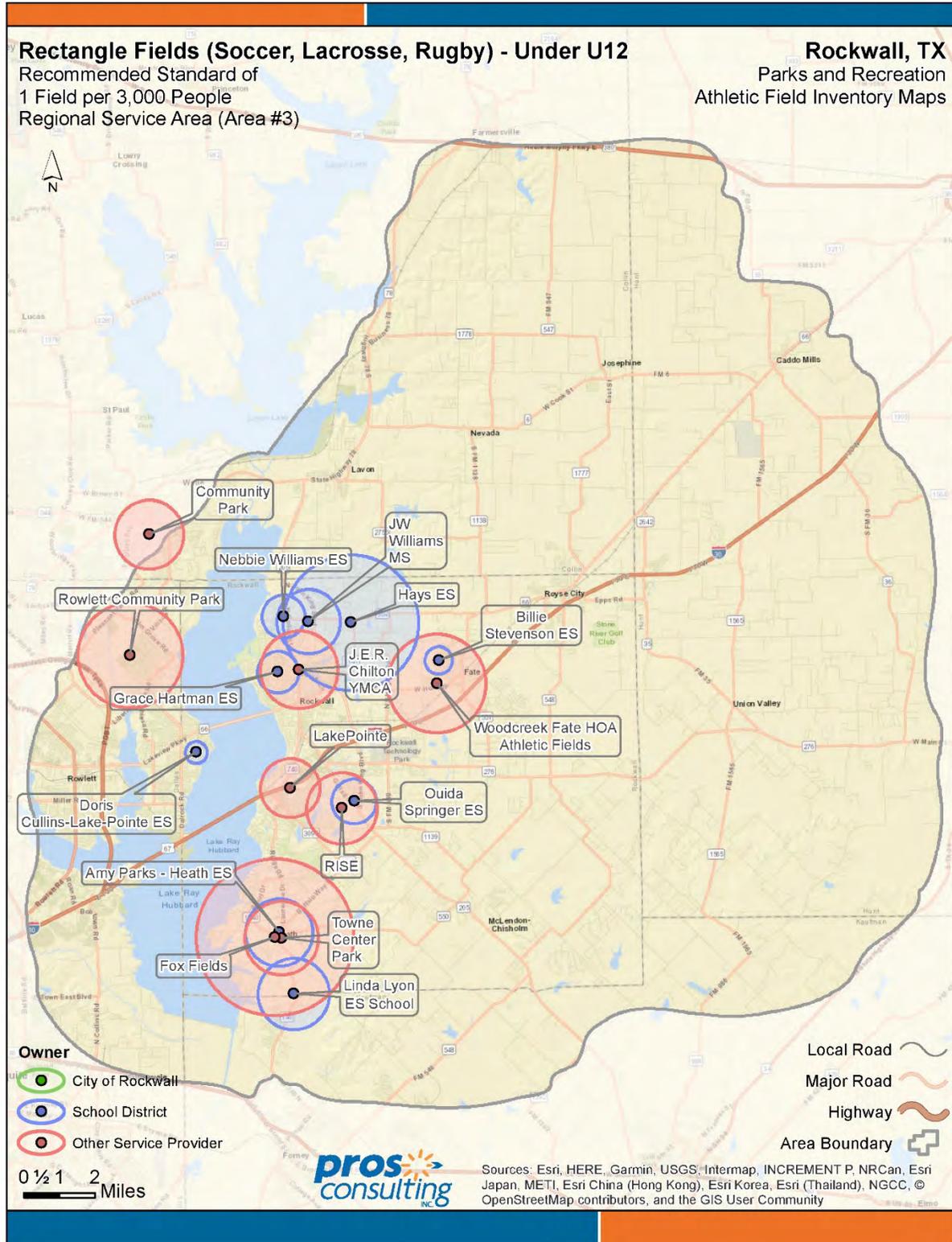
Diamond, (Baseball/Softball) Youth ONLY - Existing ball diamond fields for youth only baseball/softball are only provided in and adjacent to the City of Rockwall, thereby creating a significant need for this athletic field type in much of the service area.



Rectangle Fields (Soccer, Lacrosse, Football) - U12+ - Existing rectangular fields for U12+ are found throughout and adjacent to the City but opportunities to add fields throughout most of the service area exists.



Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY - Opportunity exists to add U12 rectangle fields for soccer, lacrosse and football throughout most of the service area.



6.7 ATHLETIC FIELD NEED SUMMARY AND PRIORITIZATION

In reviewing the current athletic field offerings against the desired offerings of the community, there is great need to expand or add athletic fields in Rockwall. The PREFERRED recommendation of the consulting team is for the City adopt the Athletic Field LOS Standards for the ISD service area and invest in athletic fields based on the percentage of service area’s population that is comprised of City of Rockwall residents.

2019 Inventory - Facilities				2019 Facility Standards		2034 Facility Standards		PERCENTAGE OF POPULATION IN ROCKWALL 2019	PERCENTAGE OF POPULATION IN ROCKWALL 2034	Rockwall Contribution Level (in terms of meeting field needs based on % of population)	CURRENT TOTAL INVENTORY PROVIDED BY CITY OF ROCKWALL		
Total Inventory	Current Service Level	Recommended Service Levels		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed						
ATHLETIC FIELDS													
Diamond, (Baseball) Teen/Adult	6.00	1.00 field per	13,589	1.00 field per	10,000	Need Exists	2 Field(s)	Need Exists	7 Field(s)	58%	53%	4	33%
Diamond, (Baseball/Softball) Youth and Adult	11.00	1.00 field per	7,412	1.00 field per	5,000	Need Exists	5 Field(s)	Need Exists	14 Field(s)	58%	53%	6	73%
Diamond, (Baseball/Softball) Youth ONLY	6.00	1.00 field per	13,589	1.00 field per	10,000	Need Exists	2 Field(s)	Need Exists	7 Field(s)	58%	53%	4	50%
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	23.00	1.00 field per	3,545	1.00 field per	3,500	Meets Standard	0 Field(s)	Need Exists	13 Field(s)	58%	53%	7	0%
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	22.00	1.00 field per	3,706	1.00 field per	3,000	Need Exists	5 Field(s)	Need Exists	20 Field(s)	58%	53%	11	0%

Prioritizing athletic field needs provides Rockwall with an objective tool for evaluating the priority that should be placed on parks and recreation investments. The priority needs rating reflects the importance residents place on items and the unmet needs (needs that are only being partly met or not met) for each athletic field typology relative to the athletic field typology that rated the highest overall. Since decisions related to future investments should consider both the level of unmet need and the importance of facilities and programs, the priority needs rating weights each of these components equally.

ATHLETIC FIELD NEEDS RANKING
1. Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY
2. Diamond, (Baseball/Softball) Youth and Adult
3. Rectangle Fields (Soccer, Lacrosse, Football) - U12+
4. Diamond, (Baseball/Softball) Youth ONLY
5. Diamond, (Baseball) Teen/Adult

Chapter Seven - CAPITAL IMPROVEMENT PLAN – ISD SERVICE AREA

This section of the plan reflects the capital improvement recommendations that are necessary to fulfill the facility needs of the community *BASED ON THE PREFERRED LEVEL OF SERVICE RECOMMENDED - THE ISD SERVICE AREA*. In order to plan and prioritize capital investments, the consulting team recommends that Rockwall apply specific guiding principles that balances the improvement/maintenance of current assets over the development of new facilities. This CIP framework is also utilized to determine and plan CIP projects and make budget decisions that are sustainable over time. These criteria (e.g., safety compliance, commitment, efficiency, revenue) and priorities are also focused on maintaining the integrity of the current infrastructure and facilities before expanding and/or enhancing programs and facilities.

7.1 SUMMARY OF RECOMMENDED EXISTING CAPITAL IMPROVEMENT COSTS

The following charts summarize the costs of the recommended capital improvements to the existing athletic field system.

7.1.1 LEON TUTTLE ATHLETIC FIELD COMPLEX

Leon Tuttle Sports Complex		
Project Type	Brief Description	Estimated Total Project Cost
Repair	Site Grading (Drainage)	\$150,000
Expanded Service	Concession Stand Remodel	\$150,000
Renovation	Restroom Upgrades	\$150,000
Expanded Service	Warm Up Areas / Batting Cages	\$50,000
Renovation	Site Amenities	\$65,000
Miscellaneous	Mobilization	\$95,000
Miscellaneous	Miscellaneous / Contingency	\$175,000
Miscellaneous	Design Fees	\$125,000
Total		\$960,000

7.1.2 YELLOWJACKET PARK

Yellowjacket Park		
Project Type	Brief Description	Estimated Total Project Cost
Repair	Site Grading (Drainage)	\$150,000
Expanded Service	Field Lighting (3)	\$460,000
Expanded Service	Concession Stand	\$250,000
Expanded Service	Warm Up Areas / Batting Cages	\$50,000
Expanded Service	Parking Lot (70 Spaces)	\$250,000
Renovation	Site Amenities	\$80,000
Miscellaneous	Mobilization	\$145,000
Miscellaneous	Miscellaneous / Contingency	\$285,000
Miscellaneous	Design Fees	\$175,000
Total		\$1,845,000

7.1.3 HARRY MYERS PARK

Harry Myers Park		
Project Type	Brief Description	Estimated Total Project Cost
Repair	Site Grading (Drainage)	\$250,000
Expanded Service	Field Lighting (2)	\$370,000
Replacement	Ball Field Fencing	\$175,000
Expanded Service	Concession Stand (If Feasible)	\$450,000
Expanded Service	Warm Up Areas / Batting Cages	\$65,000
Replacement	Site Amenities	\$95,000
Expanded Service	Parking Lot (20 spaces)	\$70,000
Miscellaneous	Field 3 Construction (If Feasible)	\$250,000
Replacement	Mobilization	\$175,000
Miscellaneous	Design Fees	\$195,000
Miscellaneous	Miscellaneous / Contingency	\$340,000
Total		\$2,435,000

7.1.4 SUMMARY OF EXISTING SYSTEM CAPITAL IMPROVEMENTS

SUMMARY BY PARK	
Tier	Estimated Total Project Cost
Leon Tuttle Sports Complex	\$960,000
Yellowjacket Park	\$1,845,000
Harry Myers Park	\$2,435,000
TOTAL	\$5,240,000

7.2 SUMMARY OF IMPACT OF CAPITAL IMPROVEMENTS TO EXISTING SYSTEM

The following chart summarizes the impact of the recommended improvements to the existing athletic field system utilizing the *City of Rockwall ISD Service Area LOS* in meeting community need for athletic fields in Rockwall. Though no additional fields are included as part of the existing system capital improvement recommendations, the lighting of athletic fields at each park will add capacity to the system and thereby improve the level of service.

<i>ISD Athletic Field Level of Service Standards</i>											
2019 Inventory - Facilities							2034 Facility Standards BEFORE LIGHTING IMPROVEMENTS		2034 Facility Standards AFTER LIGHTING IMPROVEMENTS		
	City of Rockwall Inventory	School District Inventory	Other Provider Inventory	Lighting Improvements	Total Inventory	Recommended Service Levels	Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	
ATHLETIC FIELDS											
Diamond, (Baseball) Teen/Adult	2.00	3.00	1.00		5.00	1.00 site per 10,000	Need Exists	7 Sites(s)	Need Exists	7 Sites(s)	
Diamond, (Baseball/Softball) Youth and Adult	8.00	2.00	1.00	-	10.00	1.00 site per 5,000	Need Exists	14 Sites(s)	Need Exists	14 Sites(s)	
Diamond, (Baseball/Softball) Youth ONLY	3.00	3.00	-	3.00	9.00	1.00 field per 10,000	Need Exists	4 Field(s)	Need Exists	1 Field(s)	
Rectangle Fields (Soccer, Lacrosse, Rugby) - U12+	-	17.00	6.00		17.00	1.00 field per 3,500	Need Exists	13 Field(s)	Need Exists	13 Field(s)	
Rectangle Fields (Soccer, Lacrosse, Rugby) - under U12 ONLY	-	11.00	11.00		11.00	1.00 field per 3,000	Need Exists	20 Field(s)	Need Exists	20 Field(s)	

As noted above, athletic field needs are still present after the implementation of the athletic field lighting improvements to the existing system. However, the improvements to the existing system significantly reduces the athletic field need for Diamond, (Baseball/Softball) Youth ONLY fields in 2034 from FOUR to ONE and further provides the framework for the core program and “right sizing” of the conceptual plan for the expansion of the athletic field system as detailed in the following chapter.

7.3 – CAPITAL IMPROVEMENTS (EXPANDING THE SYSTEM)

Through the completion of a comprehensive public input process, the level of service analysis and the identification of implementable improvements to the existing athletic field system, the framework for the core program and conceptual plan for the expansion of the athletic field system were defined. As noted previously, the PREFERRED recommendation of the consulting team is for the City adopt the Athletic Field LOS Standards for the ISD service area and invest in athletic fields based on the percentage of service area’s population that is comprised of City of Rockwall residents. The following chart identifies the need for athletic fields at new athletic field complexes in Rockwall.

Athletic Field Complexes Core Programs		
Athletic Field Typology		
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	11	Field(s)
Diamond, (Baseball/Softball) Youth and Adult	7	Field(s)
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	7	Field(s)
Diamond, (Baseball/Softball) Youth ONLY	1	Field(s)
Diamond, (Baseball) Teen/Adult	4	Field(s)

7.3.1 DESIGN PRINCIPLES

In developing design principles for an athletic field complex, it is important that the complex be programmed, planned, and designed to meet the needs of its service area within the context of the overall parks and recreation system. The term programming, when used in the context of planning and developing parkland, refers to a list of uses and facilities and does not always include staff-managed recreation programs.

Every park, regardless of type, needs to have an established set of outcomes. Park planners /designers design to those outcomes, including operational and maintenance costs associated with the design outcomes.

DEFINITIONS USED IN THE ATHLETIC FIELD COMPLEX DESIGN PRINCIPLES

Land Usage: The percentage of space identified for either passive use or active use in the athletic field complex. An athletic field complex conceptual plan should follow land usage recommendations.

Programming: Can include active or passive (i.e. none). Active means it is organized and planned with pre-registration by the user. Examples of active programming include sports practices, leagues, and tournaments. Passive programming is self-directed by the user at their own pace. Examples of passive programming include playground usage, picnicking, or walking/jogging.

ATHLETIC FIELD COMPLEX DESIGN PRINCIPLES

Athletic field complexes are developed to provide a minimum of ten athletic fields in one location. Athletic field complexes can be single focused or multi-focused to serve the needs of both youth and adults. Athletic fields should be lighted to maximize value and productivity of the complex. Agencies

developing athletic field complexes focus on meeting the needs of residents while also attracting sport tournaments for economic purposes to the community.

Sport field design includes appropriate field distances for each sport's governing body and support amenities designed to produce revenue to offset operational costs.

Signature athletic field complexes include enhanced amenities such as artificial turf, multipurpose field benches and bleachers, scoreboards, amplified sound, scorer's booths, etc. Enhanced amenities would be identified through discussion between the City, the IDC, NBISD and/or sports associations and dependent upon adequate funding.

- Size of park: Preferably 60 or more acres for stand-alone complexes
- Service radius: Determined by community demand
- Site Selection: Stand-alone athletic field complexes are strategically located on or near arterial streets. Preference is streets on four sides, or three sides with school or municipal use on fourth side.
- Length of stay: Two to three hours experience for single activities. Can be all day for tournaments or special events
- Amenities: A minimum of ten athletic fields in one setting; public restrooms, ample parking, turf types appropriate for the facility and anticipated usage, and field lighting. Amenities are ADA compliant.
- Revenue facilities: Four or more (e.g. fields, concession stand, shelters, retail)
- Land usage: 95 percent active and 5 percent passive
- Programming: Focus on active programming of all amenities
- Maintenance Standards: Provide the highest-level maintenance with available funding. Plan for Level 1 and sometimes 2 level of maintenance standards at signature facility
- Parking: Sufficient to support the amenities. Traffic calming devices encouraged within and next to park
- Lighting: Amenity lighting includes sport field light standards. Security lighting on dual system with 50 percent of lights off at a set time and 50 percent on all night for security
- Signage: Directional signage and facility/amenity regulations to enhance user experience. May include kiosks in easily identified areas of the facility
- Landscape Design: Appropriate design to enhance the park theme/use/experience. Enhanced landscaping at entrances and throughout complex
- Naming: Consistent with the City's naming ordinance, may be named after a prominent or historic person, event, or natural landmark
- Other: Integrated color scheme throughout the park; safety design meets established Crime prevention through environmental design (CPTED) standards.

ATHLETIC FIELD AMENITIES

Basic athletic field amenities are listed below.

BASEBALL FIELD AMENITIES

- Youth Field Size: Preferred: 225-foot outfield fence with minimum 4-foot high outfield fence. Alternate: 215-foot outfield fence with 6-foot high outfield fence.
- Teen/Adult Field Size: Preferred: 300-foot outfield fence at each foul-line increasing to 400 feet in centerfield with minimum 8-foot high outfield fence.
- Youth Field Baselines and infield: 60-foot and 70-foot skinned baseline w/ base sleeves w/ grass infield. Ball field mix extends from backstop down sidelines to fence opening at end of dugout. Home plate included. Bases specified by City and provided by user groups.
- Teen/Adult Field Baselines and infield: 105-foot (first and third base) and 140-foot (second base) skinned baseline with base sleeves w/ grass infield. Ball field mix extends from backstop down sidelines to fence opening at end of dugout. Home plate included. Bases at 90 foot.
- Permanent backstop. Preferred: 2-foot high concrete block w/ safety padding and 18-foot vertical fence (black vinyl coated chain link).
- Fencing: 8-foot high fence (Preferred: black vinyl coated chain link) from backstop to end of skinned infield. Foul poles at outfield fence. 12-foot wide dual-gate opening on one sideline fence for field maintenance equipment access.
- Concrete block bin: 6-foot by 6-foot for ball field mix located adjacent to 12-foot fence opening.
- Dugout: 21-foot by 7-foot including 15-foot long players bench with backrest. 8-foot high fencing around dugout. Dugout opens onto field at home base side of dugout. 2-foot safety wing fencing inside dugout to prevent foul ball entry. Slatted roof over dugout.
- Youth Field Pitching Mound: Raised pitching mound with two pitching rubbers (46-foot and 50-foot to home plate).
- Teen/Adult Field Pitching Mound: Raised pitching mound with one pitching rubbers (60-foot, 6-inches to home plate).
- Interior warm up/practice pitching mound along sideline fences backing up to outfield fence (46-foot distance from pitching rubber to plate). Slats or padding in fence to maintain fence longevity.
- Three row bleachers (21-foot long) on concrete pad both baselines.
- 12-foot by 8-foot concrete pad for storage box. Equipment storage unit funded by user group - approved and installed by City maintenance staff on same side as field mix bin.
- Conduit and pull boxes from power source to backstop, and from backstop to outfield field for future scoreboard. Scoreboard/controller provided by user group.
- Athletic Field lighting as specified by manufacturer.
- Concrete behind dugouts and in dugouts connected to park walkways on all fields.
- Quick disconnect for water behind pitcher's mound.

SOFTBALL FIELD AMENITIES - YOUTH SIZE

- Field size: Preferred: 225-foot outfield fence with 10-foot warning track with 4-foot high outfield fence. Alternate: 215-foot outfield fence with 8-foot high outfield fence.
- Baselines and infield: 50-foot and 60-foot baseline w/ base sleeves on completely skinned infield. Home plate included. Bases specified by City and provided by user groups.
- Permanent backstop. 2-foot high concrete block w/ safety padding and 18-foot vertical fence (black vinyl coated chain link).
- Fencing: 8-foot high fence (black vinyl coated chain link) from backstop to end of skinned infield. On 225-foot field, 4-foot high sideline and outfield fence (black vinyl coated chain link). On 215-foot field, outfield fence increases to 8-foot high. Yellow safety top on outfield fence. Foul poles at outfield fence. 12-foot wide dual-gate opening on one sideline fence for field maintenance equipment access.
- Concrete block bin: 6-foot by 6-foot for ball field mix located adjacent to 12-foot fence opening.
- Dugout: 21-foot by 7-foot including 15-foot long players bench with backrest. 8-foot high fencing around dugout. Dugout opens onto field at home base side of dugout. 2-foot safety wing fencing inside dugout to prevent foul ball entry. Slatted roof over dugout.
- No pitching mound: Three pitching rubbers (30-foot/35-foot/40-foot to home plate). Equipment installed by City maintenance staff.
- Interior warm up/practice pitching area along sideline fences backing up to outfield fence (30-foot/35-foot/40-foot to home plate distance from pitching rubber to plate). Slats or padding in fence to maintain fence longevity.
- Three row bleachers (21-foot long) on concrete pad both baselines.
- 12-foot by 8-foot concrete pad for storage box. Equipment storage unit funded by user group - approved and installed by City maintenance staff on same side as field mix bin.
- Conduit and pull boxes from power source to backstop, and from backstop to outfield field for future scoreboard. Scoreboard/controller provided by user group.
- Field lighting at community and regional parks.
- Concrete behind dugouts and in dugouts connected to park walkways on all fields.
- Quick disconnect for water behind pitcher's mound.

SOFTBALL FIELD AMENITIES - ADULT SIZE

- Field size: 300-foot outfield fence with 10-foot warning track and 8-foot high outfield fence.
- Baselines and infield: 60-foot/ 65-foot/ 70-foot/ 80-foot baseline w/ base sleeves on skinned infield. Home plate included. Bases specified by City and provided by user groups.
- Permanent backstop. 2-foot high concrete block w/ safety padding and 18-foot vertical fence (black vinyl coated chain link).
- Fencing: 8-foot high fence (black vinyl coated chain link) from backstop to end of skinned infield. 8-foot high sideline and outfield fence (black vinyl coated chain link). Foul poles at

outfield fence. 12-foot wide dual-gate opening on one sideline fence for field maintenance equipment access.

- Concrete block bin: 6-foot by 6-foot for ball field mix located adjacent to 12-foot fence opening.
- Dugout: 27-foot by 9-foot including 21-foot long players bench with backrest. 8-foot high fencing around dugout. Dugout opens onto field at home base side of dugout. 2-foot safety wing fencing inside dugout to prevent foul ball entry. Slatted roof over dugout.
- No pitching mound: Two pitching rubbers (50-foot /54-foot to home plate). Equipment installed by City maintenance staff.
- Three row bleachers (21-foot long) on concrete pad both baselines.
- 12-foot by 8-foot concrete pad for storage box. Equipment storage unit funded by user group - approved and installed by City maintenance staff on same side as field mix bin.
- Conduit and pull boxes from power source to backstop, and from backstop to outfield field for future scoreboard. Scoreboard/controller provided by user group.
- Field lighting at community and regional parks.
- Concrete behind dugouts and in dugouts connected to park walkways on all fields.
- Quick disconnect for water behind pitcher's mound.

MULTIPURPOSE FIELDS (SOCCER/FOOTBALL/LACROSSE/FIELD HOCKEY)

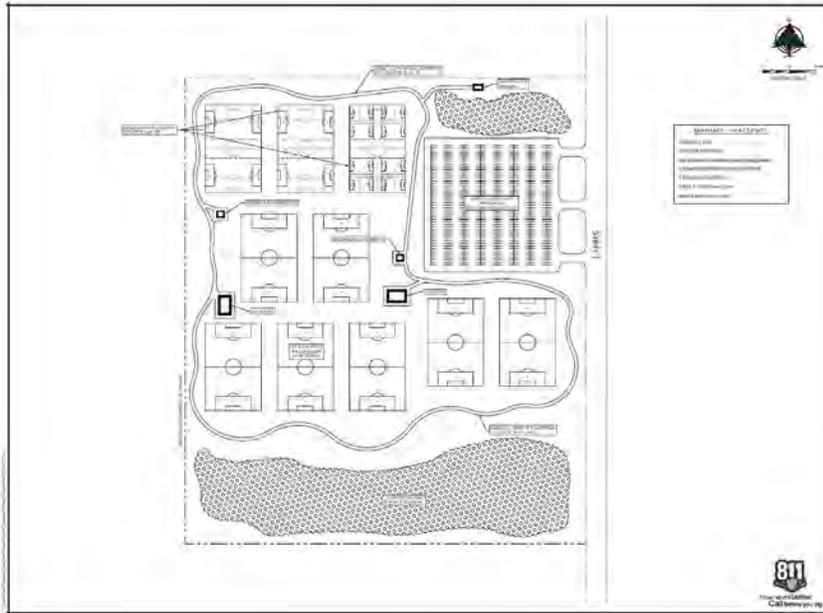
- Field size: Regulation field - 360-foot by 240-foot. Limited space field- 210-foot by 150-foot. 25-foot buffer on same plane as field with no obstructions or drainage fixtures. Buffer applies to both field sizes.
- Goals: Portable, with size specified by user group and provided by City.
- No bleachers or players benches.
- Field lighting at community and regional parks.

7.3.2 SITE SELECTION CRITERIA

The following site selection criteria should be utilized in determining the most appropriate location for the development of the Athletic field complexes:

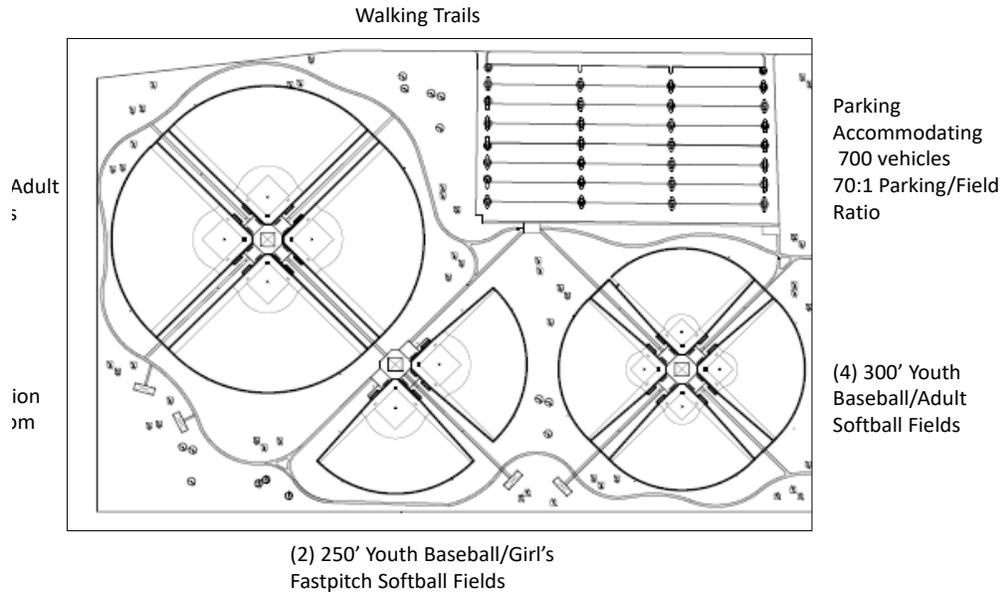
- Adequate Site Size
- Availability of Utilities
- Cost/Availability of Acquisition
- Topography of the Site
- Known Construction Cost Impacts (soils, earthwork, etc.)
- Major Arterial Access
- Pedestrian/ Bicycle Access
- Central to Service Area Population (5, 10, 15-minute drive time)

7.3.3 CONCEPTUAL PLAN - MULTI-PURPOSE FIELD COMPLEX - 60 ACRE SITE



ESTIMATED CONSTRUCTION COST OF MULTI-PURPOSE FIELD ATHLETIC FIELD COMPLEX: \$20,000,000 (DOES NOT INCLUDE LAND ACQUISITION)

7.3.4 CONCEPTUAL PLAN - DIAMOND FIELD COMPLEX - 60 ACRE SITE



ESTIMATED CONSTRUCTION COST OF DIAMOND FIELD ATHLETIC FIELD COMPLEX: \$20,000,000 (DOES NOT INCLUDE LAND ACQUISITION)

7.4 SUMMARY OF ALL ATHLETIC FIELD CAPITAL IMPROVEMENTS (EXISTING AND NEW)

SUMMARY BY PROJECT	
Tier	Estimated Total Project Cost
Leon Tuttle Sports Complex	\$960,000
Yellowjacket Park	\$1,845,000
Harry Myers Park	\$2,435,000
New Multi-Purpose Field Complex	\$20,000,000
New Diamond Field Complex	\$20,000,000
TOTAL	\$45,240,000

Chapter Eight – ALTERNATIVE CAPITAL IMPROVEMENT – CITY OF ROCKWALL SERVICE AREA

This section of the plan reflects the alternative capital improvement recommendations that are necessary to fulfill the facility needs of the community BASED ON THE CITY OF ROCKWALL LEVEL OF SERVICE RECOMMENDED.

8.1 SUMMARY OF RECOMMENDED EXISTING CAPITAL IMPROVEMENT COSTS

The following chart summarizes the costs of the recommended capital improvements to the existing athletic field system as shown in Chapter 7.

SUMMARY BY PARK	
Tier	Estimated Total Project Cost
Leon Tuttle Sports Complex	\$960,000
Yellowjacket Park	\$1,845,000
Harry Myers Park	\$2,435,000
TOTAL	\$5,240,000

8.2 IMPACT OF EXISTING SYSTEM CAPITAL IMPROVEMENTS ON MEETING NEED

The following chart summarizes the impact of the recommended improvements to the existing athletic field system utilizing the *City of Rockwall Service Area LOS* in meeting community need for athletic fields in Rockwall. Though no additional fields are included as part of the existing system capital improvement recommendations, the lighting of athletic fields at each park will add capacity to the system and thereby improve the level of service.

Rockwall Athletic Field Level of Service Standards										
2019 Inventory - Facilities						2034 Facility Standards BEFORE LIGHTING IMPROVEMENTS		2034 Facility Standards AFTER LIGHTING IMPROVEMENTS		
	City of Rockwall Inventory	School District Inventory	Other Provider Inventory	Lighting Improvements	Total Inventory	Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	
ATHLETIC FIELDS										
Diamond, (Baseball) Teen/Adult	2.00	1.00	1.00		3.00	Need Exists	3 Sites(s)	Need Exists	3 Sites(s)	
Diamond, (Baseball/Softball) Youth and Adult	8.00	1.00	-	-	9.00	Need Exists	4 Sites(s)	Need Exists	4 Sites(s)	
Diamond, (Baseball/Softball) Youth ONLY	3.00	1.00	-	3.00	7.00	Need Exists	3 Field(s)	Meets Standard	- Field(s)	
Rectangle Fields (Soccer, Lacrosse, Rugby) - U12+	-	9.00	3.00		9.00	Need Exists	7 Field(s)	Need Exists	7 Field(s)	
Rectangle Fields (Soccer, Lacrosse, Rugby) - under U12 ONLY	-	7.00	10.00		7.00	Need Exists	5 Field(s)	Need Exists	5 Field(s)	

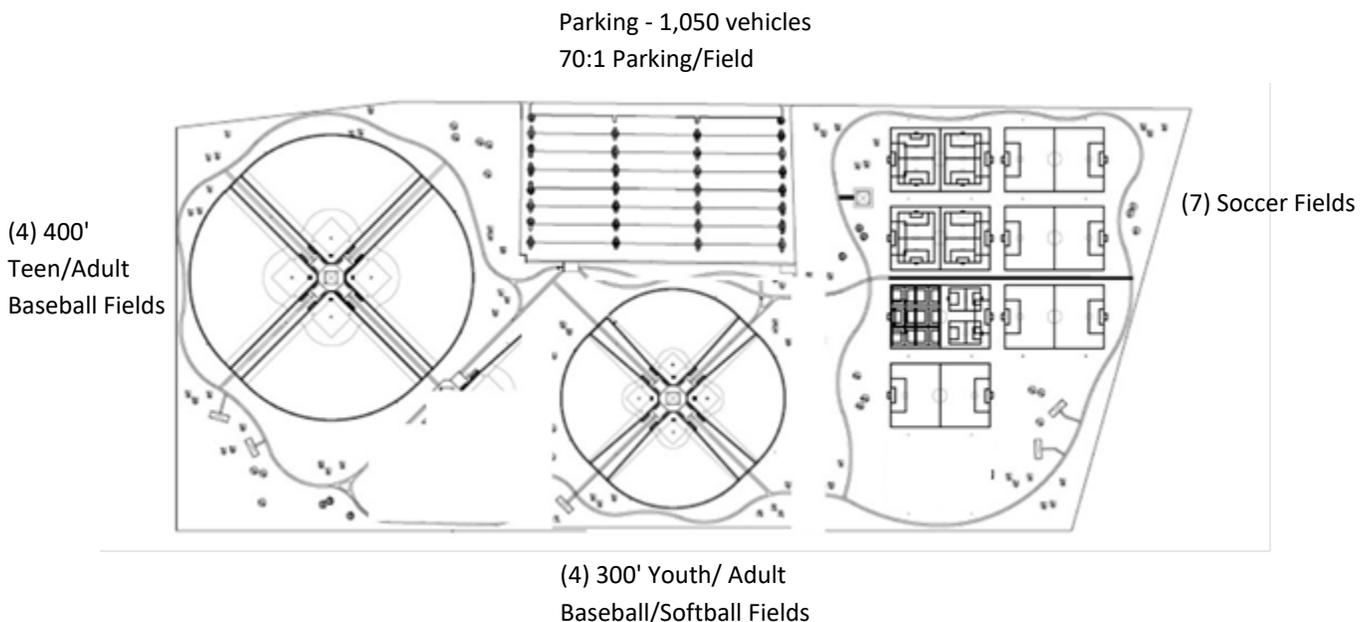
As noted on the previous page, athletic field needs are still present after the implementation of the athletic field lighting improvements to the existing system. However, the improvements to the existing system COMPLETELY eliminates the athletic field need for Diamond, (Baseball/Softball) Youth ONLY fields in 2034 and further provides the framework for the core program and “right sizing” of the conceptual plan for the expansion of the athletic field system.

8.3 CAPITAL IMPROVEMENTS (EXPANDING THE SYSTEM)

Through the completion of a comprehensive public input process, the level of service analysis and the identification of implementable improvements to the existing athletic field system, the framework for the core program and conceptual plan for the expansion of the athletic field system were defined. The following improvements is based on the City adopting the Athletic Field LOS Standards for the City of Rockwall service area. The following chart identifies the need for athletic fields at new athletic field complexes in Rockwall.

Athletic Field Complexes Core Programs		
Athletic Field Typology		
Rectangle Fields (Soccer, Lacrosse, Football) - under U12 ONLY	5	Field(s)
Diamond, (Baseball/Softball) Youth and Adult	4	Field(s)
Rectangle Fields (Soccer, Lacrosse, Football) - U12+	7	Field(s)
Diamond, (Baseball/Softball) Youth ONLY	-	Field(s)
Diamond, (Baseball) Teen/Adult	3	Field(s)

8.3.1 CONCEPTUAL PLAN – ATHLETIC FIELD COMPLEX – 100 ACRE SITE



ESTIMATED CONSTRUCTION COST OF MULTI-PURPOSE FIELD ATHLETIC FIELD COMPLEX: \$30,000,000 (DOES NOT INCLUDE LAND ACQUISITION)

8.4 SUMMARY OF ALL ATHLETIC FIELD CAPITAL IMPROVEMENTS (EXISTING AND NEW)

SUMMARY BY PROJECT	
Tier	Estimated Total Project Cost
Leon Tuttle Sports Complex	\$960,000
Yellowjacket Park	\$1,845,000
Harry Myers Park	\$2,435,000
New Athletic Field Complex	\$30,000,000
TOTAL	\$35,240,000

Chapter Nine - OPERATIONAL AND FINANCIAL PLAN FOR EXPANDING THE SYSTEM

9.1 OPERATIONAL STANDARDS

The Operational Standards for each athletic field complex start with a clear philosophy that the city would consider the development of these athletic field complexes to achieve three key goals.

1. Meet the local community sports leagues and tournaments needs for baseball, softball, soccer, lacrosse, football and rugby for both youth and adults.
2. The athletic field complexes can be an economic driver for local economy by providing local retail operations revenue from the sale of food, lodging and retail purchasing from users who play in the local tournaments on weekends and clinics and showcases during the week.
3. Demonstrate to potential residents and businesses that Rockwall has a high quality of life and has invested in quality of life amenities that will attract people to want to live in the area.

To accomplish these three goals the city must be willing to invest in the capital costs and operational costs to accomplish these goals and to put the right management in place to oversee and maintain the athletic field complexes.

If this is accomplished the athletic field complexes will achieve the expectations outlined in this feasibility study. The city must self-operate the facility versus being a facility provider. The Parks and Recreation Department has the skill set to manage this resource within these standards.

The Parks and Recreation staff must operate the athletic field complexes like a revenue center in that they choose to operate the athletic field complexes in a business concept versus a social concept. This will require that the programs, leagues, tournaments and clinics are priced to market rates and managed to the quality that user will expect when they come to the park which is a much higher level than currently exists in the other sports fields in the city currently.

The City must not let sports leagues become entitled to a site and must support the staff in allowing them to operate the athletic field complexes as first-rate athletic field complexes that can serve the needs of local residents and can attract the larger sports tournaments by aggressively marketing the athletic field complexes as a high end destination park. The staff must also track the economic impact of the park on the local community so that residents can see the value of the investment to the community.

9.1.1 MANAGEMENT OF ATHLETIC FIELD COMPLEXES

The City of Rockwall should consider two options for the management of the athletic field complexes.

Preferred Option - Self-operate: This would be the preferred option from the Consulting Team's perspective. Under this arrangement the city is a caretaker only and receives very little public support yet pays for most of the cost to maintain the fields.

If the city self-operates, they would take over ownership of developing the leagues and tournaments for the new site and build public support the value of offering youth and adult sports on the site. They also are able to control all the revenues for the site including concession revenues from the leagues and tournaments held at the athletic field complexes. The city has an excellent maintenance staff that can

manage the site and they have a proven program staff that can manage the leagues, tournaments and clinics.

Alternative Option - Contract the Management of the Athletic field complexes: This option provides the opportunity for the city to contract with a private operator to manage the athletic field complexes for a percentage of the gross. Typical percentage costs are 35% which would cover the city's maintenance and utility costs for the athletic field complexes. The key to this option is finding an operator who has the expertise to manage the athletic field complexes to its highest use and is willing to spend the time marketing the site and programming the site year-round. The operator would schedule all games, develop the leagues, clinics and tournaments for the city and manage the concession operations. Risks of this option include the residents of Rockwall being charged admission for entrance to the athletic field complexes and/or being charged for parking.

9.1.2 ORGANIZATIONAL STRUCTURE

The following organizational structure is provided to give the city a description of how the athletic field complexes should be operated and maintained. The goal of the athletic field complexes is to be as self-supporting as possible and to become an economic tool for the city for weekend tournaments while still serving the local community.

The organizational staffing structure recommended for the athletic field complexes is as follows for the preferred "self-operate" management option:

- Manager (1) FT
- Maintenance Management Staff- (3) FT
- Sports Site Supervisor (1)
- 1200 annual hours for part-time Maintenance Staff

9.1.3 MAINTENANCE STANDARDS

The following best practice maintenance standards are desired for the athletic field complexes:

Task	Frequency	Timeframe
Athletic Fields - Baseball / Softball / Soccer / Multi-use - Level 1		
Goal: To provide a high-quality and safe field that encourages greater use among the community for practice, games and tournaments		
Mow/Trim (1 1/2") March 1 through March 31	1x/7 days	Growing Season
Mow/Trim (2") April 1 through October 31	1x/7 days	Growing Season
Mow/Trim (2") November 1 through November 30	1x/7 days	Growing Season
Mow/Trim (2") December 1 through February 28	1x/ 7 days	Growing Season
Overseed	1x/year	Spring, Summer
Fertilizer	3x/year	Spring, Summer, Fall
Aerate	3x/year	Spring, Summer, Fall
Drag / Line fields for games	7x/week	Year Round
Pick up trash and clean during events	7x/day	Year Round
Inspect bleachers /scoreboards / security lighting	1x/week	Year Round
Water (1 inch / week)	As needed	Year Round
Concession Building - Level 1 Maintenance		
Goal: Provide a clean, inviting area to eat.		
Clean, sweep, vacuum	7x/week	Year-round
Remove and/or replace Garbage Bags and Trash cans	7x/week	Year-round
Clean and stock restrooms	7x/week	Year-round
Clean windows	1x/week	Year-round
Check Lighting	7x/week	Year-round
Check Heating / Cooling	7x/week	Year-round
Clean and wipe tables	7x/week	Year-round
Check and clean storage areas	1x/week	Year-round
Wash areas outside concession stands	7x/week	Year-round
Update and paint signage	1x/year	Year-round
Clean Patio	7x/week	Year-round
Major Mechanical System Inspection (Preventative Maintenance)	1x/month	Year-round
Schedule Lighting, Mechanical Systems	1x/week	Year-round
Inspect furniture	1x/week	Year-round

9.2 FINANCIAL PLAN

PROS Consulting reviewed the preliminary design plans for the athletic field complexes to determine revenue sources to develop, operate and maintain the athletic field complexes. Athletic field complexes of this magnitude should incorporate this business plan/feasibility study for daily operations and revenue management of the site to achieve the desired outcomes of all parties involved. This will include partnership agreements between all entities using the site. The pro forma identifies appropriate levels of staffing, supply and maintenance costs, asset management costs and revenue management requirements desired by the City.

9.2.1 CAPITAL FUNDING SOURCE OPPORTUNITIES

The following funding sources can provide revenue opportunities for the City, but it will take a dedicated staff person to investigate and pursue the source and manage for the future. The following are funding sources that can be developed for the athletic field complexes:

- **Redevelopment Funding:** Redevelopment money from the County or the State to promote sports tourism and for economic development in the area. Redevelopment agencies are typically located as part of cities and counties in most states and this could be a good source to draw on for the capital costs needed for developing the site.
- **Dedicated Sales Tax:** A dedicated sales tax of \$0.1 cent on food and beverages sold in the City could to be dedicated to the athletic field complexes.
- **Bed Tax (transient occupancy tax):** A Bed Tax (transient occupancy tax) money from the development of future hotels and motels in the City who would directly benefit from the sports tournaments held at the site. Cities/Counties usually manage this funding source, which would require Rockwall County to support the funding source. This could be one or two percent added to the existing bed tax to support the development of the facility.
- **Facility Improvement District:** Cities across the United States can develop a Facility Improvement District or Business Improvement District to support a recreation sports facility due to the number of people who will use it in one location. Based on the existing partnerships involved between the City of Rockwall, Rockwall County, and the school district, this should be considered.
- **Local, Regional or National Foundations:** Many communities have turned to their local, regional and national foundations in their area to support the development of an athletic field complex. The Harvest Foundation, located in Martinsville, Virginia has successfully developed a \$20 million athletic field complex to support local economic opportunities for the community from sports tourism.
- **City and County Bond Issue:** This would require local residents to vote on a bond issue to develop the site from property tax or sales tax commitments by residents.
- **Lease Back Option:** The City would enter into a lease back option with a private finance company to provide the financing for the project. The City, along with their partners, would agree to pay the development costs back over a 30-year period from the revenues earned from the site or from general fund dollars dedicated to the project.
- **Partnership Development Agreement:** Each partner would develop their respective facilities based on set design guidelines with the City or a private management company managing all the site elements. Partners would work collectively to promote the site as a whole versus individual amenities.
- **Naming Rights:** Private fundraising could be developed to fund a portion or all of it through naming rights for the site and through individual amenity naming rights. Naming rights are calculated by the number of impression points by visitors to the site. Complexes could raise 20%-30% of the development costs from naming rights.

- **Grants:** Grants have always been a good source for funding of parks throughout the United States. Grants can be provided by the Federal Government such as the land and conservation fund, transportation enhancement funds for trails and greenways, state grant funds from gambling taxes or alcohol funds, and local grants from community foundations.
- **Land and Water Conservation Fund:** Preserve, develop and renovate outdoor recreation facilities. Focus is on America's Great Outdoors Initiative. New or renovation of pavilions, playgrounds or play areas, ball fields, bleachers, golf course meeting rooms, multi-purpose courts, parking facilities, pathways and trails, roads, signs, ski areas, snowmobile facilities, tennis courts-Federal Funds-Average Award 70k.
- **Establish a Facility Authority:** A Facility Authority is sometime used by park and recreation agencies to improve a specific park or develop a specific improvement such as a stadium, large recreation centers, large aquatic centers, sports venues for competitive events. The sale of these bonds usually comes from sales taxes. The City of Indianapolis has created several community venues for recreation and national competition events for local and economic purposes. The Facility Authority is responsible for managing the sites and operating them in a self-supporting manner.

9.2.2 OPERATIONAL FUNDING COSTS OPPORTUNITIES

Athletic field complexes have numerous revenue sources to draw from to support operational and management costs that include long term capital replacement costs. The following are funding options to consider in operations of the site.

- **User fees:** User fees to access or use the athletic field complexes. Fees can range from \$35 dollars for the maintenance cost per player to \$400 per team in a sports league.
- **Concessions:** Concessions can be leased out to a private operator for a percentage of gross profits. Typically, 15%-18% of gross profits for concessions of a profit operator, or a managing agency over the site could manage concessions. In this case, it would be the City of Rockwall.
- **Parking Fees:** During major special tournaments the City could charge a \$5 parking fee for soccer, baseball, or softball tournament.
- **Field Permits:** The City can issue field permits for practice or games. Permits should cover the operational cost of each field and management costs. If a private operator desires to rent the site for a sporting tournament for private gain, the City should provide a permit fee plus a percentage of gross from the event. The City of Las Vegas, Nevada provides this arrangement on a 22-field soccer complex.
- **Admission Fee:** An admission fee to an event in the park can be utilized. Athletic field complexes similar to this include an admission fee and a parking fee for major sports tournaments. High School sports tournaments typically include an admission fee.
- **Tournament Fees:** Tournament fees for softball, baseball, soccer can be assessed for each team who enters a tournament and can range from \$150-\$400 a team and can vary based on the number of games guaranteed.
- **Official Drink, Food and Equipment Sponsors:** Official drink and food sponsors can be utilized for the complexes. Official drink and food sponsors pay the agency a set percentage of gross.

Typically, this is 5%-10% of costs for being the official product and receiving exclusive pouring and food rights to the complexes. Likewise, official equipment sponsors work well for trucks, mowers, and tractors.

- **Scoreboard Sponsors:** Scoreboard sponsors pay for the cost of the scoreboards for the life of the board, which is usually 15 years.
- **Official Product Sponsors:** Official product sponsors for balls, shoes, hats, gloves, etc. can be used for the site. The sponsor prices can vary by how much exposure is received and the amount of sales created.
- **Advertising Revenue:** Advertising revenue can come from the sale of ads on banners in the park. The advertising could include sports fields, score boards, dugouts, and sun umbrellas over picnic tables, and in restrooms.
- **Wi-Fi Revenue:** The City can set up a Wi-Fi area whereby a Wi-Fi vendor is able to sell the advertising on the Wi-Fi access banner to local businesses targeting the users of the site. This revenue has amounted to \$20,000-\$50,000 in revenue for similar sites.
- **Cell Tower:** Cell tower leases on top of sports lights can be used. This revenue source would support \$35,000-\$50,000 annually for the site if cell towers are needed in the area.
- **Program Fees:** Program Fees to support existing programs at each attraction can be employed in the form of lessons, clinics, camps, life skill programs, and wellness and fitness. These types program would help support the operations of each facility and the park as a whole.
- **Capital Improvement Fee:** A Capital Improvement Fee on all programs and events can be added. The athletic field complexes will require an on-going maintenance endowment to keep the park and amenities updated and positioned for the future. A capital asset fee of \$2-\$3 on each person who participates in a class, event, or program can be incorporated into the cost of the program or event.
- **Batting Cages:** Batting cages could be incorporated into the facility. They can have a monthly pass available for youth and adults, as well as an individual use fee. This will generate money to support operating and managing the batting facility.
- **Volunteerism:** The revenue source is an indirect revenue source in that persons donate time to assist the complexes in providing a product or service on an hourly basis. This reduces the City's cost in providing the service plus it builds advocacy into the complexes.
- **Special Fundraiser:** Many agencies hold special fundraisers on an annual basis to help cover specific programs and capital projects to be dedicated to the athletic field complexes.
- **Private Management of Elements the Complex:** The City should consider outsourcing elements of the complexes to save operating money where appropriate.

9.2.3 SIX YEAR PRO FORMA – ISD SERVICE AREA CAPITAL IMPROVEMENTS

The following is a summary report of the revenues and expenditures for the athletic field complexes over a six- year period. The breakdown of the summary report is listed in the tables that follow this summary report and takes in a phased approach with the facility achieving higher capacity utilization beginning in year three. The tables breakdown the revenues by category and the expenses by category. Overall the athletic field complexes will be able to achieve a 71% cost recovery rate if managed to the operational and financial plans outlined in this feasibility study.

REVENUES AND EXPENDITURES						
	1st Year	2nd Year	3rd Year	4th Year	5th Year	6th Year
Revenues*						
Sports Complex Revenue	\$601,000.00	\$619,030.00	\$637,600.90	\$656,728.93	\$676,430.79	\$696,723.72
Total Revenues	\$601,000.00	\$619,030.00	\$637,600.90	\$656,728.93	\$676,430.79	\$696,723.72
Expenditures						
	\$843,749.53	\$869,062.01	\$895,133.88	\$921,987.89	\$949,647.53	\$978,136.95
Net Revenues Over (Under)						
Expenditures	(\$242,749.53)	(\$250,032.01)	(\$257,532.98)	(\$265,258.96)	(\$273,216.73)	(\$281,413.24)
Total Cost Recovery	71.2%	71.2%	71.2%	71.2%	71.2%	71.2%

*NOTE: Revenues assume a full-time year of operations. First year revenues could be significantly less based on when during the fiscal year the facility starts operations, and the initial marketing and promotional efforts. PROS anticipates that the full potential revenues will be reached by the fifth year of operations.

9.2.4 REVENUE MODEL – ISD SERVICE AREA CAPITAL IMPROVEMENTS

REVENUE MODEL						
DIVISION	ACCOUNT TITLE	PRICE	UNITS	REVENUES	EXPLANATION	
REVENUES						
Multi-Purpose Sports Fields	Tournaments-Soccer	\$600.00	5	48	\$144,000.00	Average \$500 per team with the average size tournament of 48 teams for soccer hosting 5 tournaments a year
Multi-Purpose Sports Fields	Field Rentals	\$60.00	2,000	1	\$120,000.00	\$60 per field for a two hour time period minimum with 2000 rentals a year (lights included) (50% of total availability rented)
Baseball 4-plex	Tournaments - Youth Baseball	\$450.00	24	12	\$129,600.00	Average \$500 per team with the average size tournament of 12 teams for baseball hosting 24 tournaments a year (2 per month)
Softball 4-plex	Tournaments - Adult Softball	\$450.00	12	12	\$64,800.00	Average \$500 per team with the average size tournament of 12 teams for adult softball hosting 12 tournaments a year (1 per month)
Baseball/Softball 4-plex	Field Rentals	\$60.00	500	1	\$30,000.00	\$60 a field for a two hour time period minimum with 500 rentals a year (lights included)
Softball 4-plex	League Fees Spring/Summer	\$400.00	1	12	\$4,800.00	\$400 for teams a total of 12 teams in adult softball
Softball 4-plex	League Fees Fall	\$400.00	1	12	\$4,800.00	\$400 for teams a total of 12 teams in adult softball
Sports Complex	Miscellaneous Revenues	\$500.00	1	1	\$500.00	
Sports Complex	Sponsorships	\$500.00	50	1	\$25,000.00	\$500 a season with 50 sponsors for the complex
Sports Complex	Wi-Fi Revenue	\$25,000.00	1	1	\$25,000.00	Wi-Fi revenue \$25,000
Sports Complex	Concessions	\$52,500.00	1	1	\$52,500.00	Concession revenue based on \$350,000 in gross revenue @15% commission
TOTAL SPORTS COMPLEX REVENUES					\$601,000.00	

9.2.5 EXPENDITURE MODEL – ISD SERVICE AREA CAPITAL IMPROVEMENTS

Operations and Maintenance Expenditures		
PERSONNEL SERVICES		
Complex Manager	\$65,000.00	1 FT
Site Supervisor	\$35,000.00	1 FT
Field Staff	\$150,000.00	3 FT, 1-\$60,000 2-\$45,000
Part Time	\$64,800.00	4 PT @ average \$13.50 for average 30 hrs/wk for 40 weeks
Overtime	\$5,000.00	
Employer's Share of FICA	\$13,979.28	6.36% of Salaries and Wages
Employer's Share of Medicare	\$3,275.02	1.49% of Salaries and Wages
Additional Full-Time Benefits	\$89,250.00	35% of Full Time Regular
Total	Personnel Services	\$326,304.30
SUPPLIES		
Stationary & Printed Materials	\$0.00	
Office Supplies	\$500.00	
Gasoline	\$4,000.00	
Garage & Motor Supplies	\$2,000.00	
Repair Parts	\$1,500.00	
Small Tools & Minor Equip.	\$3,600.00	
Other Maint. Supplies	\$1,750.00	
Safety Supplies	\$2,000.00	First aid supplies
General Program Supplies	\$1,200.00	
Other Miscellaneous	\$1,000.00	
Total	Supplies	\$17,550.00
OTHER SERVICES & CHARGES		
Info Sys Maint/Contracts	\$1,200.00	Phone and IT system support
Marketing & Promotions	\$24,575.23	3% of other expenditures
Security Services	\$1,200.00	
Training Travel & Lodging	\$2,500.00	
Cellular Phone Fees	\$1,000.00	
Electricity	\$30,000.00	\$20 for 1500 hours
Water & Sewer	\$50,000.00	
Gas	\$2,000.00	
Equipment Repairs & Maint.	\$5,000.00	
Tournament Management	\$84,600.00	25% of tournament revenues
Field Maintenance - Multipurpose	\$144,000.00	\$18,000 per turf field
Field Maintenance - Baseball/Softball Quad	\$80,000.00	\$10,000 per baseball field
General Area Maintenance	\$25,000.00	\$5,000/acre for 5 acres
Trash Collection	\$3,000.00	\$250 / Mon Dumpster
Subscriptions	\$120.00	
Organization & Membership Dues	\$1,000.00	
Staff Clothing	\$700.00	7 @ \$100 ea.
Irrigation Materials	\$10,000.00	
Repair Parts	\$10,000.00	Plumbing, Hardware, Electrical, Lighting, etc...
Small Tools & Minor Equip.	\$5,000.00	Misc. and Specialty Tools
Other Maint. Supplies	\$12,000.00	Lubricants, light bulbs, etc.
Safety Supplies	\$1,500.00	Safety Glasses, Gloves, Harness, etc...
Internal Instruction Fees	\$2,500.00	Customer service training, CPR/First Aid/AED training
External Instructional Fees	\$2,000.00	
Special Projects	\$1,000.00	Staff morale/incentives
Total	Other Services	\$499,895.23
TOTAL EXPENSES		\$843,749.53

Chapter Ten – CONCLUSION AND IMPLEMENTATION

The City of Rockwall Park and Recreation Department is a best practice agency that has demonstrated to the community the value of having a park and recreation system to access and take great pride in for living in Rockwall. The Athletic Field Feasibility Study is a guide for the development of athletic fields for Department for the next ten years.

The recommendations outlined in the Athletic Field Feasibility Study are aligned with the vision, mission and core values of the community and the Department. These recommendations follow what the community has voiced as a priority. It is possible under the current conditions that all the recommended capital projects in this Feasibility Study can be completed within 10 years. Overall, the capital improvements can be utilized as a guideline for future improvements and development with flexibility to be altered and updated as needed.



APPENDIX A - ECONOMIC IMPACT ANALYSIS

INTRODUCTION

PROS Consulting performed an economic impact analysis to measure the economic benefit of construction and estimated tourism related to the City of Rockwall Sports Field improvements IF the community chose to utilize new athletic field complexes to increase sports tourism in the city. Economic multipliers used in the analysis are from the Regional Input-Output Modeling System produced by the U.S. Department of Commerce - Bureau of Economic Analysis. A model developed in Microsoft Excel uses survey data and the regional multipliers to present the approximate economic impact on the local economy. The economic impact is expressed in terms of dollars generated in the economy and in terms of the change in the number of jobs. The multipliers in this analysis are for illustrative purposes and not specific the Rockwall area.

SUMMARY PROJECTIONS:

The table below shows the summary of the construction and tourism economic analysis for the Multi-Purpose Sports Fields. Tourism spending is estimated at \$326,938 annually. The economic impact is of \$590,341 of final demand value added with a local job impact of 12 full-time jobs. Final economic impact of \$40 Million construction spending for the construction of the athletic field complexes is estimated to be \$55,682,214 with a local job increase of 772 full-time jobs. The combined economic impact from tourism and construction is \$28,933,672 with a total job increase of 784.

	Economic Impact	Equivalent Jobs
Tourism Total	\$ 590,341	12
Construction	\$ 55,682,214	772
Total	\$ 56,272,555	784

SOCCKER TOURNAMENT ASSUMPTIONS

The projected revenues from the estimated economic impact modeling are based on assumptions of events, attendance, and spending patterns. These assumptions were prepared by PROS Consulting in conjunction with the City of Rockwall staff and based on operational experience nationwide.

SOCCKER TOURNAMENT EVENT AND ATTENDANCE ASSUMPTIONS

Soccer Tournaments are projected to have 4,320 annual participants. The analysis assumed that 5 tournaments will be held each year, with an average of 48 teams per tournament, and an average of 18 persons per team. Total annual attendees are estimated to be 4,320 as shown below.

Tournaments-Soccer Participants	
5	Tournaments
18	Players Per team
48	Teams
<hr/>	
4,320	Estimated Participants

PROJECTED REVENUES RELATED TO PROPOSED SOCCER TOURNAMENTS

The estimated annual revenues from Soccer Tournaments are shown below. The revenues are projected based on the estimated attendees/visitors shown previously. The average team fee is estimated to be \$500. Concession and Wi-Fi spending per person is estimated to be \$10 and \$1 respectively.

Tournaments-Soccer Revenues	
5	Tournaments
<u>48</u>	Teams
240	Estimated Participants
<u>\$500</u>	Average Fee Per Team
<u>\$120,000</u>	Tournament Revenues
Concessions	
4,320	Estimated Participants
<u>\$10</u>	Average Revenue Per Participant
<u>\$43,200</u>	Tournament Revenues
Wi-Fi	
4,320	Estimated Participants
<u>\$1</u>	Average Revenue Per Participant
<u>\$4,320</u>	Tournament Revenues
Total Tournament Revenues	
<u>\$ 167,520</u>	Tournament Revenues

PROJECTED OUT-OF-TOWN VISITOR SPENDING RELATED TO PROPOSED SOCCER TOURNAMENTS

The estimated out-of-town visitor revenues from Soccer Tournaments are shown in the table below. Out-of-town visitors are estimated to be 20% of the total attendees/visitors. The out-of-town visitors are estimated to stay one night with average room rate of \$100 per double occupancy. The meals and retail spending are estimated to be \$30 and \$10 respectively.

The estimated economic impact revenues estimated to be \$160,224 from Soccer Tournaments are shown. Local spending was not considered in this analysis as money spent at the Athletic field complex is likely a transfer of resources from one sector (e.g. going to the movies) within the local economy to another sector (e.g. going to the Athletic field complex). The transfer of local spending from one sector to another sector within the local economy is typically accounted for as an economic growth neutral.

Total Tournament Revenues	
\$	167,520 Tournament Revenues
	<u>20% Estimated Percent Out-of-Town Attendees/Visitors</u>
\$	<u>33,504</u> Estimated Out-of-Town Tournament Revenues

Estimated Out-of -Town Attendee/Visitor Revenues	
	4,320 Estimated Attendees/Visitors
	<u>20% Estimated Percent Out-of-Town Attendees/Visitors</u>
	864 Estimated Out-of-Town Attendees/Visitors
\$	100.00 Average Cost Per Room Night
	<u>3 Occupants Per Room</u>
\$	33.33 Per Person Room Costs
\$	30.00 Daily Spending: Meals
\$	10.00 Daily Spending: Retail, Other
\$	73.33 Daily Attendee/Visitor Spending
	<u>2 Average Attendee/Visitor Days</u>
\$	146.67 Average Attendee/Visitor Spending Per Event
\$	<u>126,720</u> Estimated Annual Average Attendee/Visitor Spending

Estimated Total Out-of -Town Soccer Tournament Revenues	
\$	33,504 Estimated Out-of-Town Tournament Revenues
\$	126,720 Estimated Annual Average Attendee/Visitor Spending
\$	<u>160,224</u> Estimated Total Out-of -Town Revenues

The Soccer Tournament revenues are shown in the table below, grouped by the economic impact categories used by the U.S. Department of Commerce.

Out-of -Town Soccer Tournament Revenues by Category		
\$	24,000	Tournament Fees
\$	57,600	Lodging
\$	26,784	Retail
\$	51,840	Meals
\$	160,224	Estimated Total Out-of -Town Revenues

YOUTH BASEBALL TOURNAMENT ASSUMPTIONS

The projected revenues from the estimated economic impact modeling are based on assumptions of events, attendance, and spending patterns. These assumptions were prepared by PROS Consulting in conjunction with the City of Rockwall staff and based on operational experience nationwide.

YOUTH BASEBALL TOURNAMENT EVENT AND ATTENDANCE ASSUMPTIONS

Youth Baseball Tournaments are projected to have 4,320 annual participants. The analysis assumed that 24 tournaments will be held each year, with an average of 15 teams per tournament, and an average of 12 persons per team. Total annual attendees are estimated to be 4,320.

Tournaments-Youth Baseball Participants	
	24 Tournaments
	12 Players Per team
	15 Teams
<hr/>	4,320 Estimated Participants



PROJECTED REVENUES RELATED TO PROPOSED YOUTH BASEBALL TOURNAMENTS

The estimated annual revenues from Youth Baseball Tournaments are shown below. The revenues are projected based on the estimated attendees/visitors shown previously. The average team fee is estimated to be \$500. Concession and Wi-Fi spending per person is estimated to be \$10 and \$1 respectively.

Tournaments-Youth Baseball Participants	
24	Tournaments
12	Players Per team
<u>15</u>	Teams
4,320	Estimated Participants
Tournaments-Youth Baseball Revenues	
24	Tournaments
<u>15</u>	Teams
360	Estimated Participants
<u>\$500</u>	Average Fee Per Team
<u>\$180,000</u>	Tournament Revenues
Concessions	
4,320	Estimated Participants
<u>\$10</u>	Average Revenue Per Participant
<u>\$43,200</u>	Tournament Revenues
Wi-Fi	
4,320	Estimated Participants
<u>\$1</u>	Average Revenue Per Participant
<u>\$4,320</u>	Tournament Revenues
Total Tournament Revenues	
<u>\$ 227,520</u>	Tournament Revenues

PROJECTED OUT-OF-TOWN VISITOR SPENDING RELATED TO PROPOSED YOUTH BASEBALL TOURNAMENTS

The estimated out-of-town visitor revenues from Youth Baseball Tournaments are shown previously. Out-of-town visitors are estimated to be 20% of the total attendees/visitors. The out-of-town visitors are estimated to stay one night with average room rate of \$100 per double occupancy. The meals and retail spending are estimated to be \$30 and \$10 respectively.

The estimated economic impact revenues estimated to be \$172,224 from Youth Baseball tournaments are shown in the table on the following page.

Local spending was not considered in this analysis as money spent at the Athletic field complexes is likely a transfer of resources from one sector (e.g. going to the movies) within the local economy to another sector (e.g. going to the Athletic field complexes). The transfer of local spending from one sector to another sector within the local economy is typically accounted for as an economic growth neutral.

Total Tournament Revenues	
\$	227,520 Tournament Revenues
	20% Estimated Percent Out-of-Town Attendees/Visitors
<u>\$</u>	<u>45,504</u> Estimated Out-of-Town Tournament Revenues

Estimated Out-of -Town Attendee/Visitor Revenues	
	4,320 Estimated Attendees/Visitors
	20% Estimated Percent Out-of-Town Attendees/Visitors
	<u>864</u> Estimated Out-of-Town Attendees/Visitors
\$	100.00 Average Cost Per Room Night
	3 Occupants Per Room
<u>\$</u>	<u>33.33</u> Per Person Room Costs
\$	30.00 Daily Spending: Meals
<u>\$</u>	<u>10.00</u> Daily Spending: Retail, Other
\$	73.33 Daily Attendee/Visitor Spending
	2 Average Attendee/Visitor Days
<u>\$</u>	<u>146.67</u> Average Attendee/Visitor Spending Per Event
<u>\$</u>	<u>126,720</u> Estimated Annual Average Attendee/Visitor Spending

Estimated Total Out-of -Town Youth Baseball Tournament Revenues	
\$	45,504 Estimated Out-of-Town Tournament Revenues
<u>\$</u>	<u>126,720</u> Estimated Annual Average Attendee/Visitor Spending
<u>\$</u>	<u>172,224</u> Estimated Total Out-of -Town Revenues

The Youth Baseball Tournament revenues are shown below, grouped by the economic impact categories used by the U.S. Department of Commerce.

Out-of -Town Youth Baseball Tournament Revenues by Category		
\$	36,000	Tournament Fees
\$	57,600	Lodging
\$	26,784	Retail
\$	51,840	Meals
\$	172,224	Estimated Total Out-of -Town Revenues

ADULT SOFTBALL TOURNAMENT ASSUMPTIONS

The projected revenues from the estimated economic impact modeling are based on assumptions of events, attendance, and spending patterns. These assumptions were prepared by PROS Consulting in conjunction with the City of Rockwall staff and based on operational experience nationwide.

ADULT SOFTBALL TOURNAMENT EVENT AND ATTENDANCE ASSUMPTIONS

Adult Softball Tournaments are projected to have 1,728 annual participants. The analysis assumed that 12 tournaments will be held each year, with an average of 12 teams per tournament, and an average of 12 persons per team. Total annual attendees are estimated to the 1,728 as shown below.

Tournaments-Adult Softball Participants	
12	Tournaments
12	Players Per team
12	Teams
1,728	Estimated Participants

PROJECTED REVENUES RELATED TO PROPOSED ADULT SOFTBALL TOURNAMENTS

The estimated annual revenues from Adult Softball Tournaments are shown below. The revenues are projected based on the estimated attendees/visitors shown previously. The average team fee is estimated to be \$500. Concession and Wi-Fi spending per person is estimated to be \$10 and \$1 respectively.

Tournaments-Adult Softball Revenues	
24	Tournaments
<u>15</u>	Teams
360	Estimated Participants
<u>\$500</u>	Average Fee Per Team
<u>\$180,000</u>	Tournament Revenues
Concessions	
1,728	Estimated Participants
<u>\$10</u>	Average Revenue Per Participant
<u>\$17,280</u>	Tournament Revenues
Wi-Fi	
1,728	Estimated Participants
<u>\$1</u>	Average Revenue Per Participant
<u>\$1,728</u>	Tournament Revenues
Total Tournament Revenues	
<u>\$ 199,008</u>	Tournament Revenues

PROJECTED OUT-OF-TOWN VISITOR SPENDING RELATED TO PROPOSED ADULT SOFTBALL TOURNAMENTS

The estimated out-of-town visitor revenues from Adult Softball Tournaments are shown previously. Out-of-town visitors are estimated to be 20% of the total attendees/visitors. The out-of-town visitors are estimated to stay one night with average room rate of \$100 per double occupancy. The meals and retail spending are estimated to be \$30 and \$10 respectively.

The estimated economic impact revenues estimated to be \$90,490 from Adult Softball Tournaments are shown in the table below.

Local spending was not considered in this analysis as money spent at the Sports Fields is likely a transfer of resources from one sector (e.g. going to the movies) within the local economy to another sector (e.g. going to the Sports Fields). The transfer of local spending from one sector to another sector within the local economy is typically accounted for as an economic growth neutral.

Total Tournament Revenues		
\$	199,008	Tournament Revenues
	<u>20%</u>	Estimated Percent Out-of-Town Attendees/Visitors
\$	<u>39,802</u>	Estimated Out-of-Town Tournament Revenues

Estimated Out-of -Town Attendee/Visitor Revenues		
	1,728	Estimated Attendees/Visitors
	<u>20%</u>	Estimated Percent Out-of-Town Attendees/Visitors
	346	Estimated Out-of-Town Attendees/Visitors
\$	100.00	Average Cost Per Room Night
	<u>3</u>	Occupants Per Room
\$	33.33	Per Person Room Costs
\$	30.00	Daily Spending: Meals
\$	<u>10.00</u>	Daily Spending: Retail, Other
\$	73.33	Daily Attendee/Visitor Spending
	<u>2</u>	Average Attendee/Visitor Days
\$	146.67	Average Attendee/Visitor Spending Per Event
\$	<u>50,688</u>	Estimated Annual Average Attendee/Visitor Spending

Estimated Total Out-of -Town Adult Softball Tournament Revenues		
\$	39,802	Estimated Out-of-Town Tournament Revenues
\$	<u>50,688</u>	Estimated Annual Average Attendee/Visitor Spending
\$	<u>90,490</u>	Estimated Total Out-of -Town Revenues

The Adult Softball Tournament revenues are shown below, grouped by the economic impact categories used by the U.S. Department of Commerce.

\$	36,000	Tournament Fees
\$	23,040	Lodging
\$	10,714	Retail
\$	20,736	Meals
\$	90,490	Estimated Total Out-of -Town Revenues

OUT-OF-TOWN REVENUE ASSUMPTIONS

Thus, the projected out-of-town revenue assumptions for the Athletic field complexes are a total of \$422,938 as shown below.

Spending Category	Adult			Total
	Soccer Tournaments	Youth Baseball Tournaments	Softball Tournaments	
Tournament Fees	\$ 24,000	\$ 36,000	\$ 36,000	\$ 96,000
Lodging	\$ 57,600	\$ 57,600	\$ 23,040	\$ 138,240
Retail	\$ 26,784	\$ 26,784	\$ 10,714	\$ 64,282
Meals	\$ 51,840	\$ 51,840	\$ 20,736	\$ 124,416
Total	\$ 160,224	\$ 172,224	\$ 90,490	\$ 422,938

As noted previously, the assumptions have been intentionally conservative and local spending has not been considered in this analysis in order to accurately depict new revenue and economic impact being driven by these facilities and not simply a transfer from one sector in the City of Rockwall to another.

ECONOMIC IMPACT ANALYSIS OF PROPOSED CITY OF ROCKWALL MULTI-PURPOSE SPORTS FIELDS FROM TOURISM

The economic impact multipliers used in this analysis are from U.S. Department of Commerce - Bureau of Economic Analysis, Regional Economic Analysis Division, Analysis and Special Studies Branch, Regional Input-Output Modeling System (RIMS II). The multipliers in this analysis are for illustrative purposes and not specific the Rockwall area. The table on the following page shows the factors used in the analysis.

Industry	(Impact of Estimated Tourism)				Direct Effect	
	Output (Dollars) <1>	Earnings (Dollars) <2>	Employment / \$M Sales (Jobs) <3>	Final-demand Value-added (Dollars) <4>	Direct-effect Earnings (dollars) <5>	Direct-effect Employment (number of jobs) <6>
Performing arts, spectator sports, museums, and related activities	1.5516	0.4508	24.8090	0.9346	1.5513	1.4887
Accommodation	1.5612	0.3952	15.6434	0.8815	0.1566	1.4207
Retail Trade	1.5236	0.4087	16.1219	0.9804	1.4547	1.3434
Food services and drinking places	1.5401	0.4179	23.6217	0.8604	1.4420	1.2095

ECONOMIC IMPACT FROM OUT-OF-TOWN VISITOR SPENDING RELATED TO PROPOSED ROCKWALL ATHLETIC FIELD COMPLEX

The total direct economic impact of the proposed Rockwall Athletic field complex tourism is shown in the table below. Column 1 shows the output in terms of dollars and represents the total dollar change in output that occurs in all industries for each additional dollar of output delivered to final demand by the industry corresponding to the entry. Columns 2 and 3 are estimates of the final effect earnings and employment (jobs), on the Rockwall area. Column 2 represents the total dollar change in earnings of households employed by all industries for each additional dollar of output delivered to final demand by the industry corresponding to the entry. Column 3 represents the total change in number of jobs that occurs in all industries for each additional million dollars of output. Columns 5 and 6 show the Direct-effect Earnings and Total Jobs, respectively. Column 6 represents the total change in number of jobs in all industries for each additional job in the industry corresponding to the entry. The Final-demand Value-added factors include direct, indirect, and induced economic impacts. The economic impact of the proposed Rockwall Athletic field complex is total output of \$654,326 and \$590,341 of final demand effect value-added with a local job impact of 12 full-time jobs.

Industry Segment	Total Rev/Sales Captured by Local Region	(Impact of Estimated Tourism)				Direct Effect	
		Output (Dollars) <1>	Earnings (Dollars) <2>	Employment / \$M Sales (Jobs) <3>	Final-demand Value-added (Dollars) <4>	Direct-effect Earnings /5/ (dollars)	Direct-effect Employment /6/ (number of jobs)
Performing arts, spectator sports, museums, zoos, and parks	96,000	148,954	43,277	2	139,212	67,135	4
Accommodation	138,240	215,820	54,632	2	190,246	8,558	3
Other Retail	64,282	97,939	26,272	1	96,020	38,218	1
Food services and drinking places	124,416	191,613	51,993	3	164,864	74,975	4
Total Annual Spending	\$ 422,938	\$ 654,326	\$ 176,175	9	\$ 590,341	\$ 188,885	12

ECONOMIC IMPACT ANALYSIS OF ROCKWALL ATHLETIC FIELD COMPLEX CONSTRUCTION

The construction of permanent structures has a strong positive impact of the local economy. The City's construction of the Athletic field complex is the basis for the analysis. The impact of the project was analyzed using construction impact economic multipliers from the U.S. Department of Commerce, Bureau of Economic Analysis, and Regional Input-Output Modeling System (RIMS). Each RIMS industry category has a value multiplier and a jobs multiplier.

The economic impact multipliers used in this analysis are shown below. The multipliers in this analysis are for illustrative purposes and not specific the Rockwall area.

Industry Segment	Final-demand Output /1/ (dollars)	Final-demand Earnings /2/ (dollars)	Final-demand Employment /3/ (number of jobs)	Final-demand Value-added /4/ (dollars)	Direct-effect Earnings /5/ (dollars)	Direct-effect Employment /6/ (number of jobs)
Construction	1.5737	0.4486	12.354	0.8605	1.4648	1.5723
Professional, scientific, and technical services	1.5270	0.4963	10.7786	1.0395	1.3666	1.7257

The following table illustrates the total final economic impact of the Athletic field complex construction. Column 1 shows the output in terms of dollars. Columns 2 and 3 are estimates of the final effect earnings and employment (jobs), in the City. The Final-demand Value-added in dollars is shown in Column 4. The

Industry Segment	Total Rev/Sales Captured by Local Region	Final Demand				Direct Effect	
		Output (Dollars) <1>	Earnings (Dollars) <2>	Employment / \$M Sales (Jobs) <3>	Final-demand Value-added (Dollars) <4>	Direct-effect Earnings /5/ (dollars)	Direct-effect Employment /6/ (number of jobs)
Construction	33,500,000	52,718,950	15,028,100	414	45,364,656	22,013,161	651
Professional, scientific, and technical services	6,500,000	9,925,500	3,225,950	70	10,317,557	4,408,583	121
Total Annual Spending	\$ 40,000,000	62,644,450	18,254,050	484	55,682,214	26,421,744	772

Final-demand Value-added factors include direct, indirect, and induced economic impacts.

CONCLUSION OF CONSTRUCTION ECONOMIC IMPACT

Final economic impact of Athletic field complex construction is estimated to be \$55,682,214 with a local job increase of 772 full-time jobs.

APPENDIX B- NATURAL VS. SYNTHETIC TURF PLAYING FIELDS

Based on research available through www.safehealthyfields.org, synthetic fields are typically more expensive than natural turf in the short and long-run. The initial costs to install a synthetic field is more expensive than constructing a natural field, ongoing maintenance costs are similar, and synthetic turf will need replacement at the end of its useful life. The following sections compare the installation, equipment, and routine maintenance costs for natural versus synthetic turf.

INSTALLATION COSTS

According to experts from Duke University, the average cost to implement a synthetic turf field can range from \$850 to \$1 million. (Brian Wolfson, Duke University Soccer Politics Blog, 2015)

Based on information from the Sports Turf Managers Association, per square foot construction costs for various sports field surfaces are as follows (Natural Grass Athletic Fields, Sports Turf Managers Association, and 2009 p.7):

- Natural with on-site native soil (no added top soil or sod) - \$0.60-\$0.90 per sq. ft
- Natural turfgrass with native soils - \$1.25-\$2.50 per sq. ft
- Natural with sand cap - \$2.60-\$3.85 per sq. ft
- Natural with sand and drainage - \$4.25-\$5.00 per sq. ft
- Synthetic infill systems (carpet, infill, and base) - \$4.50 - \$10.25 per sq. ft

EQUIPMENT COSTS

Based on data from the Turfgrass Resource Center (TRC), the equipment, supplies, and labor costs can range from \$23,250-\$12,000 for synthetic turf, and from \$42,800-\$205,500 for natural grass. Although startup equipment costs may be less for synthetic fields than for grass fields, converting from natural to synthetic turf will require significant replacement costs for specialized equipment. (Cost Analysis - Sports Turf Alternatives Assessment, September 2016, Massachusetts Toxics Use Reduction Institute, Turfgrass Resource Center (TRC) "Natural Grass and Artificial Turf: Separating Myths and Facts.")

Cost of Equipment, Supplies, and Labor (TRC)			
Synthetic Turf		Natural Grass	
Water (cooling)	\$6,000 - \$35,000	Irrigation	\$6,000 - \$35,000
Sprayer (water application)	\$1,000 - \$35,000	Equipment for Irrigation	\$3,000 - \$31,000
Sweeper	\$1,500 - \$20,000	Mower	\$13,000 - \$69,000
Mechanical Broom	\$500 - \$1,000	Fertilizer Application	\$1,000 - \$3,000
Line Painter	\$500 - \$3,000	Line Painter	\$700 - \$3,000
Groomer	\$1,500 - \$2,000	Rollers	\$2,000 - \$4,000
Cart (towing)	\$7,000 - \$16,000	Cart (towing)	\$7,000 - \$18,500
Field Magnet	\$500 - \$1,000	Aerator	\$3,500 - \$17,000
Rollers	\$250-\$2,000	Vacuum	\$2,100 - \$5,000
Top Dresser	\$4,500 - \$10,000	Top Dresser	\$4,500 - \$20,000
Total	\$23,250 - \$127,000	Total	\$42,800 - \$205,500

Source: Cost Analysis - Sports Turf Alternatives Assessment, September 2016 , Massachusetts Toxics Use Reduction Institute , Turfgrass Resource Center (TRC) "Natural Grass and Artificial Turf: Separating Myths and Facts."

MAINTENANCE COSTS

Research has dispelled the myth that synthetic fields are cheaper to maintain or that they are maintenance free. Compared to natural grass, synthetic fields require: additional infill, irrigation because of unacceptably high temperatures on warm-sunny days, chemical disinfectants, sprays to reduce static cling and odors, drainage repair and maintenance, erasing and repainting temporary lines and removing organic matter accumulation.

According to Brian Wolfson, "Maintaining a natural grass field is slightly more expensive than a turf field, but not by a significant margin. Plus, if one takes into consideration the \$500,000 that must be paid every 8-10 years to replace the carpet of an artificial turf field, and the fact that it is at least \$250,000 more expensive to implement, then using natural grass ends up being cheaper in the short and long run." (Brian Wolfson, Duke University Soccer Politics Blog, 2015)

As seen below, the typical annual maintenance costs of synthetic turf fields ranged from \$13,720-\$39,220, while the typical annual maintenance costs of natural turf fields had a similar range of \$8,133-\$48,960. (*Cost Analysis - Sports Turf Alternatives Assessment, September 2016, Massachusetts Toxics Use Reduction Institute, Turfgrass Resource Center (TRC) "Natural Grass and Artificial Turf: Separating Myths and Facts."*)

Annual Maintenance Costs			
Synthetic Turf		Natural Grass	
Painting / Removal	\$1,000 - \$10,000	Painting	\$800 - \$12,300
Top Dressing / Infill	\$5,000	Top Dressing (sand)	\$0 - \$5,400
Brushing / Sweeping	\$1,000 - \$5,000	Dragging	\$0 - \$200
Disinfecting / Fabric Softener	\$220	Fertilizers	\$1,200 - \$11,000
Carpet Repair (rips, joints)	\$1,000 - \$8,000	Pesticides	\$650 - \$6,300
Water Cooling	\$5,000 - \$10,000	Aeration	\$700 - \$960
Weeding	\$500 - \$1,000	Sod Replacement	\$833 - \$12,500
		Irrigation	\$300 - \$3,000
Total	\$13,720 - \$39,220	Total	\$8,133 - \$48,960

Source: *Cost Analysis - Sports Turf Alternatives Assessment, September 2016, Massachusetts Toxics Use Reduction Institute, Turfgrass Resource Center (TRC) "Natural Grass and Artificial Turf: Separating Myths and Facts."*

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August 15, 2019

City of Rockwall
Mayor Jim Pruitt and the Rockwall City Council
385 South Goliad
Rockwall, TX 75087

Re: Street Parking in the Rockwall Technology Park

Dear Mayor Pruitt and City Council members,

This letter is being written on behalf of the Rockwall Economic Development Corporation - the declarant of the Rockwall Technology Park Association (RTPA) – to request ordinance approval by the Rockwall City Council limiting on-street parking in the Rockwall Technology Park (RTP) to no more than two hours. While there are currently no local laws prohibiting street parking within the RTP, the existing Covenants, Conditions, and Restrictions (CCR's) for the RTP state that "(tenant) parking areas shall be sufficient to accommodate all parking needs for employees, company vehicles, and visitors without the use of the on-street parking," and "on-street parking shall be prohibited for any vehicle in the Rockwall Technology Park."

Generally, the provision of the CCR's has been respected by tenants in the RTP. When on-street parking is used, it is typically for a brief amount of time and/or creates minimal impact on neighboring tenants. However, in the last few months, street parking has become an issue. Pegasus Foods, a frozen foods manufacturer that announced plans to move to Rockwall from California in 2016, has been increasing their product lines and ramping up employment counts at their facility located at 1635 Innovation Drive – a 125,000 square foot structure previously owned by Col-Met Engineered Finishing Solutions. While the REDC is excited about the growth at Pegasus and the success they have found in Rockwall, the company's largest shift has peaked at 200 more employees than they have parking spaces on their site. This has resulted in, at times, more than 100 hundred cars being parked on the street in the RTP, primarily on Innovation Drive. While Pegasus has worked to optimize their existing 8.5 acre site by creating 50-60 additional spaces, company officials acknowledge that their business will still have an excess parking demand for the foreseeable future.

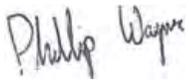
Unfortunately, REDC has received numerous complaints from area businesses of the RTPA over the past few months, with concerns being expressed regarding employee safety, congestion, and inability to move trucks of suppliers and customers. While the REDC wants to be supportive of Pegasus and help facilitate their success when possible, we are charged with looking after the best interests of the other tenants in the RTP as well. Ultimately, we do not believe the street parking situation reflects the image of a high quality business park the REDC and RTPA has maintained for approximately 20 years.

Despite this formal request, we are working with Pegasus to develop a creative solution that

will move all the employee cars off the street. Because of this, it is our hope that the installation of the 2-hour parking signs and subsequent enforcement will be deemed unnecessary. Still, the REDC believes that the ordinance should be adopted to make sure that all parties remain motivated to pursue these alternative parking options.

We appreciate your consideration of this request. Should you have any questions, please do not hesitate to contact me at 972-772-0025.

Sincerely,

A handwritten signature in black ink that reads "Philip Wagner". The signature is written in a cursive style.

Phil Wagner
President
Rockwall Economic Development Corporation

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager
FROM: Mary Smith, Assistant City Manager
DATE: August 30, 2019
SUBJECT: Fiscal Year 2020 Ad Valorem Taxes and Proposed Budget

The Council held the budget work session on August 27 and reviewed the Proposed FY20 Budget in detail. The Proposed budget includes three new positions in the Fire Department along with four Parks maintenance workers and a Mental Health officer in the Police Department. In addition, funding has been increased for street maintenance projects.

The Proposed budget reflects tax revenues assuming adoption of the Effective Rate which is a 1.41 cents decrease from the current tax rate. The proposed rate is 38.7990 cents per hundred dollars of assessed value.

Prior to adoption of the budget, the Charter requires a public hearing. The budget is based on the Effective Tax rate so additional public hearings are not required although the tax rate itself is certainly a subject that may be discussed during the Public Hearing.

If the Council has any changes to be made to the budget draft those can be discussed at this meeting and the final version of the budget will be considered for adoption at the September 16th meeting.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Councilmembers

FROM: Rick Crowley, City Manager

DATE: August 26, 2019

SUBJECT: Sidewalk Policy & Discussions

At the next City Council meeting, the Staff will be providing a sample policy related to the design and construction of sidewalks adjacent to streets which have been selected for reconstruction with bond funds. Hopefully, this sample policy will assist the Council in determining the provisions for an agreed upon guidance to be used as these projects are designed and built. The sample policy will be structured consistent with our best interpretation of what we thought might have been the inclination of the Council at the time we began to develop the sample policy. There may well be (or may well have been) some change in the inclinations of the Council regarding sidewalks as discussions have continued since that time, or our interpretation of the Council's inclinations may have been incorrect. I do not currently get a sense that there is a unanimous opinion on the subject. Certainly, there is an understanding that the Council may choose to modify any policy as it sees fit before it is considered for adoption. Hopefully having a sample policy before you will help in development of an adopted or new policy.

As Street Department budget discussions are held on Tuesday, we hope to get a better "handle" on the kinds of information that the staff can make available to you that may help you in the decisions related to a sidewalk policy. As reference points for those budget discussions, information below is provided, a sample policy has been drafted and provided, and a series of pictures of various sidewalks currently located throughout the City is provided. It is not likely that any of the provided information will be information of which you are not currently aware, but perhaps it will be helpful to provide it as structured below.

Three basic questions prevail when considering the adoption of a sidewalk policy associated with reconstruction projects. These include:

1. **"When"** to design and build sidewalks with street reconstruction projects.
2. **"Where"** to locate sidewalks within the right-of-way or street construction section when sidewalks are to be built.
3. **"How wide"** to build sidewalks that are to be built.

When

In reviewing the matter of when sidewalks are to be designed and built with street reconstruction projects a wide range of ideas may be considered including those listed below (in an order ranging from including sidewalks on all projects to including sidewalks in no projects):

Design and build sidewalks on ALL street construction projects.

Design and build sidewalks on all reconstruction projects if no/minimal right-of-way acquisition is required to do so.

Design and rebuild sidewalks on streets being reconstructed in cases where intermittent sidewalks exist along the project length and build new sidewalk sections to connect those partially existing sidewalk routes.

Design and rebuild only the existing sections of intermittent sidewalks, but build no new connective sidewalk sections.

Design and build sidewalks on streets selected for reconstruction that meet a predetermined traffic volume test or that are expected to meet a predetermined traffic volume test in the future.

Design and build sidewalks only on streets that meet a predetermined traffic volume test at the time of the reconstruction project selection.

Design and build sidewalks only on streets that are shown on the City's adopted Thoroughfare Plan at a predetermined street classification or above (such as collector and above).

Design and build sidewalks only on streets selected for reconstruction that are designated on the City's Thoroughfare Plan as pedestrian routes to schools, destinations, or State Roadways. (Such a designation would have to be added to the existing Thoroughfare Plan.)

Use preliminary design information for selected projects to determine the potential effect of adding sidewalks on existing trees, shrubs, and landscaping to be used in the final sidewalk decision for each project.

Conduct surveys and/or hold hearings for each project to assist in making the decision as to whether to design and build sidewalks when streets are selected for reconstruction.

Design and build streets without sidewalks unless full length sidewalks exist at the time of project selection.

Where

When sidewalks are to be designed and built with street reconstruction projects, there are a number of options as to the location of sidewalks. An example of most every option currently exists within the City. Presently existing sidewalk locations in the City include:

1. Sidewalks located directly “back of curb” with no space between the concrete curb and sidewalk.
2. Sidewalks located 1’- 5’ away from the curb with space between concrete curb and the sidewalk where grass or other vegetation may occur.
3. Sidewalks with location shifting from back of curb to 1’-5’ from the curb – sometimes done to avoid conflict with trees, shrubs, mailboxes or other things located along the sidewalk route.
4. Sidewalks of variable width to avoid conflicts as stated above.
5. Discontinuous sidewalks that have occurred based on sidewalk preferences of the owner/builder; sidewalk requirements in place at the time of construction; or to protect trees, shrubs, or landscaping in place at the time of sidewalk construction. (The latter case may involve shifting pedestrians onto the street for a short distance.)

How Wide

Existing sidewalk widths located throughout the City vary. Existing sidewalk widths include:

1. 3’ sidewalks (mostly located in older areas of the City – if built today 3’ widths may require certain provisions to accommodate ADA compliance or practical use modifications such as periodic “bump outs”).
2. 4’ sidewalks (if built today may also require certain provisions to accommodate ADA compliance or practical use modifications such as “bump outs”).
3. 5’ sidewalks.
4. 6’ sidewalks.
5. Variable width sidewalks.

Both functionality and aesthetics may be affected by sidewalk width. A number of examples of sidewalk location and widths that currently exist in the City are shown in the attached pictures. Examining these locations may be helpful in determining policy guidelines for future sidewalk construction.

The Staff can use any input received during the discussion of sidewalks as a part of the Street budget to adjust or add information for the Council to consider when the policy matter comes before the Council at the next meeting. If you have any questions, please do not hesitate to contact me in the meantime.

3' Sidewalks – Old Town



3' Parkway Sidewalk – N. Fannin St



3' Parkway Sidewalk N. Goliad Street

4' Sidewalks



4' Parkway Sidewalk – Arbor View Place



4' Parkway Sidewalk – Arbor View Place

4' Sidewalks



4' Parkway Sidewalk – Berkley Drive



4' Parkway Sidewalk – Angie Lane



4' Back of Curb Sidewalk – Rockwall Pkwy



4' Back of Curb Sidewalk – Winter Park Ct

5' Sidewalks



5' Parkway Sidewalk – Brazos Way



5' Parkway Sidewalk – Capstone Way



5' Parkway Sidewalk – Park Place Blvd



5' Parkway Sidewalk – Ivy Lane

5' Sidewalks (continued)



5' Back of Curb Sidewalk – North Lakeshore Drive

6' Sidewalks



6' Parkway Sidewalk – E. Boydston Ave



6' Parkway Sidewalk – E. Boydston Ave

6' Sidewalks



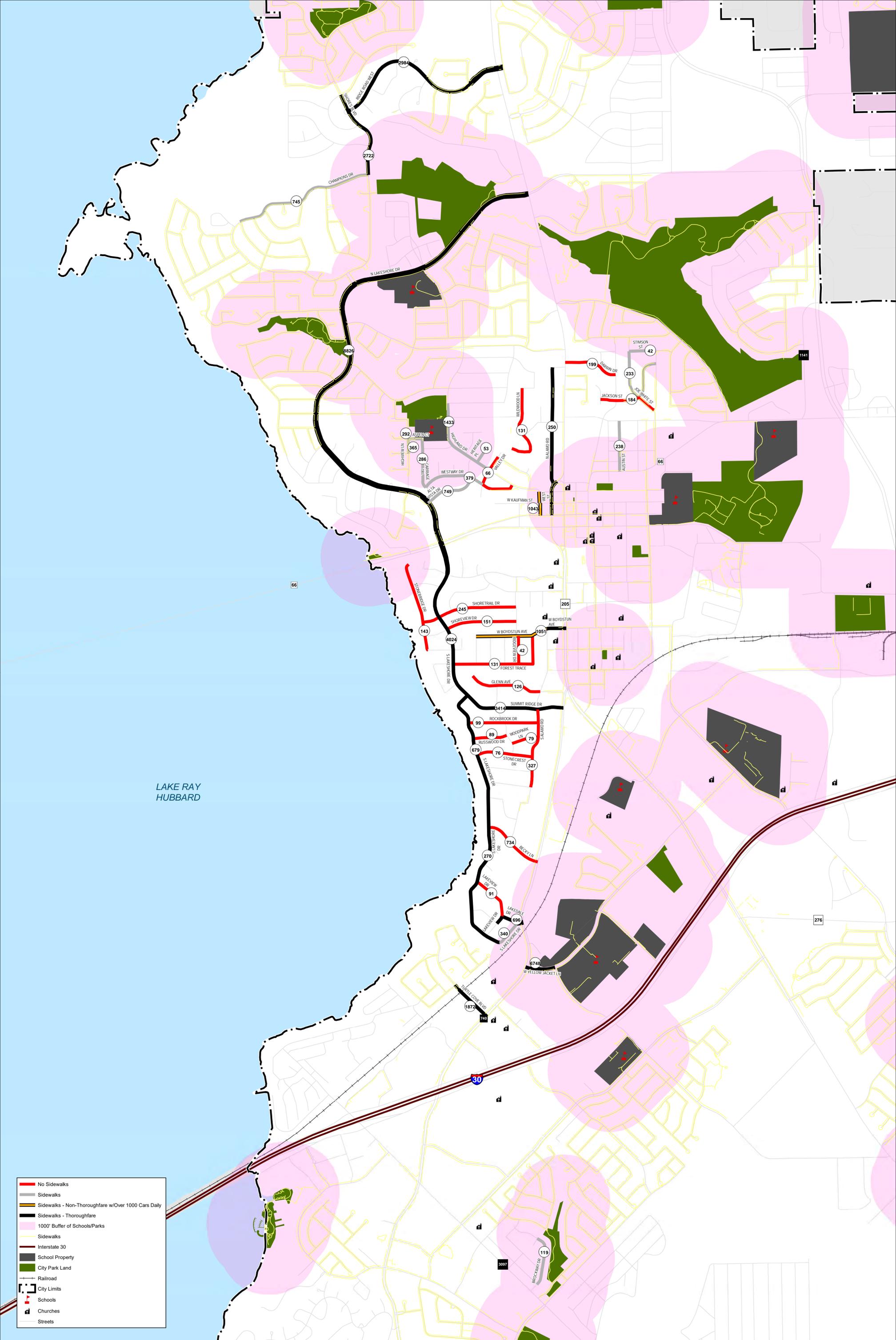
6' Back of Curb Sidewalk – E. Boydston Ave



6' Back of Curb Sidewalk – E. Boydston Ave



6' Back of Curb Sidewalk – N. Lakeshore Drive



- No Sidewalks
- Sidewalks
- Sidewalks - Non-Thoroughfare w/Over 1000 Cars Daily
- Sidewalks - Thoroughfare
- 1000' Buffer of Schools/Parks
- Sidewalks
- Interstate 30
- School Property
- City Park Land
- Railroad
- City Limits
- S Schools
- C Churches
- ST Streets

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and/or content is entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided "as is" with no warranty being made, either expressed or implied.

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CITY OF ROCKWALL
CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*
Joey Boyd, *Assistant City Manager*
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: September 3, 2019
SUBJECT: Water, Wastewater, and Roadway Impact Fee Study

In accordance with Section 395.047, *Hearing on Impact Fee*, of Chapter 395 of the Texas Local Government Code, attached is a resolution that will set the required public hearing date for the consideration of updates to the Roadway, Water, and Wastewater Impact Fee Program for Monday, October 21, 2019. As part of this consideration the City Council will be required to adopt Land Use Assumptions and a Capital Improvement Plan for roadway, water, and wastewater facilities.

The City's consultants (*Eddie Haas with Freese and Nichols, Inc and Matt Hickey, PE with Brikoff, Hendricks & Carter, LLP*) will continue to work with staff and the Capital Improvements Advisory Committee (CIAC) on finalizing the impact fee report that will be delivered to City Council on September 18, 2019. Should the City Council have any questions, staff will be available at the September 3, 2019 City Council meeting.

CITY OF ROCKWALL

RESOLUTION NO. 19-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING A PUBLIC HEARING DATE TO CONSIDER THE APPROVAL OF UPDATED LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLAN, AND IMPACT FEES FOR THE 2019 IMPACT FEE UPDATE.

WHEREAS, the City Council of the City of Rockwall has authorized an impact fee study to determine whether to adopt updated Land Use Assumptions (LUA), Capital Improvement Plan, and Impact Fees for roadway, water, wastewater facilities in accordance with Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code (“*Ch. 395 of the TLGC*”) and Article III, *Impact Fee Regulations*, of Chapter 38, *Subdivisions*, of the City of Rockwall Municipal Code of Ordinances; and

WHEREAS, *Ch. 395 of the TLGC* requires the City Council of the City of Rockwall to hold a public hearing to consider whether to update the Land Use Assumptions, Capital Improvement Plan, and Impact Fees for roadway, water, and wastewater facilities;

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

SECTION 1. RECITALS. The above recitals are found to be true and correct and they are incorporated as findings of the City Council for all purposes.

SECTION 2. PUBLIC HEARING. A public hearing of the City Council shall be held on October 21, 2019 at 6:00 PM at City Hall, 385 S. Goliad Street, Rockwall, Texas, for the purpose of considering amendments to the Land Use Assumptions, Capital Improvement Plan, and Impact Fees for roadway, water, wastewater facilities.

SECTION 3. PUBLIC NOTICE. Notice of the public hearing shall be published in a newspaper of general circulation in Rockwall County at least 30-days prior to the public hearing date.

SECTION 4. EFFECTIVE DATE. This *Resolution* shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 3RD DAY OF SEPTEMBER, 2019.

APPROVED:

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council
FROM: Joey Boyd, Assistant City Manager
DATE: August 21, 2019
SUBJECT: Atmos Energy Settlement

BACKGROUND AND SUMMARY

The City, along with 171 other Mid-Texas cities served by Atmos Energy Corporation, Mid-Tex Division (“Atmos Mid-Tex” or “Company”), is a member of the Atmos Cities Steering Committee (“ACSC”). In 2007, ACSC and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism (“RRM”), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by ACSC members in 2018. On or about April 1, 2019, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2018, entitled it to additional system-wide revenues of \$70

million. Application of the standards set forth in ACSC's RRM Tariff required Atmos to reduce its request to \$54 million, \$39.3 million of which would be applicable to ACSC members. ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be \$38.7 million instead of the claimed \$54 million. The amount of the \$38.7 million deficiency applicable to ACSC members would be \$28.2 million.

After the Company reviewed ACSC's consultants' report, ACSC's Executive Committee and the Company negotiated a settlement whereby the Company would receive an increase of \$35.4 million from ACSC Cities.

The Executive Committee recommends a settlement at this amount. The Effective Date for new rates is October 1, 2019. ACSC members should take action approving the Ordinance before the end of September.

PROOF OF REVENUES

Atmos generated proof that the rate tariffs attached to the Ordinance will generate \$35.4 million in additional revenues from ACSC Cities. That proof is attached as Attachment 1 to this Staff Report. ACSC consultants have agreed that Atmos' Proof of Revenues is accurate.

BILL IMPACT

The impact of the settlement on average residential rates is an increase of \$2.05 on a monthly basis, or 3.7 percent. The increase for average commercial usage will be \$6.18 or 2.31 percent. A bill impact comparison is attached as Attachment 2.

SUMMARY OF ACSC'S OBJECTION TO THE UTILITIES CODE SECTION 104.301 GRIP PROCESS

ACSC strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues while rewarding the Company for increasing capital investment on an annual basis. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission's review of annual GRIP filings or allow recovery of Cities' rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing) and rate increases go into effect without any material adjustments. In ACSC's view, the GRIP process unfairly raises customers' rates without any regulatory oversight. In contrast, the RRM process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

RRM SAVINGS OVER GRIP

While residents outside municipal limits must pay rates governed by GRIP, there are some cities served by Atmos Mid-Tex that chose to remain under GRIP rather than adopt RRM. Additionally, the City of Dallas adopted a variation of RRM which is referred to as DARR. When new rates become effective on October 1, 2019, ACSC residents will have a slight economic monthly advantage over comparable GRIP and comparable DARR rates (see Attachment 3).

EXPLANATION OF “BE IT ORDAINED” PARAGRAPHS:

1. This section approves all findings in the Ordinance.
2. This section adopts the RRM rate tariffs and finds the adoption of the new rates to be just, reasonable, and in the public interest.
3. This section finds that existing rates are unreasonable. Such finding is a necessary predicate to establishment of new rates. The new tariffs will permit Atmos Mid-Tex to recover an additional \$35.4 million from ACSC Cities.
4. This section approves an exhibit that establishes a benchmark for pensions and retiree medical benefits to be used in future rate cases or RRM filings.
5. This section approves an exhibit to be used in future rate cases or RRM filings regarding recovery of regulatory liabilities, such as excess deferred income taxes.
6. This section requires the Company to reimburse the City for expenses associated with review of the RRM filing, settlement discussions, and adoption of the Ordinance approving new rate tariffs.
7. This section repeals any resolution or ordinance that is inconsistent with the Ordinance.
8. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
9. This section is a savings clause, which provides that if any section is later found to be unconstitutional or invalid, that finding shall not affect, impair, or invalidate the remaining provisions of this Ordinance. This section further directs that the remaining provisions of the Ordinance are to be interpreted as if the offending section or clause never existed.
10. This section provides for an effective date upon passage.

11. This section directs that a copy of the signed Ordinance be sent to a representative of the Company and legal counsel for ACSC.

CONCLUSION

The Legislature's GRIP process allowed gas utilities to receive annual rate increases associated with capital investments. The RRM process has proven to result in a more efficient and less costly (both from a consumer rate impact perspective and from a ratemaking perspective) than the GRIP process. Given Atmos Mid-Tex's claim that its historic cost of service should entitle it to recover \$70 million in additional system-wide revenues, or \$54 million from ACSC Cities, the RRM settlement at \$35.4 million for ACSC Cities reflects substantial savings to ACSC Cities in the amount of \$18.6 million. ACSC's consultants produced a report indicating that Atmos had justified increased revenues for ACSC Cities of at least \$32.7 million. Settlement at \$35.4 million is fair and reasonable. The ACSC Executive Committee consisting of city employees of 18 ACSC members urges all ACSC members to pass the Ordinance before September 30, 2019. New rates become effective October 1, 2019.

LEGAL AND CONSULTING FEES

Through July 2019, Lloyd Gosselink Rochelle & Townsend law firm representing the Atmos Cities Steering Committee billed \$5,612.50. The rate consultants, Resolved Energy Consulting, has billed \$37,394 over the same period. Once the settlement is concluded, all invoices will be compiled and delivered to Atmos Energy for reimbursement to ACSC.

Attachment 1
Proof of Revenues

**ATMOS ENERGY CORP., MID-TEX DIVISION
RRM CITIES RATE REVIEW MECHANISM
PROOF OF REVENUES - SYSTEMWIDE
TEST YEAR ENDING DECEMBER 31, 2018**

Line No.	Customer Class (a)	Current (b)	Proposed (c)	Bills (d)	Ccf/MmBtu (e)
1	Residential				
2	Customer Charge	\$ 18.85	\$ 19.55	18,572,400	
3	Consumption Charge	0.14846	0.17423		876,575,629
4	Revenue Related Taxes				
5	Total Class Revenue				
6					
7	Commercial				
8	Customer Charge	\$ 43.50	\$ 46.50	1,492,740	
9	Consumption Charge	0.09165	0.09924		576,758,305
10	Revenue Related Taxes				
11	Total Class Revenue				
12					
13	Industrial & Transportation				
14	Customer Charge	\$ 784.00	\$ 845.50	9,804	
15	Consumption Charge Tier 1	\$ 0.3312	\$ 0.3572		10,724,328
16	Consumption Charge Tier 2	\$ 0.2425	\$ 0.2616		12,346,302
17	Consumption Charge Tier 3	\$ 0.0520	\$ 0.0561		22,335,700
18	Revenue Related Taxes				
19	Total Class Revenue				
20					
21	Total Excluding Other Revenue				
22					
23					
24	Revenue Related Tax Factor	6.7078%			

Current Revenues	Proposed Revenues	Increase
(f)	(g)	(h)
\$ 350,089,740	\$ 363,090,420	
130,136,418	152,725,772	
32,212,790	34,600,111	
<u>\$ 512,438,948</u>	<u>\$ 550,416,303</u>	<u>\$ 37,977,356</u>
\$ 64,934,190	\$ 69,412,410	
52,859,899	57,237,494	
7,901,436	8,495,470	
<u>\$ 125,695,525</u>	<u>\$ 135,145,374</u>	<u>\$ 9,449,849</u>
\$ 7,686,336	\$ 8,289,282	
3,551,897	3,830,730	
2,993,978	3,229,793	
1,161,456	1,253,033	
1,032,582	1,113,691	
<u>\$ 16,426,250</u>	<u>\$ 17,716,529</u>	<u>\$ 1,290,278</u>
<u>\$ 654,560,722</u>	<u>\$ 703,278,206</u>	<u>\$ 48,717,483</u>

Attachment 2

Bill Impact

ATMOS ENERGY CORP., MID-TEX DIVISION
 AVERAGE BILL COMPARISON - BASE RATES
 TEST YEAR ENDING DECEMBER 31, 2018

Line						CURRENT	PROPOSED	CHANGE
1	Rate R @ 47.5 Ccf					\$ 18.85		
2	Customer charge					7.05		
3	Consumption charge	47.5	CCF	X \$ 0.14846	=	13.00		
4	Rider GCR Part A	47.5	CCF	X \$ 0.27375	=	13.06		
5	Rider GCR Part B	47.5	CCF	X \$ 0.27485	=	51.96		
6	Subtotal					3.49		
7	Rider FF & Rider TAX			X 0.06708	=	55.45		
8	Total							
9								
10	Customer charge						\$ 19.55	
11	Consumption charge	47.5	CCF	X \$ 0.17423	=	8.28		
12	Rider GCR Part A	47.5	CCF	X \$ 0.27375	=	13.00		
13	Rider GCR Part B	47.5	CCF	X \$ 0.27485	=	13.06		
14	Subtotal					53.89		
15	Rider FF & Rider TAX			X 0.06708	=	3.61		
16	Total					57.50	\$	2.05
17								3.70%
18								
19	Rate C @ 367.6 Ccf					\$ 43.50		
20	Customer charge					33.69		
21	Consumption charge	367.6	CCF	X \$ 0.09165	=	100.62		
22	Rider GCR Part A	367.6	CCF	X \$ 0.27375	=	73.25		
23	Rider GCR Part B	367.6	CCF	X \$ 0.19927	=	251.06		
24	Subtotal					16.84		
25	Rider FF & Rider TAX			X 0.06708	=	267.90		
26	Total							
27								
28	Customer charge						\$ 46.50	
29	Consumption charge	367.6	CCF	X \$ 0.09924	=	36.48		
30	Rider GCR Part A	367.6	CCF	X \$ 0.27375	=	100.62		
31	Rider GCR Part B	367.6	CCF	X \$ 0.19927	=	73.25		
32	Subtotal					256.85		
33	Rider FF & Rider TAX			X 0.06708	=	17.23		
34	Total					274.08	\$	6.18
35								2.31%

ATMOS ENERGY CORP., MID-TEX DIVISION
 AVERAGE BILL COMPARISON - BASE RATES
 TEST YEAR ENDING DECEMBER 31, 2018

Line	Rate I @ 4066 MMBTU	CURRENT	PROPOSED	CHANGE
36	Customer charge	\$ 784.00		
37	Consumption charge	496.80		
38	Consumption charge	622.14		
39	Consumption charge	-		
40	Rider GCR Part A	10,868.51		
41	Rider GCR Part B	1,825.85		
42	Subtotal	\$ 14,597.30		
43	Rider FF & Rider TAX	=		
44	Total	\$ 15,576.46		
45				
46				
47	Customer charge		\$ 845.50	
48	Consumption charge		535.80	
49	Consumption charge		671.14	
50	Consumption charge		-	
51	Rider GCR Part A		10,868.51	
52	Rider GCR Part B		1,825.85	
53	Subtotal		\$ 14,746.80	
54	Rider FF & Rider TAX		=	
55	Total		\$ 15,735.99	\$ 159.53
56				1.02%
57	Rate I @ 4066 MMBTU			
58	Customer charge	\$ 784.00		
59	Consumption charge	496.80		
60	Consumption charge	622.14		
61	Consumption charge	-		
62	Rider GCR Part A	10,868.51		
63	Rider GCR Part B	1,825.85		
64	Subtotal	\$ 3,728.79		
65	Rider FF & Rider TAX	=		
66	Total	\$ 3,978.91		
67				
68	Customer charge		\$ 845.50	
69	Consumption charge		535.80	
70	Consumption charge		671.14	
71	Consumption charge		-	
72	Rider GCR Part A		10,868.51	
73	Rider GCR Part B		1,825.85	
74	Subtotal		\$ 3,878.29	
75	Rider FF & Rider TAX		=	
	Total		\$ 4,138.44	\$ 159.53
				4.01%

Attachment 3

RRM Monthly Savings Over GRIP and DARR Rates

ACSC Margin Advantage Over GRIP and DARR Residential Customers
Effective October 1, 2019

Group	Average Monthly Consumption	Customer Charge	Consumption Charge	Average Bill	Average Monthly Savings
ACSC/RRM	47.5 CCF	\$19.55	\$0.17423	\$27.83	X
Environs GRIP	47.5 CCF	\$19.84	\$0.18653	\$28.70	\$0.87
ATM GRIP	47.5 CCF	\$21.69	\$0.14846	\$28.74	\$0.92
DARR	47.5 CCF	\$21.25	\$0.14924	\$28.34	\$0.51

FREQUENTLY ASKED QUESTIONS REGARDING ACSC HISTORY AND THE RRM RATEMAKING PROCESS

What is the role of Cities in ratemaking?

Cities have historically exercised original jurisdiction over the level of gas rates charged within their boundaries. Generally, gas distribution utilities have filed rate cases at the City level and have only gone to the Railroad Commission of Texas (“RCT” or “Commission”) with an appeal of City action or when they could not reach a settlement with Cities. If a utility and Cities reach an agreement, the utility may then file a case at the RCT to implement the same rates approved by Cities in areas outside municipal boundaries.

Once a case is at the RCT, the Commission Staff generally expects Cities to intervene and do most of the discovery, cross-examination, briefing, and sponsor opposing witnesses. There is no consumer advocate at the RCT. If Cities do not participate in hearings at the RCT, the request of a regulated utility is likely to be rubber-stamped.

How and why was the Atmos Cities Steering Committee created?

The Atmos pipeline and distribution systems were built, owned, and operated by Lone Star Gas (“LSG”), which maintained over 200 rate jurisdictions until it sold its assets to Texas Utilities Gas (“TXU”) in the late 1990’s. That meant that many Cities had their own unique distribution rates and that individual Cities had to process rate cases at the local level. LSG-Pipeline served all 200-plus distribution systems, and pipeline rates were set by the RCT.

From the early 1980’s through the late 1990’s, LSG filed no pipeline or system-wide rate cases at the RCT. When LSG was finally brought before the RCT to show cause why its rates should not be reduced, approximately 80 Cities intervened and created an *ad hoc* group known as the Steering Committee of Cities Served by Lone Star. In Gas Utilities Division (“GUD”) docket number 8664, three separate groups of Cities and a number of independent Cities (jointly the “Aligned Cities”) participated and coordinated their efforts to oppose the rate increase.

TXU purchased the LSG assets in the late 1990’s and immediately commenced consolidating 200-plus ratemaking jurisdictions into regions. As regional cases were filed, Cities within each region created an *ad hoc* committee to form a common strategy and negotiating position. Once TXU had aggregated the Cities into five or six jurisdictions, each with a different rate, Texas Utilities Gas Company filed a system-wide case to bring all of the old LSG territory under one common rate. The different City regional committees then united and formed the Allied Coalition of Cities (“ACC”). While the gas utility assets were owned and controlled by TXU, the coalition transformed itself from an *ad hoc* group that came together only in response to rate filings by the utility into a permanent standing coalition.

In Gas Utilities Docket (“GUD”) No. 9400 in 2004, TXU’s request for a \$61.6 million system-wide increase was aggressively opposed by ACC. Cities achieved disallowances of \$42.9 million of a regulatory asset and \$87.8 million of capitalized gas utility plant. The company received only a \$2.01 million increase. Unhappy with that result, TXU decided that owning a gas system was neither as fun nor as profitable as the deregulated electric system, and they sold the system to Atmos Energy Corporation (“Atmos” or “Company”). ACC was then transformed into the Steering Committee of

Cities Served by Atmos and then renamed Atmos Cities Steering Committee to obtain an easy to remember acronym, “ACSC.”

What is the Atmos Cities Steering Committee?

ACSC is a coalition of 170 Cities that unite in common purpose to address gas utility rate and franchise issues related to Atmos Energy Corporation. Its objectives are to: (1) ensure that gas utility rates charged to Cities and their residents are fair and reasonable; (2) maintain reasonable franchise fee revenues for Cities; (3) protect Cities’ original jurisdiction over rates and services; (4) be a voice for consumers where no state agency assumes such a role; and (5) promote sound ratemaking policies in the public interest.

Cities join the permanent standing committee by passing a resolution and agreeing to support the work of ACSC through modest occasional *per capita* assessments that support ongoing administrative and legislative advocacy and all expenses where Cities are not entitled to reimbursement. Each member City designates a representative to ACSC. Member representatives may volunteer to serve on the ACSC Executive Committee. The Executive Committee sets policy, hires legal counsel and consultants, directs litigation, establishes a legislative agenda, sets assessments on members as needed, and meets quarterly with Atmos executives. The Settlement Committee is directly involved in negotiating resolution of contested matters with Atmos executives. The list of current members is attached.

What is the benefit of membership in ACSC?

One hundred seventy Cities speaking as one voice is much more effective in advocacy before the Railroad Commission and legislature than any one City or multiple small groups of Cities.

The legislature has given gas utilities a right to an annual increase in rates. Resources (both financial and human) of individual Cities are conserved by membership in ACSC. Additionally, membership enhances institutional memory of ratemaking issues, public policy debates, and right-of-way and franchise fee battles.

What has ACSC accomplished?

Going into the 82nd Legislative Session, in December 2010, ACSC released a 48-page report, “Natural Gas Consumers and the Texas Railroad Commission.” More than 200 television, newspaper and radio news sites posted information on, and a link to, the report that may be found on ACSC’s website, TexasGasConsumers.org.

ACSC has also been instrumental in ongoing Sunset Commission reviews of the RCT. The agency has undergone three Sunset reviews since 2010, and in each case ACSC has maintained a watchful eye on the process to ensure that provisions that could harm the interest of gas utility ratepayers are excluded from the legislation. ACSC representatives also visited on several occasions with the Sunset Commission Staff, and several ACSC recommendations for reform were included in Sunset Commission Reports on the agency. Several ACSC member representatives testified before the legislature regarding the Sunset review of the Railroad Commission.

During the 2011 legislative session, lobbying efforts by ACSC were critical in killing two gas utility bills that would have undermined traditional regulation, deprived Cities of certain rights, and led to even greater rate increases.

ACSC has also resolved a major issue involving franchise fees. In 2010, Atmos unilaterally, without notice, ceased inclusion of franchise fees in the calculations of gross receipts regardless of whether specific franchises included such payments. Several Cities were willing to pursue the matter through litigation. However, counsel for ACSC was able to negotiate a resolution that allowed each member City to determine whether it desired an increase in franchise fee payments based on inclusion of franchise fees in the calculation of gross receipts. If a City opted for inclusion of fee-on-fee revenues, it had the further option of retroactive payments back to the point in time that Atmos decided to curtail fee-on-fee payments. Each member had these options regardless of the wording of the then-valid franchise agreement. This resolution spared significant litigation costs and anxiety and was only possible because of the clout of the ACSC membership.

One of the most significant accomplishments of ACSC occurred in 2007 via a settlement of the then-pending, system-wide rate case. Approximately 50 ACSC City representatives showed up in Arlington for a meeting with Atmos executives who were shocked at the vocal opposition to Atmos' practices, the unfairness of annual Gas Reliability Infrastructure Program ("GRIP") rate filings that precluded City and citizen review, and the Company's lack of coordination with Cities. That meeting led to the creation of the Rate Review Mechanism ("RRM") process and improved ongoing communications between the Company and ACSC.

In 2010, these improved communications between ACSC and the Company led to a workable solution to the need to replace steel service lines in a manner that accommodated Cities' needs to control their rights-of-way, while moderating the rate impact and focusing first on the riskiest service lines based on leak repair histories. This compromise precluded a more onerous (from a City and consumer perspective) program threatened by the RCT.

What is an RRM case?

The concept of an RRM proceeding emerged as a three-year experimental substitute for GRIP cases as part of the settlement of Atmos Mid-Tex's 2007 system-wide rate case. In 2003, the Texas Legislature added Section 104.301, Interim Adjustment for Changes in Investment, to the Gas Utility Regulatory Act. While not identified as such in the law, § 104.301 was referred to as the Gas Reliability Infrastructure Program or GRIP. The GRIP adjustments allowed gas companies to recover changes to invested capital without a review of whether increased revenues or declining expenses offset the invested capital costs. Both Atmos Pipeline and Atmos Mid-Tex filed GRIP cases as soon as the RCT adopted rules to implement the interim adjustments. As explained below, it quickly became apparent that the GRIP adjustments were terrible public policy.

As an alternative to GRIP, ACSC entered into a negotiated agreement with Atmos in 2007 to establish the RRM process. Unlike GRIP, the RRM provided for an annual review of all portions of Mid-Tex's cost of service. It fixed an authorized rate of return on equity for the three-year period at 9.6% (which was less than what the RCT would have authorized) and set caps on the extent to which expenses or investments could increase from one year to the next. More importantly, it allowed Cities to make a comprehensive evaluation of all aspects of the utility's business—investment, operation and maintenance expenses, and revenues—unlike GRIP that only allows consideration of changes to invested capital.

Why is RRM superior to GRIP?

GRIP cases guarantee a one-sided, rubber-stamp approval of the utility's rate request. ACSC attempted to participate in the first two GRIP proceedings filed by both Atmos Pipeline and Atmos Mid-Tex at the RCT. Not only were Cities' motions to intervene denied, but also, ACSC's comments were ignored. At the City level, ACSC consultants determined that Atmos was not only including items such as artwork, chairs, computers, and meals in interim rate adjustments that were allegedly intended to promote pipeline safety, but the Company was also over-earning its previously authorized rate of return. ACSC attacked the Commission's rule in court because it denied City participation, denied a hearing on a contested matter, and denied Cities' recovery of any expenses associated with resisting GRIP rate increases. The courts were not helpful to Cities. In 2011, the Texas Supreme Court upheld the Commission's rule implementing the GRIP statute.

Cities have contended that the GRIP process is terrible public policy since it authorizes what would, from the perspective of a history of public interest regulation, be regarded as unlawful—piecemeal ratemaking. GRIP allows rates to increase if the utility's invested capital net of depreciation increases year-over-year. An increase in rates is mandated under GRIP if investment increases, even if increasing revenues and declining expenses more than offset the costs associated with increased investment.

The RRM process negotiated by ACSC solves the piecemeal ratemaking problem by providing for a comprehensive review of Atmos' expenses and revenues. Furthermore, the RRM process benefitted ACSC by: (1) allowing Cities' participation that would be denied under GRIP; (2) allowing Cities to recover, at utility shareholders' expense, all their ratemaking costs; and (3) avoiding both litigation and RCT jurisdiction.

The legislature has functionally authorized annual increases in gas utility rates through the GRIP process. Since consumers are otherwise stuck with annual rate increases, it is better to have Cities participate in the comprehensive RRM process than be unable to participate in a piecemeal process.

What has been the history of the RRM efforts?

A total of eleven RRM filings have been made by the Company. These filings all resulted in settlements at the City level, except for the 2014 filing, which the ACSC Cities denied. The Company appealed the denial to the RCT, and ACSC was ultimately able to settle that proceeding before it reached the stage of a final RCT order. The results of these filings from a system-wide perspective are as follows (continued on next page):

RRM Filing	Year	Atmos Request	ACSC Settlement
#1	2008	\$33.5 million	\$20 million
#2	2009	\$20.2 million	\$2.6 million
#3	2010	\$70.2 million	\$27 million
#4	2011	\$15.7 million	\$6.6 million
#5	2013	\$22.7 million	\$16.6 million
#6	2014	\$45.7 million	\$43.8 million
#7	2015	\$28.8 million	\$22.8 million
#8	2016	\$35.4 million	\$29.6 million
#9	2017	\$57.4 million	\$48 million

RRM Filing	Year	Atmos Request	ACSC Settlement
#10	2018	\$27.4 million	\$24.9 million
#11	2019	\$54 million	\$35.4 million

Unable to reach agreement to perpetuate the original RRM terms, Atmos filed a traditional rate case with Cities in 2012 (GUD No. 10170), which was then appealed to the Railroad Commission. A final order in that case was entered in December 2012. The ratemaking decisions of the Commission then became the basis of renewal negotiations on the RRM process. The renewed RRM included some modifications that enhanced the original RRM process. Among these modifications were:

- A limit on the percentage of increase to be included in the monthly customer charge;
- A prohibition against capital post-test year adjustments;
- A time limit for known and measurable adjustments to operating and maintenance expenses;
- A guaranteed reduction in the Company’s requested increase of at least \$3 million annually; and
- A limitation on the amount of equity in the Company’s capital structure.

Changes to the RRM process

As noted in a communication to ACSC in May 2017, the rate of return on equity (“ROE”) embedded in the RRM process between 2013 and 2017 of 10.5% is excessive by at least 100 basis points, based upon a reasonable rate of return that reflects the market conditions in which the Company, and its parent Atmos Energy, operates. Because this ROE cannot be altered except by (1) changing the terms of the RRM tariff, or (2) a Commission order coming out of a new rate case, ACSC informed the Company that the 2017 RRM will be the last filing by the Company under the current tariff. Atmos agreed to renegotiate the terms and conditions of a revised RRM tariff in 2017.

In February and March 2018, ACSC adopted a new RRM tariff ordinance that implemented new procedures and criteria for the RRM process. The revised RRM tariff reduced the allowed ROE from 10.5% to 9.8% and captured the reduced federal income tax rate of 21%. The new tariff expanded Cities’ review period from three months to five months. It also required Atmos Mid-Tex to accept ACSC’s position regarding incentive compensation related to Atmos’ Shared Services Unit. The 2019 RRM filing is the second under the new tariff.

When must Cities approve new rates?

ACSC’s Tariff Ordinance adopted around March 2018 declares that new rates become effective October 1st of each year. While it is preferable that ordinances or resolutions adopting new tariffs are passed before the end of September, there is no adverse consequence if final action cannot take place until sometime in October. The only thing that will frustrate new rates becoming effective on October 1, 2019 is City action that specifically denies the increase.

What would happen if a City Council denies the RRM rate increase?

Atmos would either appeal the denial to the Railroad Commission or initiate imposition of GRIP rates or both. Rates for residents of that City would be higher than rates of other ACSC member residents. Rate case expenses (both the City and Company) associated with litigation at the Railroad Commission would likely be surcharged back to the City that denied the increase.

If you have other questions please contact me at (512) 322-5875 and/or gmg@lglawfirm.com, or Georgia Crump at (512) 322-5832 and/or gcrump@lglawfirm.com.

Geoffrey Gay
ACSC, General Counsel

**CITY OF ROCKWALL
ORDINANCE NO. 19-28**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2019 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

WHEREAS, the City of Rockwall, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a new Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2019, Atmos Mid-Tex filed its 2019 RRM rate request with ACSC Cities based on a test year ending December 31, 2018; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2019 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$35.4 million applicable to ACSC Cities; and

WHEREAS, the attached tariffs (Exhibit A) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Exhibit B); and

WHEREAS, the settlement agreement establishes an amortization schedule for regulatory liability (Exhibit C); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications

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

SECTION 1. That the findings set forth in this Ordinance are hereby in all things approved.

SECTION 2. That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of \$35.4 million for ACSC Cities represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2019 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

SECTION 3. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Exhibit A, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$35.4 million from customers in ACSC Cities, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

SECTION 4. That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Exhibit B, attached hereto and incorporated herein.

SECTION 5. That amortization of regulatory liability shall be consistent with the schedule found in attached Exhibit C attached hereto and incorporated herein.

SECTION 6. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2019 RRM filing.

SECTION 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

SECTION 8. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 9. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

SECTION 10. That consistent with the City Ordinance that established the RRM process, this Ordinance shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2019.

SECTION 11. That a copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LJB Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3rd DAY OF SEPTEMBER, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

Exhibit A

Rate Tariffs Effective October 1, 2019

RATE SCHEDULE:	R – RESIDENTIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2019	PAGE:

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 19.55 per month
Rider CEE Surcharge	\$ 0.05 per month ¹
Total Customer Charge	\$ 19.60 per month
Commodity Charge – All <u>Ccf</u>	\$0.17423 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2019.

RATE SCHEDULE:	C – COMMERCIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2019	PAGE:

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 46.50 per month
Rider CEE Surcharge	\$ 0.02 per month ²
Total Customer Charge	\$ 46.52 per month
Commodity Charge – All Ccf	\$ 0.09924 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹ Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2019.

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2019	PAGE:

Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 845.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.3572 per MMBtu
Next 3,500 MMBtu	\$ 0.2616 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0561 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailement Overpull Fee

Upon notification by Company of an event of curtailement or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailement or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2019	PAGE:

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2019	PAGE:

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 845.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.3572 per MMBtu
Next 3,500 MMBtu	\$ 0.2616 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0561 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2019	PAGE:

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2019	PAGE:

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf
- R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.
- HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class
- NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- ADD = billing cycle actual heating degree days.
- BL_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the j th customer in i th rate schedule is computed as:

$$WNA_{ij} = WNAF_i \times q_{ij}$$

Where q_{ij} is the relevant sales quantity for the j th customer in i th rate schedule.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2019	PAGE:

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	9.77	0.1487	88.49	0.7036
Austin	9.04	0.1537	201.48	1.0000
Dallas	13.07	0.2202	184.64	1.1385
Waco	8.77	0.1470	135.70	0.7744
Wichita Falls	11.40	0.1468	117.90	0.5943

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

Exhibit B

2019 Benchmark for Pensions and Retiree Medical Benefits

ATMOS ENERGY CORP., MID-TEX DIVISION
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL
TEST YEAR ENDING DECEMBER 31, 2018

Line No.	Description (a)	Shared Services (b)		Post-Employment Benefit Plan (c)		Pension Account Plan (d)		Mid-Tex Direct Supplemental Executive Benefit Plan (e)		Post-Employment Benefit Plan (f)		Adjustment Total (g)
		Pension Account Plan	Employment Benefit Plan	Pension Account Plan	Employment Benefit Plan	Pension Account Plan	Executive Benefit Plan	Supplemental Executive Benefit Plan	Employment Benefit Plan	Benefit Plan		
1	Proposed Benefits Benchmark - Fiscal Year 2019 Willis Towers Watson Report as adjusted (1) (2) (3)	\$ 2,744,088	\$ 2,267,927	\$ 4,724,119	\$ 193,211	\$ 2,621,842						
2	Allocation to Mid-Tex	43.48%	43.48%	73.88%	100.00%	73.88%					73.88%	
3	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)	\$ 1,193,029	\$ 986,012	\$ 3,490,241	\$ 193,211	\$ 1,937,051						
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%					100.00%	
5	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4) (3)	\$ 1,193,029	\$ 986,012	\$ 3,490,241	\$ 193,211	\$ 1,937,051						\$ 7,799,544
6												
7												
8	Summary of Costs to Approve (1):											
9												
10	O&M Expense Factor (WP_F-2.3, Ln 2)	81.35%	81.35%	38.28%	16.24%	38.28%					38.28%	
11												
12												
13	Total Pension Account Plan	\$ 970,514	\$ 802,108	\$ 1,336,038	\$ 31,377	\$ 2,306,553						\$ 2,306,553
14	Total Post-Employment Benefit Plan					\$ 741,489						\$ 741,489
15	Total Supplemental Executive Benefit Plan				\$ 31,377							\$ 31,377
16	Total (Ln 13 + Ln 14 + Ln 15)	\$ 970,514	\$ 802,108	\$ 1,336,038	\$ 31,377	\$ 741,489						\$ 3,881,527
17												

Notes:

1. Studies not applicable to Mid-Tex or Shared Services are omitted.
2. The Company is requesting that the benchmark amount approved by the RRM Cities for future periods include only the expense amount.
3. The amount attributable to capital would continue to be recorded to utility plant through the overhead process as described in the CAM.
3. SSU amounts exclude cost centers which do not allocate to Mid-Tex for rate making purposes.

Exhibit C

2019 Amortization Schedule for Regulatory Liability

ATMOS ENERGY CORP., MID-TEX DIVISION
RATE BASE ADJUSTMENTS
TEST YEAR ENDING DECEMBER 31, 2018
AMORTIZATION OF REGULATORY LIABILITY

Line No.	Year Ended Dec. 31	Beginning of Year Rate Base		Annual Amortization (2)	End of Year Rate Base Adjustment Amount
		(a)	(b)		
1	2018	\$	290,043,948	\$ -	290,043,948
2	2019		290,043,948	12,085,165	277,958,784
3	2020		277,958,784	12,085,165	265,873,619
4	2021		265,873,619	12,085,165	253,788,455
5	2022		253,788,455	12,085,165	241,703,290
6	2023		241,703,290	12,085,165	229,618,126
7	2024		229,618,126	12,085,165	217,532,961
8	2025		217,532,961	12,085,165	205,447,797
9	2026		205,447,797	12,085,165	193,362,632
10	2027		193,362,632	12,085,165	181,277,468
11	2028		181,277,468	12,085,165	169,192,303
12	2029		169,192,303	12,085,165	157,107,139
13	2030		157,107,139	12,085,165	145,021,974
14	2031		145,021,974	12,085,165	132,936,810
15	2032		132,936,810	12,085,165	120,851,645
16	2033		120,851,645	12,085,165	108,766,481
17	2034		108,766,481	12,085,165	96,681,316
18	2035		96,681,316	12,085,165	84,596,152
19	2036		84,596,152	12,085,165	72,510,987
20	2037		72,510,987	12,085,165	60,425,823
21	2038		60,425,823	12,085,165	48,340,658
22	2039		48,340,658	12,085,165	36,255,494
23	2040		36,255,494	12,085,165	24,170,329
24	2041		24,170,329	12,085,165	12,085,165

25 2042 12,085,165 12,085,165 (0)

27

28

29 Revenue Related Tax Factor 6.71% See WP_F-5.1
 30 Revenue Related Taxes on Annual Amortization * Tax
 Amortization (see WP_B-6.3) \$ 810,653 Factor
 31 Related Taxes (see WP_B-6.3) \$ 12,905,421 Amortization + Taxes

32

33 Notes:

- 34 1. The beginning 2018 balance is the September, 2018 balance. The regulatory
 35 liability for excess deferred taxes is an estimate. This estimate will be
 36 finalized when the Company files its federal tax return in July, 2019. To the
 37 extent that this estimate changes with the filing of the Company's tax return,
 38 the Company will 'true-up' the amount in the 2020 RRM filing.
 39 2. The annual amortization of a 24 year recovery period is based on the
 40 Reverse South Georgia Method.
 41 3. The Regulatory Liability is recorded to FERC Account 253, Sub Account 27909.

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MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Kristy Cole, City Secretary / Assistant to the City Manager
DATE: Aug. 29, 2019
SUBJECT: Boards & Commissions (re)Appointments

Council is asked to consider the following reappointments and vacancies, terms of which expired last month. The Council liaison(s) assigned to each board is listed next to the board title. Unless otherwise noted, each person listed below who is eligible for reappointment has given staff indication that he or she does wish to be reappointed.

Airport Advisory Board (Pruitt, Fowler and Macalik)

- Mike Potter
- Tim Wolf
- Tom Woodruff
- VACANCY TO BE FILLED

Board of Adjustments (full Council)

- David Lowrey
- Stuart Smith
- Shannon Bennett
- Peter Flores does NOT wish to be reappointed – VACANCY TO BE FILLED
- Todd White is termed out - – VACANCY TO BE FILLED

Historic Preservation Advisory Board (Trowbridge)

- Carolyn Francisco
- Jay Odom
- Daniel Nichols
- VACANCY TO BE FILLED

Main Street Advisory Board (Trowbridge)

- Terry Gregory resigned - VACANCY TO BE FILLED

Park Board (Johannesen)

- Fran Webb does NOT wish to be reappointed – VACANCY TO BE FILLED

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MEMORANDUM

TO: Honorable Mayor and Council
FROM: Kristy Cole, City Secretary/Assistant to the City Manager
DATE: September 3, 2019
SUBJECT: 2019-2020 Youth Advisory Council (YAC) appointments

The Youth Advisory Council has six vacancies to be filled this school year, as six graduated last year. Existing students are shown below, and each of them has expressed a desire to be reappointed to the YAC. Interviews were held with nine applicants on Thurs., August 29, with Councilmembers Fowler and Trowbridge sitting in, as well as some of our existing YAC students (Mary Claire, Susie, Mazie, Peyton, and Parker). The interview panel is recommending that Council consider moving forward with appointing the following slate of students for the 2019-2020 school year:

	New or Reappt.	First Name	Last Name	Grade / School
1	Re-appointment	Mary Claire	Weible	Junior (HmSch)
2	Re-appointment	Susie	Wilson	Senior (RHS)
3	Re-appointment	Mazie	Johnson	Sophomore (RHS)
4	Re-appointment	Kavya	Venugopalan	Senior (RHS)
5	Re-appointment	Peyton	Nielsen	Sophomore (RHS)
6	Re-appointment	Parker	Yarbough	Senior (HmSch)
7	NEW appointment	Maddison	Melcher	Senior (RHS)
8	NEW appointment	Jaxon	Stuart	Freshman (RHS)
9	NEW appointment	Marvin	Villalobos	Freshman (RHS)
10	NEW appointment	Katharine	Castro	Junior (PCCS)
11	NEW appointment	Matt	Kianpour	Senior (RHS)
12	NEW appointment	Chole	Davis	Senior (HmSch)

Please know that Matt Kianpour (newly appointed student), Chloe Davis (newly appointed student) and Parker Yarbrough (existing student) are all residents of Fate. I recently reached out to the City of Fate to inquire about sponsorship of students who live in their city. The City Manager has provided preliminary indication that Fate will be willing to sponsor three students.

I am happy to answer any questions the council may have.

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City of Rockwall
The New Horizon

Building Inspections Department Monthly Report

July 2019

Permits

Total Permits Issued: 299

Building Permits: 55

Contractor Permits: 244

Total Commercial Permit Values: \$ 55,956,744.00

Building Permits: \$55,372,500.00 Contractor Permits: \$584,244.00

Total Fees Collected: \$551,248.76

Building Permits: \$529,595.24

Contractor Permits: \$21,653.52

Board of Adjustment

Board of Adjustment Cases 1

PERMITS ISSUED - Summary by Type and Subtype
For the Period 7/1/2019 thru 7/31/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	3	\$0.00	\$152.50
30 DAY BANNER	3	\$0.00	\$152.50
CLEAN SHOW	1	\$0.00	\$75.00
	1	\$0.00	\$75.00
CO	7	\$0.00	\$534.00
BUSINESS	4	\$0.00	\$304.50
INTERIOR	2	\$0.00	\$153.00
SHELL	1	\$0.00	\$76.50
COMM	27	\$35,732,414.00	\$221,637.79
ADDITION	1	\$2,500.00	\$94.00
ALTERATION	1	\$145,000.00	\$1,435.40
CONST TRAILER	3	\$0.00	\$306.00
ELECTRICAL	5	\$19,914.00	\$509.90
FENCE	2	\$1,800.00	\$101.00
IRRIGATION	2	\$21,000.00	\$151.50
MECHANICAL	2	\$24,700.00	\$464.64
NEW	3	\$34,900,000.00	\$215,381.47
PLUMBING	2	\$2,500.00	\$174.17
REMODEL	2	\$325,000.00	\$2,764.71
REPAIR	1	\$15,000.00	\$51.00
RETAINING WALL	1	\$110,000.00	\$51.00
ROOF	2	\$165,000.00	\$153.00
MULTI FAMILY	2	\$20,000,000.00	\$192,740.01
MECHANICAL	1	\$0.00	\$127.50
NEW	1	\$20,000,000.00	\$192,612.51
SIGNAGE	19	\$224,330.00	\$1,821.00
MONUMENT	3	\$108,000.00	\$226.50
POLE	2	\$70,000.00	\$151.50
SIGN	2	\$0.00	\$153.00
TEMP REAL ESTATE	1	\$450.00	\$76.50
WALL	11	\$45,880.00	\$1,213.50
SINGLE FAMILY	231	\$166,175.00	\$133,908.46
ACC BLDG	4		\$389.76
ADDITION	1		\$140.80
BOAT HOUSE	3		\$1,685.83
CONCRETE	6		\$1,605.66
DEMO	1		\$51.00
ELECTRICAL	6		\$1,014.95
FENCE	38		\$1,914.70
IRRIGATION	23		\$1,756.50
MECHANICAL	32		\$3,766.00
NEW	21		\$111,143.60
PATIO COVER	10		\$1,135.14
PERGOLA	2		\$213.25
PLUMBING	29		\$2,368.50
REMODEL	5		\$2,548.77
RETAINING WALL	2		\$102.00
ROOF	36		\$2,736.00
STORM SHELTER	1		\$50.00
SWIM POOL	8		\$1,132.50

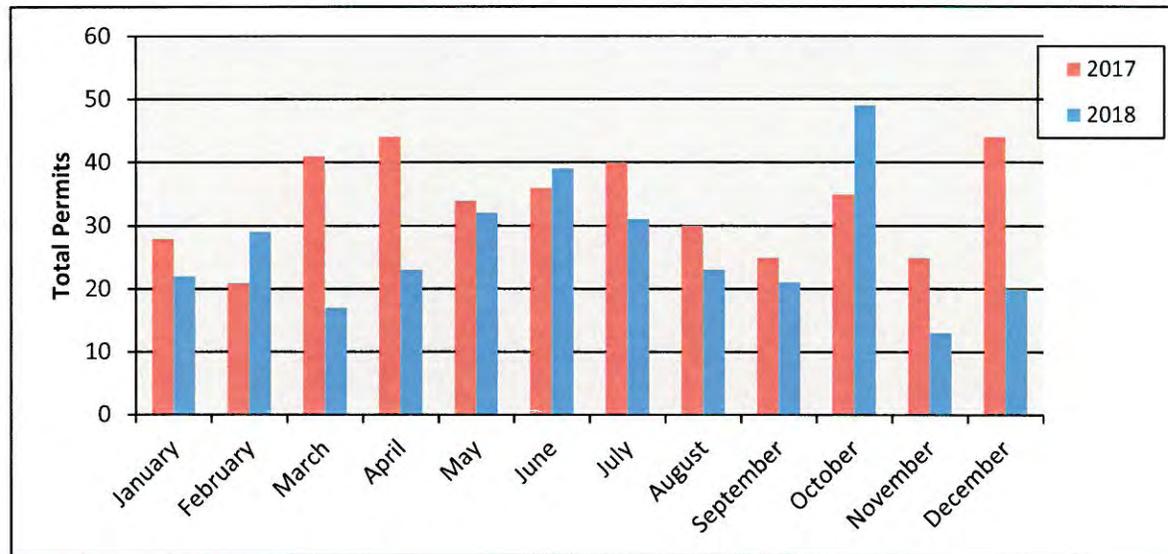
City of Rockwall
PERMITS ISSUED - Summary by Type and Subtype
For the Period 7/1/2019 thru 7/31/2019

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
WINDOWS	3		\$153.50
SPECIAL EVENT	9		\$380.00
	9		\$380.00
Totals:	299		\$551,248.76

New Residential Permits

Calendar Year

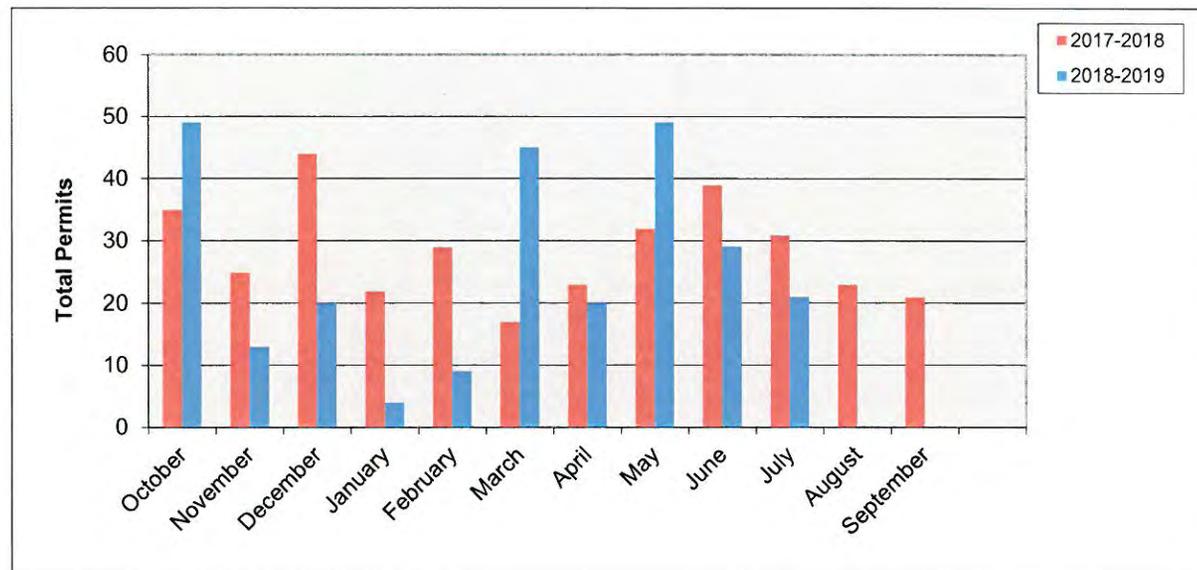
	Year	
	2017	2018
January	28	22
February	21	29
March	41	17
April	44	23
May	34	32
June	36	39
July	40	31
August	30	23
September	25	21
October	35	49
November	25	13
December	44	20
Totals	403	319



New Residential Permits

Fiscal Year

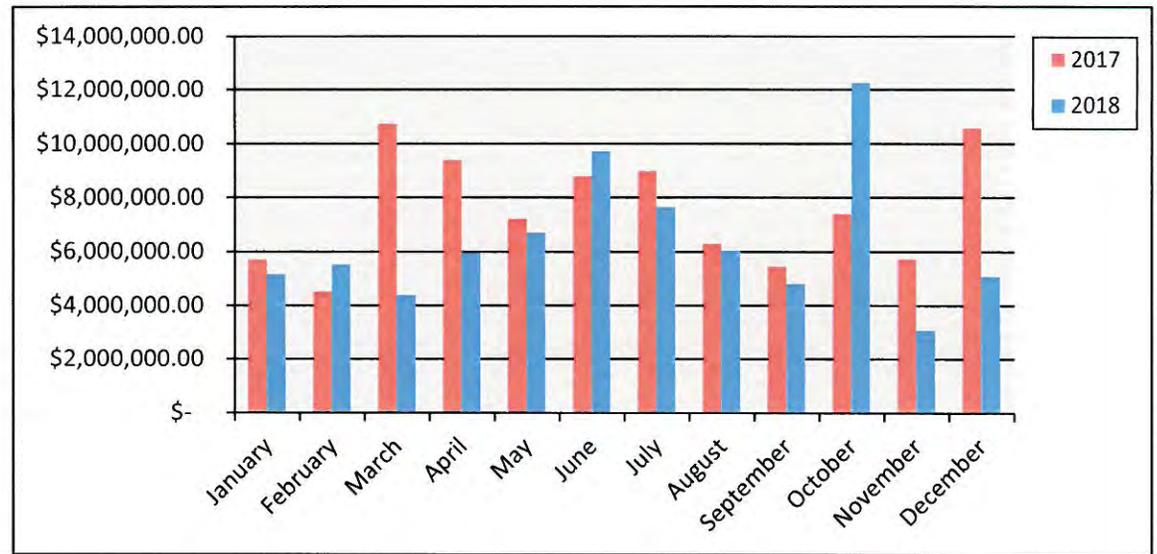
	Year	
	2017-2018	2018-2019
October	35	49
November	25	13
December	44	20
January	22	4
February	29	9
March	17	45
April	23	20
May	32	49
June	39	29
July	31	21
August	23	
September	21	
Totals	341	259



New Residential Value

Calendar Year

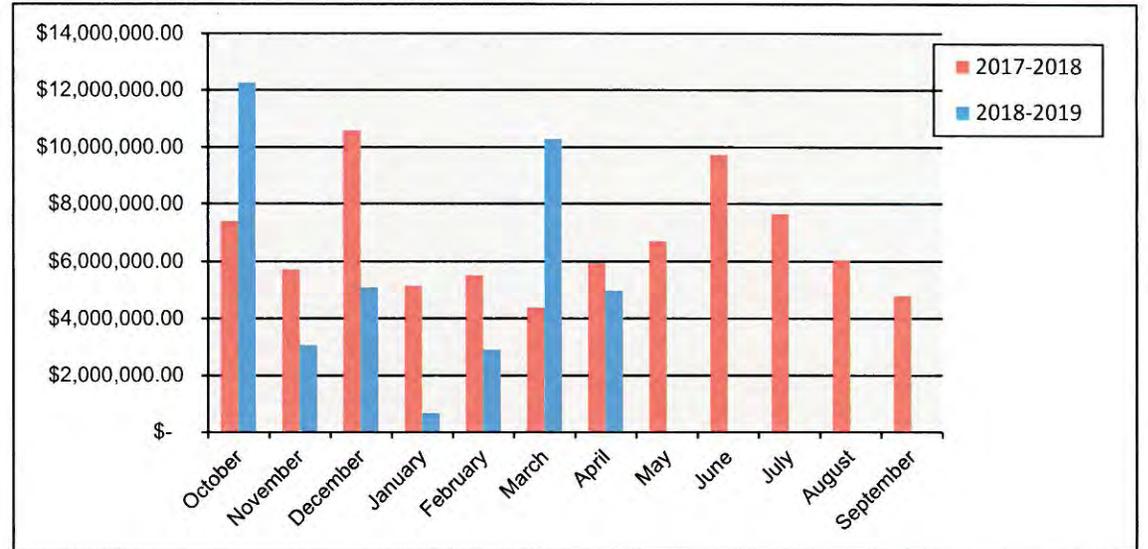
Year		
	2017	2018
January	\$ 5,698,431.00	\$ 5,145,624.00
February	\$ 4,497,500.00	\$ 5,505,704.00
March	\$ 10,740,233.00	\$ 4,374,886.00
April	\$ 9,394,785.27	\$ 5,946,813.00
May	\$ 7,210,632.79	\$ 6,706,301.00
June	\$ 8,782,481.00	\$ 9,728,069.00
July	\$ 8,983,999.47	\$ 7,660,917.00
August	\$ 6,295,770.00	\$ 6,049,208.00
September	\$ 5,443,098.00	\$ 4,799,404.00
October	\$ 7,402,565.06	\$ 12,263,973.00
November	\$ 5,722,063.00	\$ 3,064,499.00
December	\$ 10,576,719.30	\$ 5,072,758.00
Totals	\$ 90,748,277.89	\$ 76,318,156.00



New Residential Value

Fiscal Year

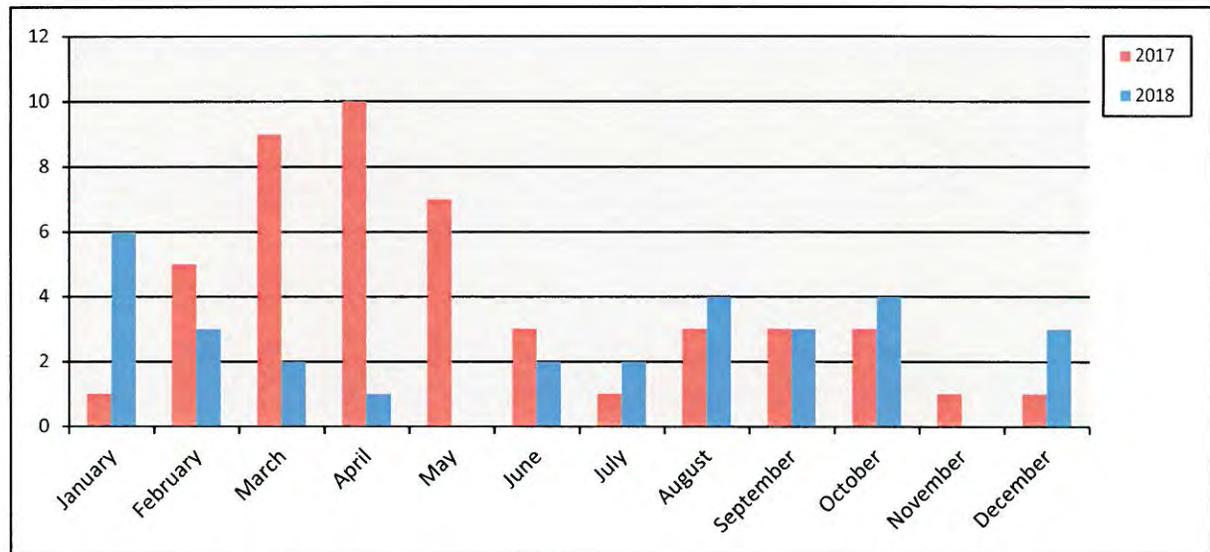
Year		
	2017-2018	2018-2019
October	\$ 7,402,565.06	\$ 12,263,973.00
November	\$ 5,722,063.00	\$ 3,064,499.00
December	\$ 10,576,719.30	\$ 5,072,758.00
January	\$ 5,145,624.00	\$ 681,618.00
February	\$ 5,505,704.00	\$ 2,897,344.85
March	\$ 4,374,886.00	\$ 10,294,717.00
April	\$ 5,946,813.00	\$ 4,977,668.00
May	\$ 6,706,301.00	-
June	\$ 9,728,069.00	-
July	\$ 7,660,917.00	-
August	\$ 6,049,208.00	-
September	\$ 4,799,404.00	-
Totals	\$79,618,273.36	\$ 39,252,577.85



Residential Remodel Permits

Calendar Year

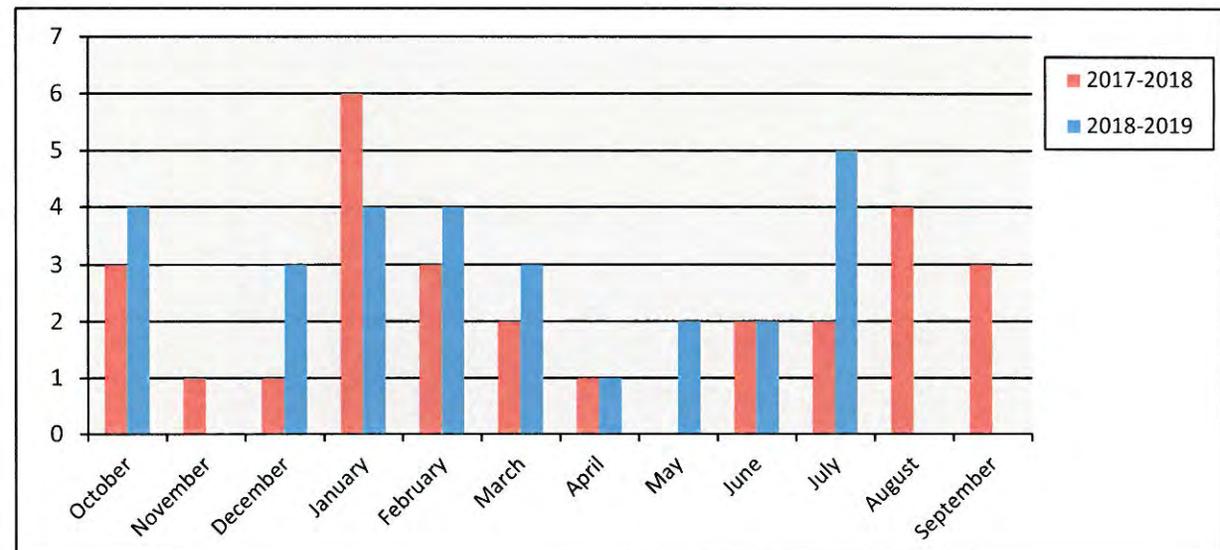
	Year	
	2017	2018
January	1	6
February	5	3
March	9	2
April	10	1
May	7	0
June	3	2
July	1	2
August	3	4
September	3	3
October	3	4
November	1	0
December	1	3
Totals	47	30



Residential Remodel Permits

Fiscal Year

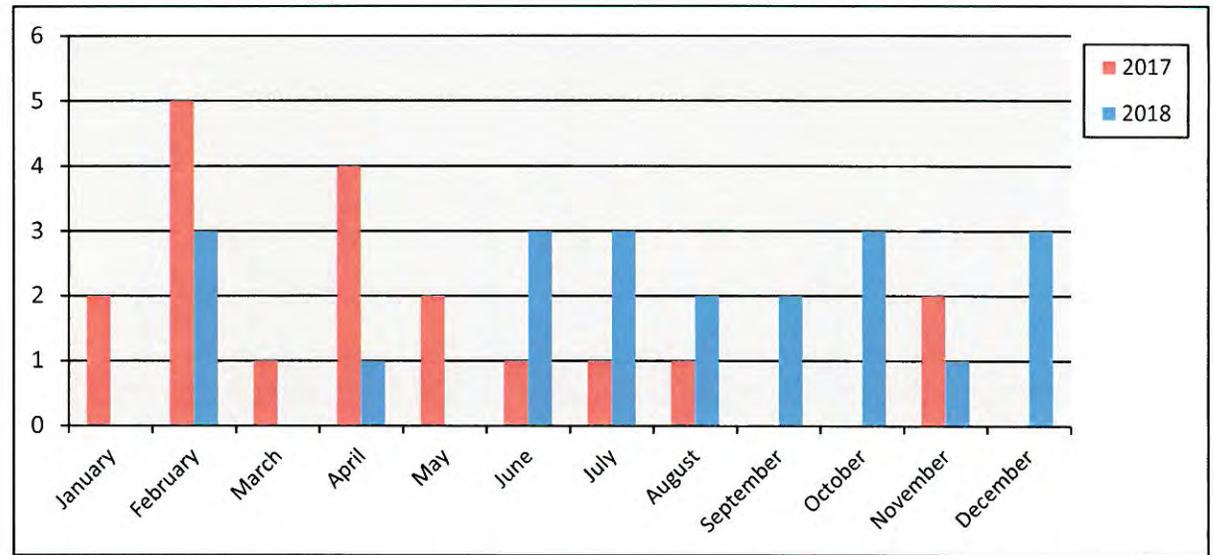
	Year	
	2017-2018	2018-2019
October	3	4
November	1	0
December	1	3
January	6	4
February	3	4
March	2	3
April	1	1
May	0	2
June	2	2
July	2	5
August	4	
September	3	
Totals	28	28



New Commercial Permits

Calendar Year

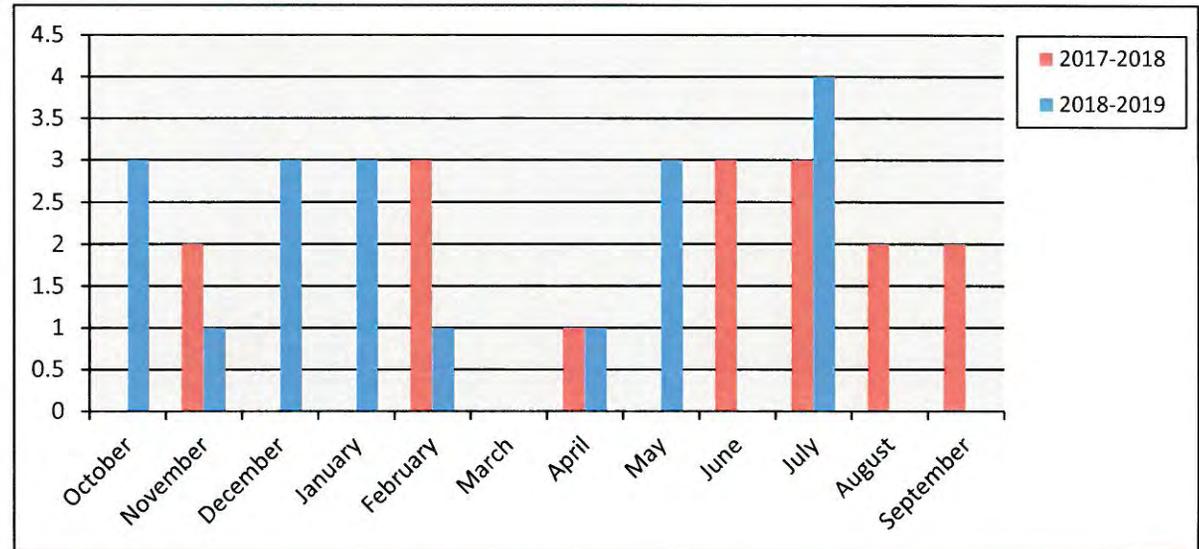
	Year	
	2017	2018
January	2	0
February	5	3
March	1	0
April	4	1
May	2	0
June	1	3
July	1	3
August	1	2
September	0	2
October	0	3
November	2	1
December	0	3
Totals	19	21



New Commercial Permits

Fiscal Year

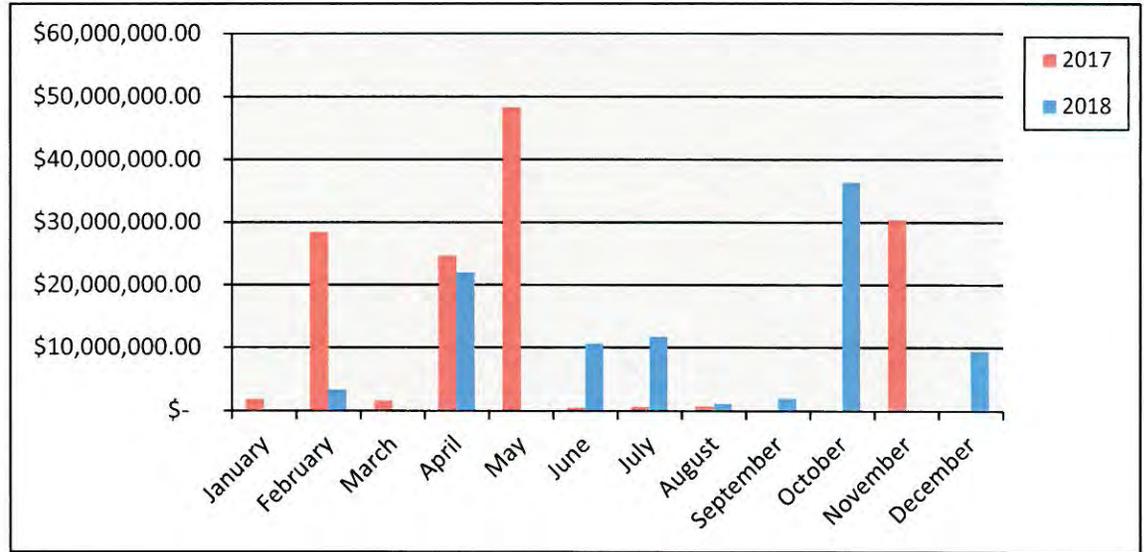
	Year	
	2017-2018	2018-2019
October	0	3
November	2	1
December	0	3
January	0	3
February	3	1
March	0	0
April	1	1
May	0	3
June	3	0
July	3	4
August	2	
September	2	
Totals	16	19



New Commercial Value

Calendar Year

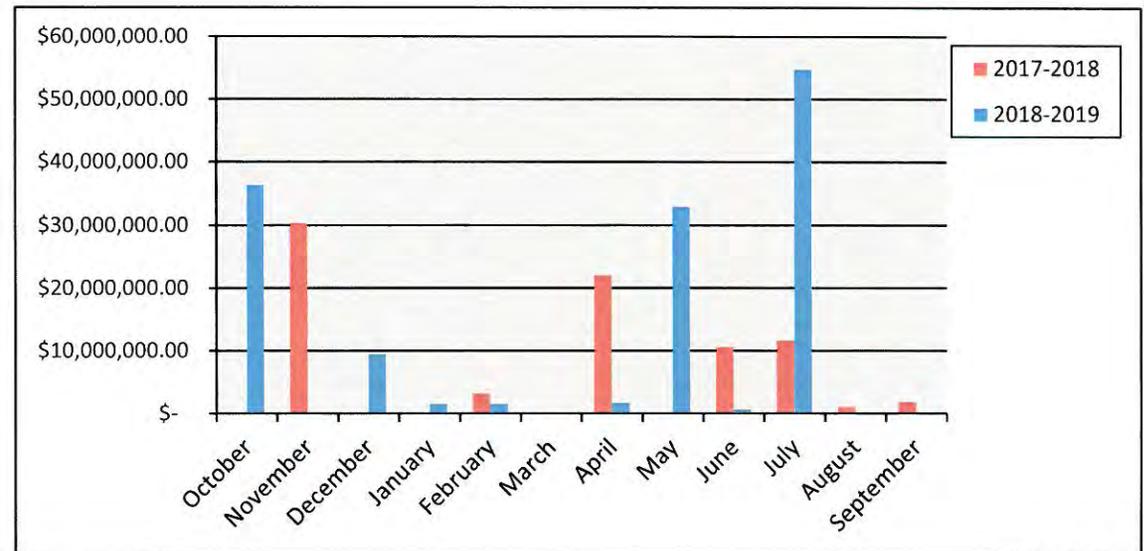
Year		
	2017	2018
January	\$ 1,800,000.00	-
February	\$ 28,400,000.00	\$ 3,221,771.00
March	\$ 1,599,026.00	-
April	\$ 24,650,000.00	\$ 22,000,000.00
May	\$ 48,300,000.00	-
June	\$ 569,400.00	\$ 10,602,430.88
July	\$ 700,000.00	\$ 11,712,500.00
August	\$ 726,506.00	\$ 1,111,950.00
September	-	\$ 1,930,813.00
October	-	\$ 36,425,000.00
November	\$ 30,390,000.00	\$ 180,000.00
December	-	\$ 9,427,800.00
Totals	\$ 137,134,932.00	\$ 96,612,264.88



New Commercial Value

Fiscal Year

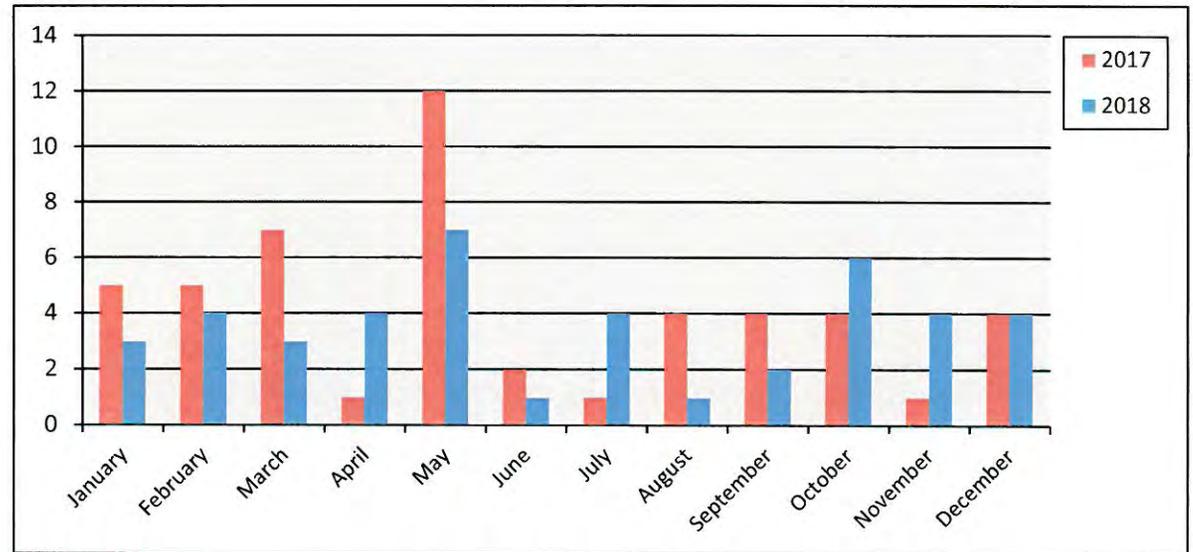
Year		
	2017-2018	2018-2019
October	-	\$ 36,425,000.00
November	\$ 30,390,000.00	\$ 180,000.00
December	-	\$ 9,427,800.00
January	-	\$ 1,530,000.00
February	\$ 3,221,771.00	\$ 1,500,000.00
March	-	-
April	\$ 22,000,000.00	\$ 1,700,000.00
May	-	\$ 32,969,700.00
June	\$ 10,602,430.88	\$ 629,975.28
July	\$ 11,712,500.00	\$ 54,900,000.00
August	\$ 1,111,950.00	-
September	\$ 1,930,813.00	-
Totals	\$ 80,969,464.88	\$ 139,262,475.28



Commercial Remodel Permits

Calendar Year

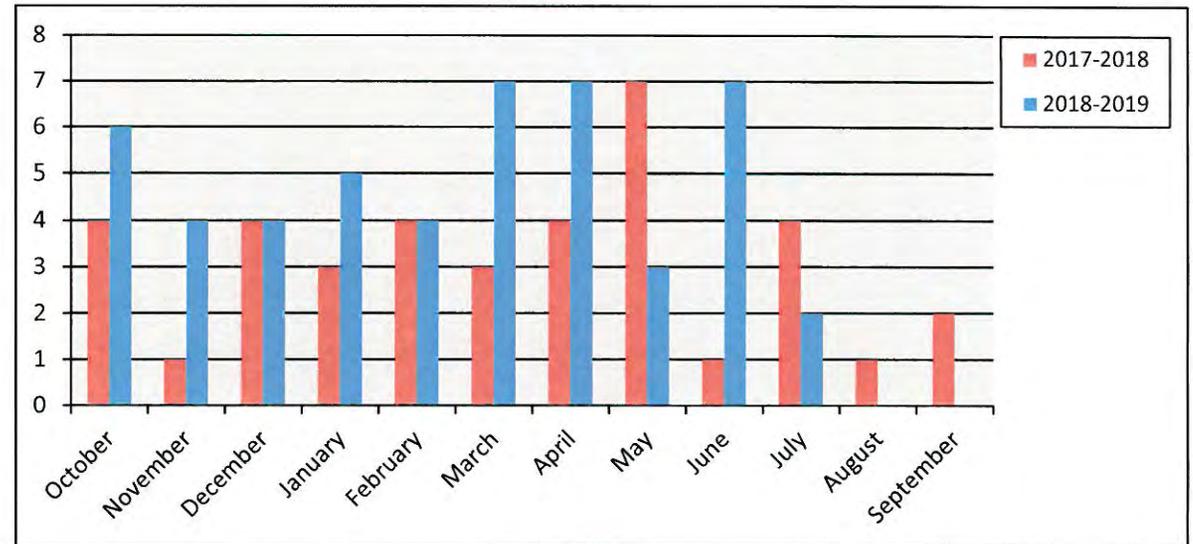
	Year	
	2017	2018
January	5	3
February	5	4
March	7	3
April	1	4
May	12	7
June	2	1
July	1	4
August	4	1
September	4	2
October	4	6
November	1	4
December	4	4
Totals	50	43



Commercial Remodel Permits

Fiscal Year

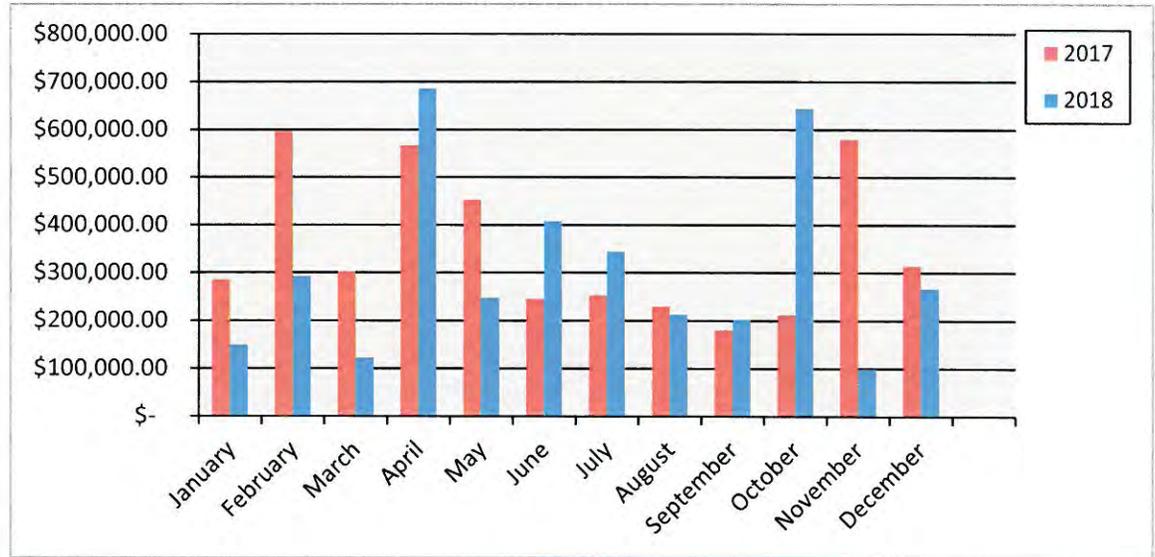
	Year	
	2017-2018	2018-2019
October	4	6
November	1	4
December	4	4
January	3	5
February	4	4
March	3	7
April	4	7
May	7	3
June	1	7
July	4	2
August	1	
September	2	
Totals	38	49



Total Fees Collected

Calendar Year

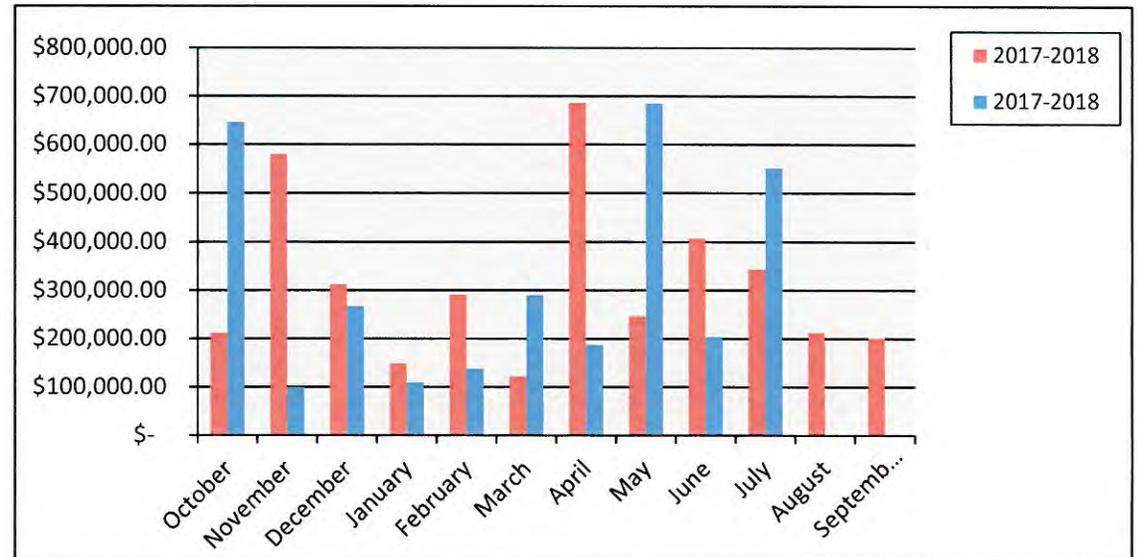
	Year	
	2017	2018
January	\$ 284,774.34	\$ 149,088.54
February	\$ 595,848.26	\$ 291,324.78
March	\$ 302,406.79	\$ 122,271.28
April	\$ 566,291.24	\$ 686,154.89
May	\$ 451,389.66	\$ 247,465.55
June	\$ 244,930.08	\$ 406,799.91
July	\$ 252,374.52	\$ 343,682.23
August	\$ 229,266.56	\$ 212,643.16
September	\$ 180,561.41	\$ 201,855.47
October	\$ 212,560.59	\$ 645,511.95
November	\$ 579,208.80	\$ 99,983.92
December	\$ 313,423.19	\$ 266,328.43
Totals	\$ 4,213,035.44	\$ 3,673,110.11



Total Fees Collected

Fiscal Year

	Year	
	2017-2018	2017-2018
October	\$ 212,560.59	\$ 645,511.95
November	\$ 579,208.80	\$ 99,983.92
December	\$ 313,423.19	\$ 266,328.43
January	\$ 149,088.54	\$ 108,325.23
February	\$ 291,324.78	\$ 137,260.79
March	\$ 122,271.28	\$ 288,576.03
April	\$ 686,154.89	\$ 186,555.47
May	\$ 247,465.55	\$ 685,938.85
June	\$ 406,799.91	\$ 203,335.14
July	\$ 343,682.23	\$ 551,248.76
August	\$ 212,643.16	
September	\$ 201,855.47	
Totals	\$ 3,766,478.39	\$ 3,173,064.57



City of Rockwall
PERMITS ISSUED
For the Period 7/1/2019 thru 7/31/2019

Permit Number	Permit Type	Site Address	Valuation	Total Fees	Fees Paid
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name			
CO2014-0165	CO	2380 S Goliad St 100	0.00	76.50	76.50
12/18/2014	INTERIOR	4831-0000-0008-00-OR			
07/01/2019	Active	Key-Whitman Eye Center			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	MATT KING		(469) 742-0678
BUS OWNER	Dr. Edward P Hurst - EPH, L	2380 S Goliad St #101, Rockwall, TX 75032	
BUSINESS	Key-Whitman Eye Center	2380 S Goliad St #100, Rockwall, TX 75032	
CONTRACTOR	Skyrider Builders	1400 Sweet Springs Rd., Weatherford, TX 76088	(817) 599-8880
ELEC CONTR	Intex Electric	P. O. BOX 1886, Forney, TX 75126	(972) 288-8041
INSP RPT EMAIL	Skyrider Builders	1400 Sweet Springs Rd., Weatherford, TX 76088	(817) 599-8880
MECH CONTR	A-Ok Companies	3610 Oak Tree Ln, MIDLOTHIAN, TX 76065	(972) 617-0781
OWNER	CNLRs, ROCKWALL LP	WOODMONT COMPANY, FORT WORTH, TX 76107-2306	
PLB CONTR	Tom's Plumbing	1232 Colorado Ln. #103, Arlington, TX 76015	(817) 460-3221

CO2019-0048	CO	3100 Ridge Rd	0.00	76.50	76.50
04/17/2019	BUSINESS	3413-0001-000B-B2-OR			
07/29/2019	Active	The Retreat Restorative & Aesthetics			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	The Retreat Restorative & Ae	3100 Ridge Road, Rockwall, TX 75032	(469) 769-7101
BUS OWNER	Ezek Health Solutions PLLC	P.O. Box 1583, ROCKWALL, TX 75087	(713) 302-3069
BUSINESS	The Retreat Restorative & Ae	3100 Ridge Road, ,	(469) 769-7101
OWNER	CHAKMAKJIAN, ZAVEN C	3104 Ridge Road, ROCKWALL, TX 75032	(214) 755-3662

CO2019-0059	CO	1307 Ridge Road	0.00	76.50	76.50
05/17/2019	SHELL	0255-0000-0006-02-OR			
07/01/2019	Active	Lakeview Apartments - Building Shell			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Lakeview Apartments	1307 Ridge Rd, Rockwall, TX 75087	(469) 698-9000
BUS OWNER	Lakeview Apartments	1307 Ridge Rd, Rockwall, TX 75087	(469) 698-9000
BUSINESS	Lakeview Apartments	1307Ridge Rd, Rockwall, TX 75087	(469) 698-9000
MANAGER	KERRY EVANS		
OWNER	T Rockwall Phase 2 LLC	16600 Dallas Pkwy, Suite 300, Dallas, TX 75248	(972) 428-2936

CO2019-0060	CO	1307 Ridge Road	0.00	76.50	76.50
05/17/2019	BUSINESS	0255-0000-0006-02-OR			
07/01/2019	Active	Lakeview Apartments			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Lakeview Apartments	1307 Ridge Rd, Rockwall, TX 75087	(469) 698-9000
BUS OWNER	Lakeview Apartments	1307 Ridge Rd, Rockwall, TX 75087	(469) 698-9000
BUSINESS	Lakeview Apartments	1307 Ridge Rd, Rockwall, TX 75087	(469) 698-9000
MANAGER	KERRY EVANS		
OWNER	T Rockwall Phase 2 LLC	16600 Dallas Pkwy, Suite 300, Dallas, TX 75248	(972) 428-2936

City of Rockwall
PERMITS ISSUED
For the Period 7/1/2019 thru 7/31/2019

Permit Number	Permit Type	Site Address	Valuation	Total Fees	Fees Paid
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Permit Name			
CO2019-0062	CO	2455 Ridge Rd 151	0.00	75.00	75.00
05/20/2019	BUSINESS	4854-000A-0009-00-0R			
07/24/2019	Active	Rockwall Colonics & Wellness Center/DripZone IV Hangover Bar			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Rockwall Colonics and Welln	Dominique Robinson, ROCK WALL, TX 75087	(972) 771-8900
BUS OWNER	Rockwall Colonics and Welln	Dominique Robinson, ROCK WALL, TX 75087	(972) 771-8900
OWNER	Rockwall Oceanhill LLC	dba Ridge Road Towne Center, Rockwall, TX 75087	

CO2019-0074	CO	2910 Ridge Rd	0.00	76.50	76.50
06/14/2019	BUSINESS	4476-000A-0001-00-0R			
07/15/2019	Active	Park Avenue Cleaners			

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	TSF Five Co.	2910 Ridge Rd., Rockwall, TX 75032	(940) 337-4046
BUSINESS	Park Avenue Cleaners	2910 Ridge Rd, Rockwall, TX 75032	(972) 772-0234
OWNER	Yang Park	2560 Royal Ln. Suite 210, Dallas, TX 75229	(972) 897-6018

CO2019-0078	CO	1005 W Ralph Hall Pkwy 101	0.00	76.50	76.50
07/02/2019	INTERIOR	4009-000B-0011-00-0R			
07/30/2019	Active	Texas Health Family Care 411			

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Texas Health Family Care 41	1005 W Ralph Hall Parkway #101, Rockwall, TX 75032	(972) 771-8686
BUS OWNER	Texas Health amily Care 411	909 Hidden Ridge, Irving, TX 75038	(972) 791-1224
BUSINESS	Texas Health Family Care 41	1005 W Ralph Hall Parkway #101, Rockwall, TX 75032	(972) 771-8686
OWNER	SPT Ivy Rockwall MOB LLC	1005 W Ralph Hall Pkwy #227, Rockwall, TX 75032	
PERMIT TECH	VANESSA KRODELL	ROCKPORT CONSTRUCTION GROUP, ,	(972) 363-0722

Total Valuation: 0.00
Total Fees: 534.00
Total Fees Paid: 534.00

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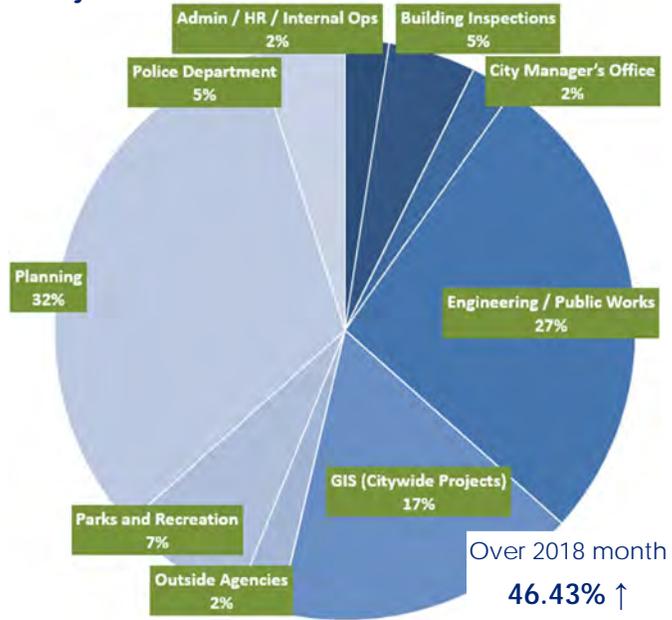


Key Projects:

- (1) **Outside Agencies / Citizens.** Zonability Co.
- (2) **Engineering / Public Works.** RISD Bus stop locations map; CIP projects, Aluminum Plant water lines, Historic utility calculations, Historic District street names and map, Private streets listing, 5505 Cambria floodplain, 2 acres Water tank exhibit, CityWorks progress check, Project mail outs, CityWorks vac-truck report
- (3) **Planning Department.** UDC legislative update - Parking lot landscaping, Residential screening exhibits, Backyard fencing exhibits, Monotony standards exhibit, Landscape buffer exhibit, Headlight screening exhibit, Street landscaping, Tree size exhibit, PD and Overlay numbers, Fencing types, Front yard fencing exhibit, Above ground water tank exhibit, Blackland Prairie exhibit
- (4) **GIS.** 911 Addressing, Citizen-Realtor addressing item, Parcel Fabric project, GraniteNet to GIS, Cityworks PLL build, NG911 / GeoComm QC changes – Sync, Update parcels
- (5) **Police.** Officer request: (3) misc. maps, PD base map services build
- (6) **Admin / Int. Ops.** TML invitation & Save the Date
- (7) **City Manager's Office.** Eastside Pump Station TXDOT land purchase
- (8) **Parks and Rec.** RibRub map update 2019, Parade route map for July 4th, Potential trail location - The Harbor
- (9) **Building Inspections.** 302 N. Goliad Map/Mail out, Take Line leases update

Monthly Project Request by Department:

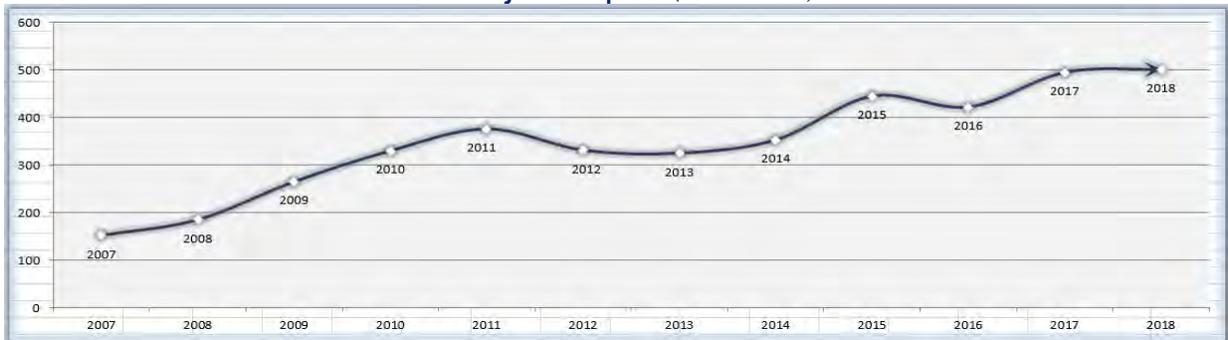
41 Projects



Over 2018 month
46.43% ↑

Admin / HR / Internal Ops	1
Building Inspections	2
Citizen Request	0
City Council	0
City Manager's Office	1
Neighborhood Improvement Services	0
Engineering / Public Works	11
Finance / Utility Billing	0
Fire Department	0
GIS (Citywide Projects)	7
IT	0
Main Street Program	0
Outside Agencies	1
Parks and Recreation	3
Planning	13
Police Department	2
REDC	0
Total	41

GIS Project Request (Year to Year):



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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
JULY 2019

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	12	12	0	100%
ADMINISTRATIVE SERVICES	1	1	0	100%
AIRPORT	5	5	0	100%
ANIMAL SERVICES	11	11	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	2	2	0	100%
ENGINEERING	0	0	0	0%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	52	52	0	100%
INTERNAL OPERATIONS	106	106	0	100%
MUNICIPAL COURT	16	16	0	100%
PARKS & RECREATION	13	13	0	100%
PLANNING & ZONING	2	2	0	100%
POLICE DEPARTMENT	43	43	0	100%
PUBLIC WORKS	11	11	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	274	274	0	100%

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JULY 2019 MONTHLY REPORT



**ROCKWALL PARKS
& RECREATION**

PARTICIPATION



FAMILY FUN FRIDAY - THE HARBOR:
250 ATTENDEES



SUMMER ROCK CAMP - APPROX. 25 KIDS A WEEK
FOR EACH WEEK IN JULY



CONCERT BY THE LAKE: APPROX. 2500
PICTURE IS JULY 25 CONCERT - THE SPAZMATICS

MONTHLY OVERVIEW

JULY '19

Part Time Labor Hours	867.5
Program Offerings	37
Program Participants	1814
Resident Participants	1022
Non-Resident Participants	792
Programs that Made	35
Cancelled Programs	2
% of Programs Cancelled	5.4%

FEE BASED RESIDENT VS NON-RESIDENT

35 programs



VOLUNTEER IN THE PARKS (V.I.P.)



**TOTAL # OF
VOLUNTEER
HOURS**

# OF VOLUNTEERS	20
# OF VOLUNTEER HOURS	6

120



HMCC

JULY '19

<i>Time Blocks Rented</i>	87
<i>Monthly Revenue</i>	\$1,160

HMCC RENTAL ACTIVITY BY TIME BLOCK

87 Rentals



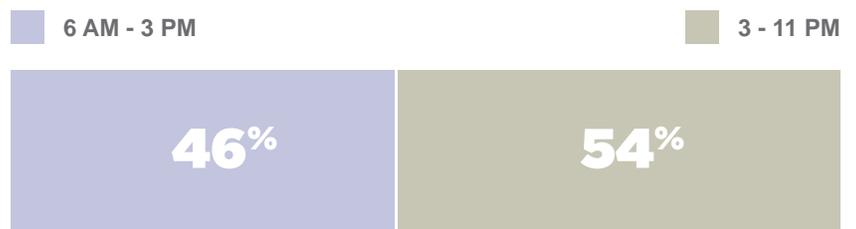
PAVILIONS

JULY '19

<i>Time Blocks Rented</i>	46
<i>Monthly Revenue</i>	\$1240

PAVILION RENTAL ACTIVITY BY TIME BLOCK

46 Rentals



PARKS



FACILITY UPGRADE:

Northshore Park Irrigation



FACILITY UPGRADE:

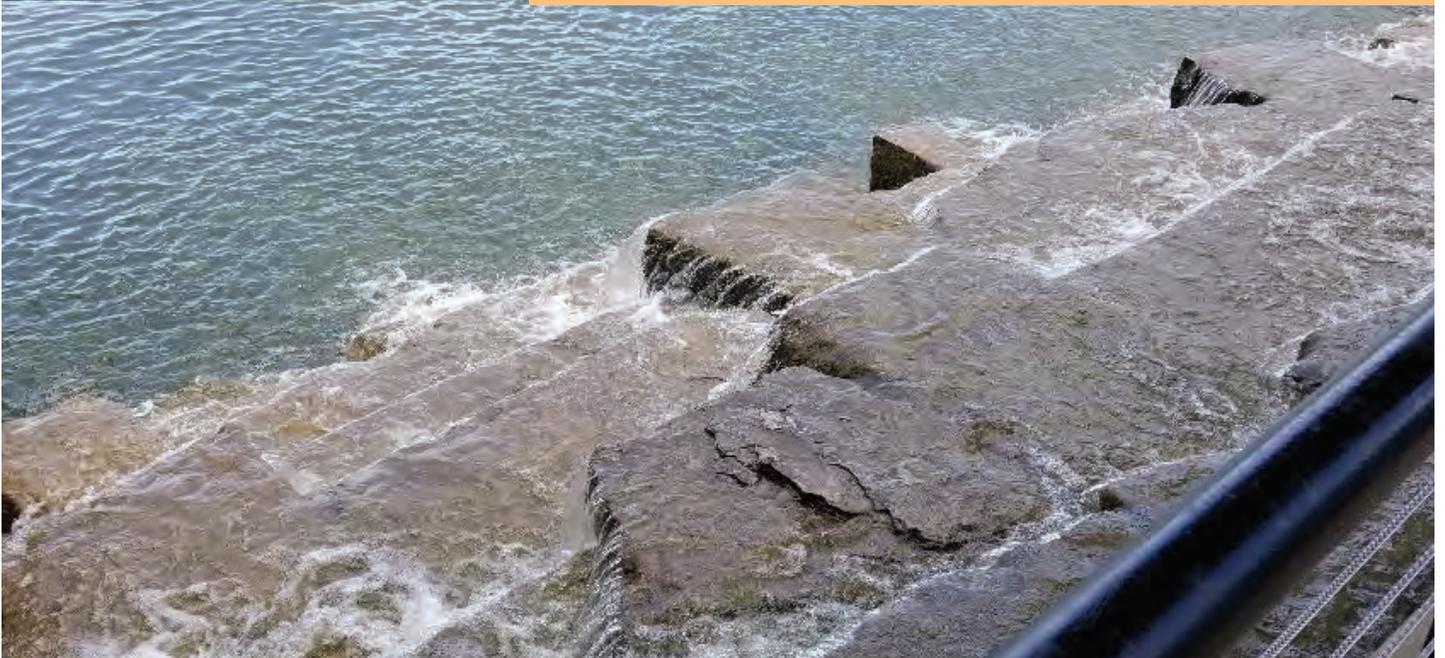
Northshore Park Soccer/Play Field



FACILITY MANAGEMENT:

Bagworm Treatments on John King at I-30

Waterfall back in operation after replacement of 2 pumps in lake



MARKETING

FACEBOOK PAGE LIKES



JUN

GAIN OR LOSS

+429

JUL

+182

TOTAL LIKES THRU 7/31/2019



13,635

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

JUN

ACCOUNTS

8548

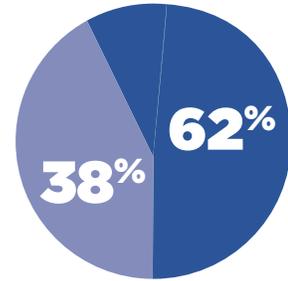
GAIN OR LOSS

+86

JUL

9569

+1021



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

PLAYROCKWALL.COM

PAGEVIEWS

Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of July 2019.

179,687

SESSIONS

Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com

40,288

USERS

Visitors to playrockwall.com

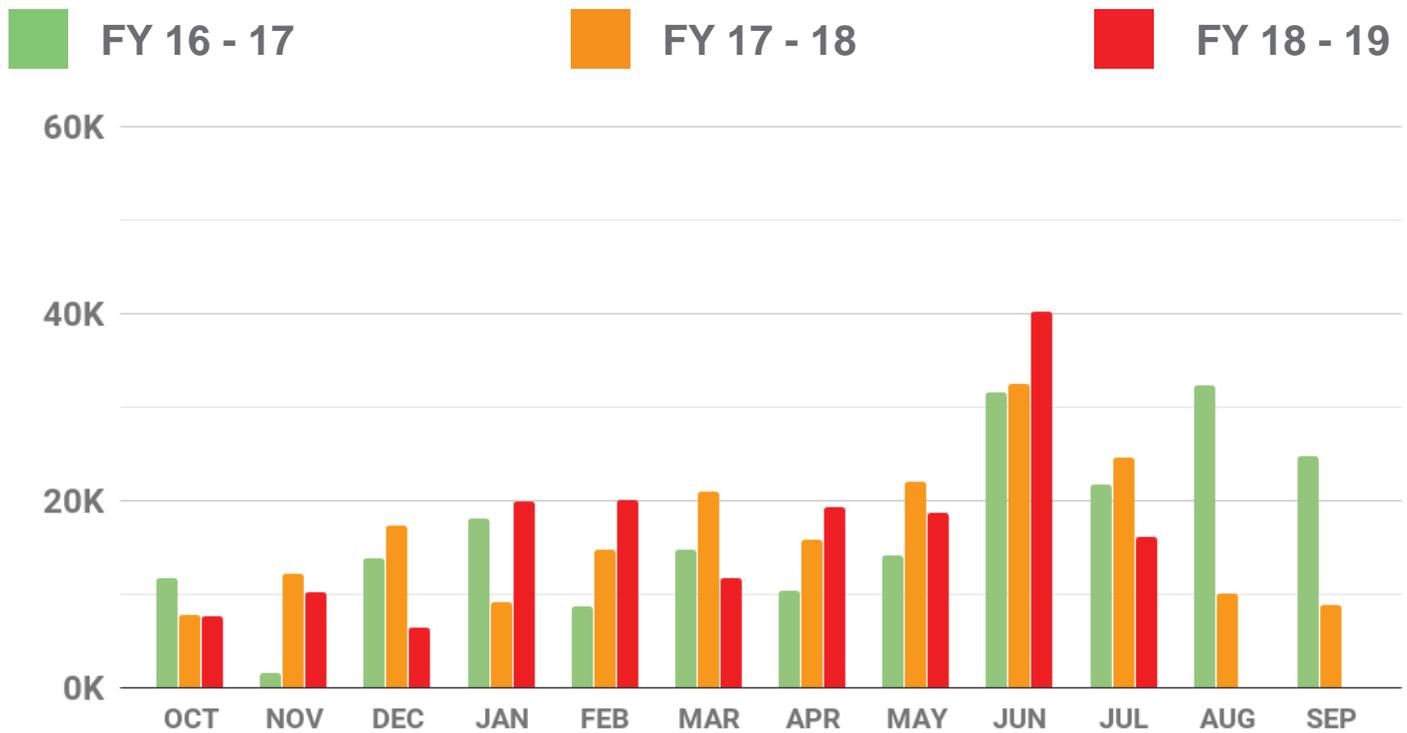
28,210

558

REVENUE

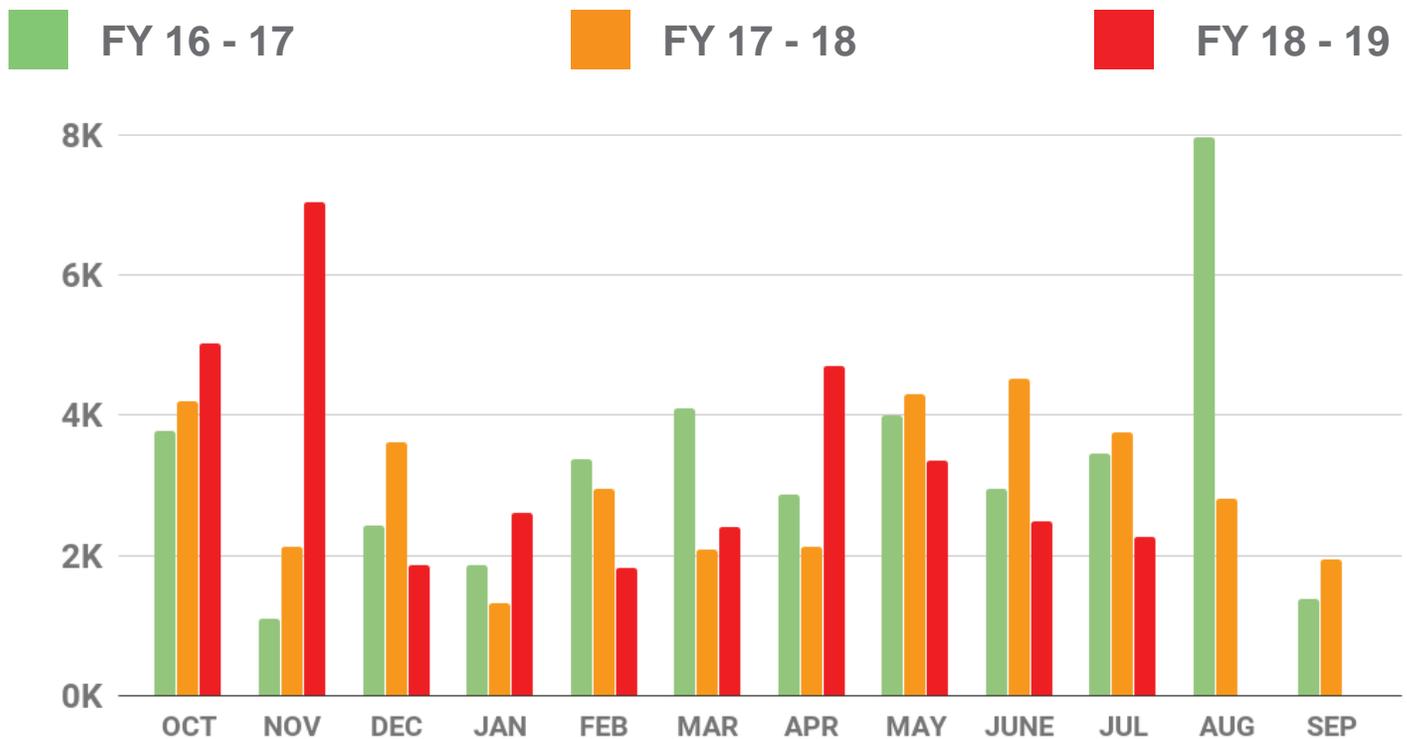
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



Rockwall Police Department

Monthly Activity Report

July-2019

ACTIVITY	CURRENT MONTH JULY	PREVIOUS MONTH JUNE	YTD 2019	YTD 2018	YTD % CHANGE
----------	------------------------------	-------------------------------	---------------------	---------------------	-------------------------

PART 1 OFFENSES

Homicide / Manslaughter	0	0	0	1	-100.00%
Sexual Assault	2	2	11	5	120.00%
Robbery	1	2	7	5	40.00%
Aggravated Assault	5	2	16	8	100.00%
Burglary	5	5	32	20	60.00%
Larceny	75	45	365	391	-6.65%
Motor Vehicle Theft	8	2	28	30	-6.67%
TOTAL PART I	96	58	459	460	-0.22%
TOTAL PART II	108	109	943	1054	-10.53%
TOTAL OFFENSES	204	167	1402	1514	-7.40%

ADDITIONAL STATISTICS

FAMILY VIOLENCE	10	11	115	115	0.00%
D.W.I.	8	8	110	143	-23.08%

ARRESTS

FELONY	25	25	224	211	6.16%
MISDEMEANOR	50	49	429	509	-15.72%
WARRANT ARREST	9	9	72	84	-14.29%
JUVENILE	3	3	24	33	-27.27%
TOTAL ARRESTS	87	86	749	837	-10.51%

DISPATCH

CALLS FOR SERVICE	1635	1476	10472	9600	9.08%
-------------------	------	------	-------	------	-------

ACCIDENTS

INJURY	7	9	77	82	-6.10%
NON-INJURY	55	50	427	360	18.61%
FATALITY	0	0	0	2	-200.00%
TOTAL	62	59	504	444	13.51%

FALSE ALARMS

RESIDENT ALARMS	64	74	399	461	-13.45%
BUSINESS ALARMS	144	152	919	892	3.03%
TOTAL FALSE ALARMS	208	226	1318	1353	-2.59%
Estimated Lost Hours	137.28	149.16	869.88	892.98	-2.59%
Estimated Cost	\$3,265.60	\$3,548.20	\$20,692.60	\$21,242.10	-2.59%

ROCKWALL NARCOTICS UNIT

Number of Cases	6
Arrests	3
Arrest Warrants	1
Search Warrants	2
Seized	
Heroin	1.25 kg
Marijuana	16 ounces
Methamphetamine	32.3 kg

Rockwall Police Department

Dispatch and Response Times

July 2019

Police Department

Average Response Time		Number of Calls
Priority 1		
Call to Dispatch	0:01:33	92
Call to Arrival	0:06:12	
% over 7 minutes	34%	

Average Response Time		Number of Calls
Priority 2		
Call to Dispatch	0:03:19	246
Call to Arrival	0:09:49	
% over 7 minutes	56%	

Average Response Time		Number of Calls
Priority 3		
Call to Dispatch	0:04:47	76
Call to Arrival	0:14:05	
% over 7 minutes	70%	

Average dispatch response time goals are as follows:

Priority 1: 1 Minute

Priority 2: 1 Minute, 30 Seconds

Priority 3: 3 Minutes

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Rockwall Adoption Center
2019 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '19	57-58%	12-12%	26-27%	3-3%	0-0%	100	98	97%
Feb '19	59-63%	3-3%	28-30%	1-1%	0-0%	113	91	96%
March '19	63-68%	8-9%	22-24%	0-0%	0-0%	86	93	100%
April '19	38-56%	5-7%	22-32%	1-1%	2-3%	76	68	95%
May '19	74-65%	14-12%	18-16%	6-5%	3-3%	135	115	92%
June '19	69-60%	18-16%	26-25%	1-1%	1-1%	109	115	99%
July '19	62-60%	18-17%	21-20%	2-2%	1-1%	97	104	97%
August '19								
September '19								
October '19								
November '19								
December '19								

Rockwall Animal Adoption Center

PROFIT AND LOSS

July 2019

	TOTAL
Income	
4100 Adoption Fee	
4111 Adoption Fee - Dog	2,675.00
4112 Adoption Fee - Cat	2,250.00
4113 Adoption Fee - Other	110.00
Total 4100 Adoption Fee	5,035.00
4200 Impound Fee	520.00
4300 Owner Surrender	1,170.00
4350 Quarantine Fee	225.00
4400 Direct Public Support	
4410 Corporate Contributions	300.28
Total 4400 Direct Public Support	300.28
4650 Medical	785.00
4700 General Donations	2,520.28
47200 Program Income	
47230 Membership Dues	100.00
Total 47200 Program Income	100.00
Total Income	\$10,655.56
GROSS PROFIT	\$10,655.56
Expenses	
5200 - Shelter Expense	
5202 - Micro Chip	1,248.75
5203 Medication	7,256.57
5209 - Shelter Supplies	1,210.68
5211 - Repair & Maint.	2,156.83
5220 - Truck Maintenance	288.87
5230 - Misc	9.00
Total 5200 - Shelter Expense	12,170.70
5300 - Veterinary Expense	5,797.48
5400 - Professional Services	2,291.67
65000 5000 - Administrative Expense	
5004 - Paypal/Intuit fee	276.51
5005 - Postage	22.21
5006 - Bank Fees	448.00
5040 - Retirement srvs - 401K	264.50
5050 - Payroll	26,585.16
5055 - Payroll Tax	-311.03
5056 - 401K Employer/Healthcare	433.25
5099 - Misc	145.62
65030 5003 - Printing and Copying	114.71
65040 5001 - Supplies	1,352.93
65050 5060 -Telephone, Telecomm	240.00
Total 65000 5000 - Administrative Expense	29,571.86

	TOTAL
68300 Travel and Meetings	21.09
Total Expenses	\$49,852.80
NET OPERATING INCOME	\$ -39,197.24
NET INCOME	\$ -39,197.24

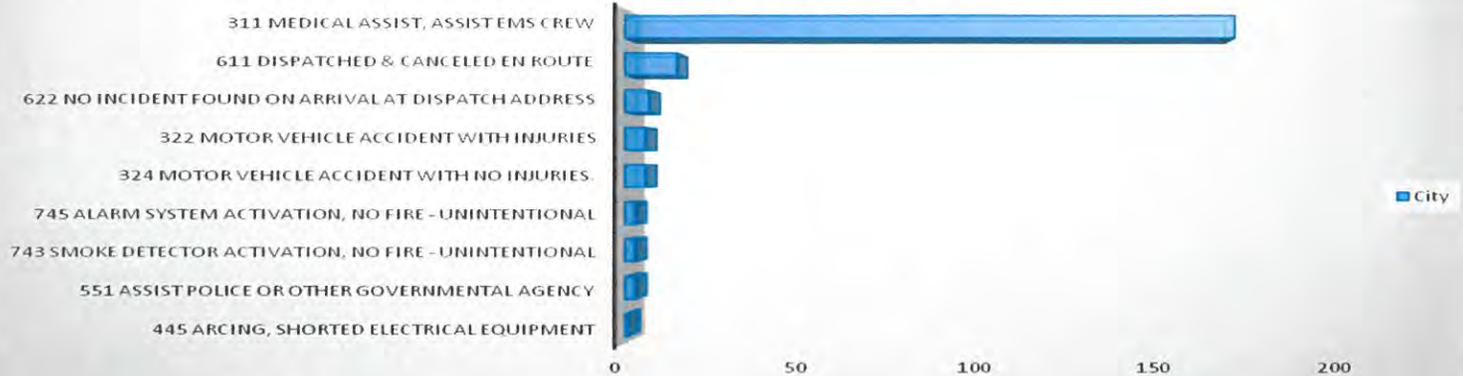
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**ROCKWALL FIRE
DEPARTMENT**

Monthly Report
July 2019

Top 10 Call Types July 2019



July 2019- All Calls	
Situation Type	City
111 Building fire	4
311 Medical assist, assist EMS crew	174
322 Motor vehicle accident with injuries	6
412 Gas leak (natural gas or LPG)	3
611 Dispatched & canceled en route	15
622 No incident found on arrival at dispatch address	7
733 Smoke detector activation due to malfunction	11
735 Alarm system sounded due to malfunction	8
743 Smoke detector activation, no fire - unintentional	3
745 Alarm system activation, no fire - unintentional	3
131 Passenger vehicle fire (cars, pickups, SUV's)	1
651 Smoke scare, odor of smoke	6
324 Motor vehicle accident with no injuries.	6
550 Smoke Detector Battery Change/Install	8
736 CO detector activation due to malfunction	2
731 Sprinkler activation due to malfunction	1
462 Aircraft standby	1
561 Unauthorized burning	1
734 Heat detector activation due to malfunction	1
142 Brush or brush-and-grass mixture fire	1
151 Outside rubbish, trash or waste fire	1
160 Special outside fire, other	6
323 Motor vehicle/pedestrian accident (MV Ped)	1
361 Swimming/recreational water areas rescue	1
365 Watercraft rescue	1
442 Overheated motor	2
511 Lock-out	2
522 Water or steam leak	2
531 Smoke or odor removal	1
744 Detector activation, no fire - unintentional	1
400 Hazardous condition, other	1
132 Road freight or transport vehicle fire (Commercial Vehicles)	1
143 Grass fire	2
154 Dumpster or other outside trash receptacle fire	1
161 Outside storage fire	1
331 Lock-in (if lock out , use 511)	2
342 Search for person in water	1
352 Extrication of victim(s) from vehicle	1
353 Removal of victim(s) from stalled elevator	2
381 Rescue or EMS standby	1
411 Gasoline or other flammable liquid spill	3
441 Heat from short circuit (wiring), defective/worn	1
444 Power line down	2
445 Arcing, shorted electrical equipment	1
510 Person in distress, other	1
520 Water problem, other	1
551 Assist police or other governmental agency	3
631 Authorized controlled burning	1
711 Municipal alarm system, malicious false alarm	1
713 Telephone, malicious false alarm	1
730 System malfunction, other	1
Totals	568
	309

July 2019 Travel Time Analysis

Travel Time Analysis-<i>By District</i> ALL CALLS- (No Mutual Aid)				Total Number of Calls	Average Travel Time Minutes
% in 4 min or less	All Code 3 Calls-No Cancelled enroute calls				
	<u>100s</u>				
87%	On Scene in	4.0	minutes or less	75	2.64
	<u>200s</u>				
72%	On Scene in	4.0	minutes or less	71	3.33
	<u>300s</u>				
86%	On Scene in	4.0	minutes or less	28	2.48
	<u>400s</u>				
73%	On Scene in	4.0	minutes or less	44	3.15
	<u>500s</u>				
25%	On Scene in	4.0	minutes or less	8	5.45
	<u>600s</u>				
60%	On Scene in	4.0	minutes or less	6	3.76
	<u>700s</u>				
33%	On Scene in	4.0	minutes or less	6	5.02
	<u>800s</u>				
100%	On Scene in	4.0	minutes or less	1	3.85
	<u>900s</u>				
	On Scene in	4.0	minutes or less	0	
Total Calls				239	

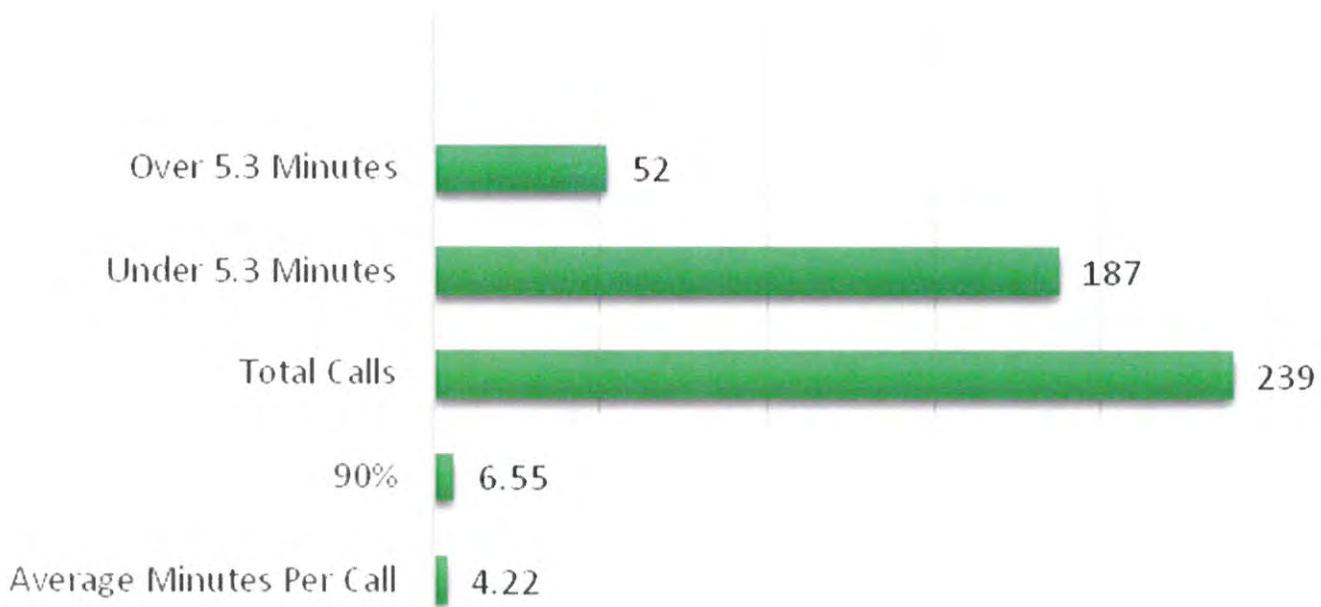
90% of calls per District- Travel Times



Dispatch to Arrival Analysis
All Calls (No Mutual Aid)
July 2019

<u><i>Dispatch to Arrival Analysis-(No Mutual Aid)</i></u>				Total Calls
76%	On Scene in	5.3	minutes or less	187
85%	On Scene in	6.0	minutes or less	216
92%	On Scene in	7.0	minutes or less	221
98%	On Scene in	8.0	minutes or less	234
99%	On Scene in	9.0	minutes or less	238
100%	On Scene in	13.0	minutes or less	239
	Total Calls			239

Dispatch to Arrival Analysis All Calls (No Mutual Aid)





City of Rockwall
One Year. A Lifetime.

Total Dollar Losses

July 2019

Print Date/Time: 08/12/2019 16:03
Login ID: rcklsdean
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

Rockwall Fire Department

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	\$10,500.00	\$0.00	\$21,878.00	\$136,215.00	\$426,372.00
Total Content Loss:	\$5,500.00	\$0.00	\$10,439.00	\$50,500.00	\$156,935.40
Total Property Pre-Incident Value:	\$450,450.00	\$0.00	\$323,020.00	\$5,164,756.92	\$1,041,300.00
Total Contents Pre-Incident Value	\$108,660.00	\$0.00	\$1,000.00	\$636,576.35	\$439,568.00
Total Losses:	\$16,000.00	\$0.00	\$32,317.00	\$186,715.00	\$16,000.00
Total Value:	\$559,110.00	\$0.00	\$324,020.00	\$5,801,333.27	\$1,480,868.00



Fire Marshal Division

Monthly Report - July 2019

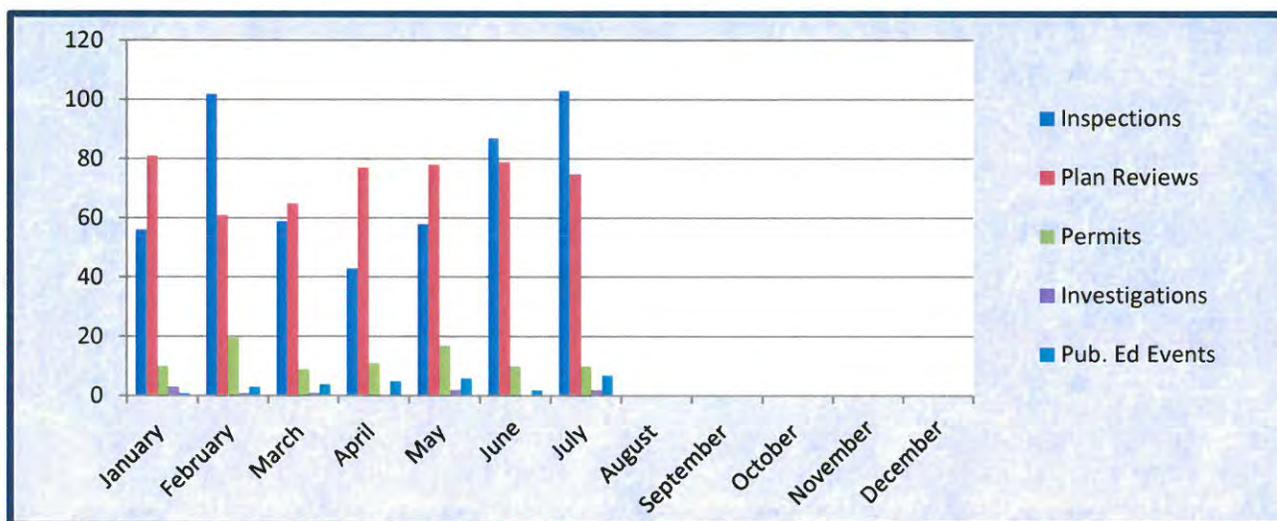
Inspection Status Report	
Total for the Month	103

Public Education Events	
Total for the Month	7

Fire Permit Report	
CO2 System	1
Doors - Access Control	2
Fire Alarm	2
Fire Sprinkler	1
Fireworks	2
Temp Aboveground Tank	1
Underground Sprinkler	1
Total for the Month	10

Fire Investigations Status Report	
Active Investigations	0
Closed Investigations	2
Total for the Month	2

Plan Review Report	
CO	6
COMM	48
Engineering	4
Plat	3
Signage	4
Site Plan	4
Single Family	1
Special Event	1
Zoning	4
Total for the Month	75



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August 6, 2019

To: City of Rockwall

From: Ashley Berryhill, Grant Director

Re: July 2019 Demand and Response Ridership Report

TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
JULY	22	1,537

Non-Service Days: July 4th

NO. OF TRIPS	PURPOSE
783	Contract Service
2	Education
3	Government
12	Medicaid
290	Medical
15	Nutrition (Senior Center)
169	Other (adult-day care, beauty salon, friend's homes, etc.)
151	Shopping
112	Work

JULY UNDUPLICATED PASSENGERS
79
YEAR TO DATE UNDUPLICATED PASSENGERS
260

Adjusted Trip Total	742
----------------------------	-----

*Trip Totals without Contracts or Medicaid

> = 60	482
DIS >60	91
	573
% E & D Trip Total	77%

FY 2019 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: 17,148

(FY 2019-SEPTEMBER 1, 2018 -AUGUST 31, 2019)

PRIOR YEAR: JULY 2018 TRIP TOTAL= 1,545 (52% DECREASE)



ROCKWALL CITY	1Q	2Q	3Q	4Q	PURPOSE TOTALS
CONTRACT	1,015	1,936	3,334	1,828	8,113
EDU	77	74	83	2	236
GOV	5	8	2	6	21
MDE	219	245	115	61	640
MED	632	605	695	575	2,507
NUT	34	43	60	35	172
OTH	544	594	696	339	2,173
SHP	533	380	437	275	1,625
WORK	464	479	503	215	1,661
	3,523	4,364	5,925	3,336	17,148

ROCKWALL CITY	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
(UPT) Unlinked Passenger Trips	1,413	1,225	885	743	1,206	2,415	2,333	1,686	1,906	1,799	1,537		17,148	1,559
	704	919	885	743	871	814	888	819	884	754	754	0	9,035	753
CONTRACT	709	306	0	0	335	1,601	1,445	867	1,022	1,045	783		8,113	738
EDU	0	41	36	12	17	45	29	45	9	0	2		236	21
GOV	1	2	2	4	2	2	0	2	0	3	3		21	2
MDE	62	69	88	90	90	65	42	36	37	49	12		640	58
MED	171	235	226	200	203	202	228	217	250	285	290		2,507	228
NUT	10	11	13	17	12	14	22	16	22	20	15		172	16
OTH	130	247	167	161	209	224	264	212	220	170	169		2,173	198
SHP	171	139	223	135	148	97	172	79	186	124	151		1,625	148
WORK	159	175	130	124	190	165	131	212	160	103	112		1,661	151
TOTAL DR TRIPS	1,413	1,225	885	743	1,206	2,415	2,333	1,686	1,906	1,799	1,537	0	17,148	1,429

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
Medicaid	62	69	88	90	90	65	42	36	37	49	12	0	640	53
Lakepointe Church Contract	709	306	0	0	335	1,601	1,445	867	1,022	1,045	783		8,113	738
Nursing Home Contracts	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Charters	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	771	375	88	90	425	1,666	1,487	903	1,059	1,094	795	0	8,753	729

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
Adjusted Trip Total	642	850	797	653	781	749	846	783	847	705	742	0	8,395	43,511
*Trip Totals without Contracts or Medicaid														

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
> = 60	345	477	393	375	424	447	470	464	479	498	482		4,854	441
DIS <60	142	167	137	108	156	115	161	125	118	117	91		1,437	131
	487	644	530	483	580	562	631	589	597	615	573	0	6,291	524
% of Adjusted Trip Total	76%	76%	66%	74%	74%	75%	75%	75%	70%	87%	77%	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS	Avg
GENERAL PUBLIC	155	206	267	170	201	187	215	194	250	90	169	0	2,104	175
% of Adjusted Total	24%	24%	34%	26%	26%	25%	25%	25%	30%	13%	23%	#DIV/0!		

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
DOS	19	23	20	19	21	19	21	21	22	20	22	22	249

NoShow/Cancel	527	474	476	370	456	369	483	489	368	401	93		4,506
DENIALS	192	147	96	91	79	41	67	75	41	59	23		911
UNDUPLICATED M2M	82	88	94	80	91	78	89	74	73	76	79		904
UNDUPLICATED YTD		114	144	161	187	202	213	222	230	249	260		1,982

	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	TOTALS
Subscription Trips	323	440	360	319	437	388	438	439	434	358	296		4,232
Percent Subs of Total Trips	23%	36%	41%	43%	36%	16%	19%	26%	23%	20%	19%	#DIV/0!	
SUBS Can/NoShow	119	136	210	211	261	201	235	234	206	203	177		2,193

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