



CITY OF ROCKWALL

HISTORIC PRESERVATION ADVISORY BOARD MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Historic Preservation Advisory Board

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: November 18, 2021

SUBJECT: Appointment with Carol Crow to Discuss the Requirements for the Bed and Breakfast Land Use

On October 20, 2021, Carol Crow -- a resident of the Old Town Rockwall (OTR) Historic District (i.e. 504 Williams Street) -- requested an appointment with the Historic Preservation Advisory Board (HPAB) to discuss the *Conditional Land Use Standards* for the *Bed and Breakfast* land use. These requirements are as follows:

Article 04, *Permissible Uses*, of the Unified Development Code (UDC)
Subsection 02.03, *Conditional Land Use Standards*

(B) Residential and Lodging Land Uses

(2) *Bed and Breakfast*

- (a) The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by-right.
- (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.
- (d) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a nonresidential zoning district or as permitted by a Specific Use Permit (SUP).
- (e) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
- (f) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
- (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 shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.

Ms. Crow is particularly concerned with this land use being allowed *by-right* in the Old Town Rockwall (OTR) Historic District. She is requesting the appointment to discuss the possibility of changing this section of the zoning code. Staff can approach Ms. Crow's request in one (1) of two (2) ways: [1] remove land use condition (a) above, which would allow the land use through a Specific Use Permit (SUP), or [2] change the *Permissible Land Use Charts* to specifically not allow the land use in the Single Family 7 (SF-7) District. The first solution would only have impacts within the Old Town Rockwall (OTR) Historic District, but would continue to allow the land use through a discretionary zoning process. The second solution would have implications for all property in the City zoned Single-Family 7 (SF-7) District. In order to accommodate Ms. Crow's request, the Historic Preservation Advisory Board (HPAB) would need to forward a recommendation to the City Council as part of an appointment item; however, staff should note that any changes to the zoning code would be at the discretion of the City Council. If directed to move forward, the appointment with the City Council would be at the December 6, 2021 City Council meeting.

Ms. Crow has also requested staff review the zoning in the Old Town Rockwall (OTR) Historic District to ensure that there are no additional carve outs or exceptions for land uses within the district. Currently, the majority of property within the Old Town Rockwall (OTR) Historic District is zoned Single-Family 7 (SF-7) District; however, there are also parcels of land zoned Downtown (DT) District (i.e. nine [9] parcels of land that include one [1] vacant parcel of land, five [5] single-family homes, a restaurant -- the Roundabout -- and a house of worship/church), Multi-Family 14 (MF-14) District (i.e. two [2] parcels of land

*with single-family homes situated on them), Two Family (2F) District (i.e. one [1] parcel of land with a single-family home situated on it) and General Retail (GR) District (i.e. one [1] parcel of land -- the Bin 303 restaurant). Staff has included a map and *Permissible Land Use Charts* for these districts for the Historic Preservation Advisory Board's (HPAB's) reference. Based on staff's review of the Unified Development Code (UDC), there does not appear to be any additional allowances or exceptions for the Old Town Rockwall (OTR) Historic District. In addition, the majority of the uses that would be deemed undesirable in the district require a Specific Use Permit (SUP). As a reminder a Specific Use Permit (SUP) is a process that "...allow(s) 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." Specific Use Permits (SUPs) proposed in the Old Town Rockwall (OTR) Historic District require a recommendation from the Historic Preservation Advisory Board (HPAB) when dealing solely with land use. In other circumstances (i.e. *circumstances that deal with the construction of a new single-family home or an accessory building that does not meet the standards of the Unified Development Code [UDC]*), a Certificate of Appropriateness (COA) is required before a Specific Use Permit (SUP) application can be submitted.*

Should the Historic Preservation Advisory Board (HPAB) have any questions concerning Ms. Crow's appointment item, staff will be available at the November 18, 2021 Historic Preservation Advisory Board (HPAB) meeting to discuss.

Miller, Ryan

From: Carol Crow <carolcrow646@gmail.com>
Sent: Wednesday, October 20, 2021 9:22 AM
To: Miller, Ryan
Subject: Historic Advisory Board

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ryan,

I am requesting an appointment to speak to the Historic Advisory Board at their November meeting regarding city approved uses for our historic homes in Old Town, and particularly Bed and Breakfast commercial establishments.

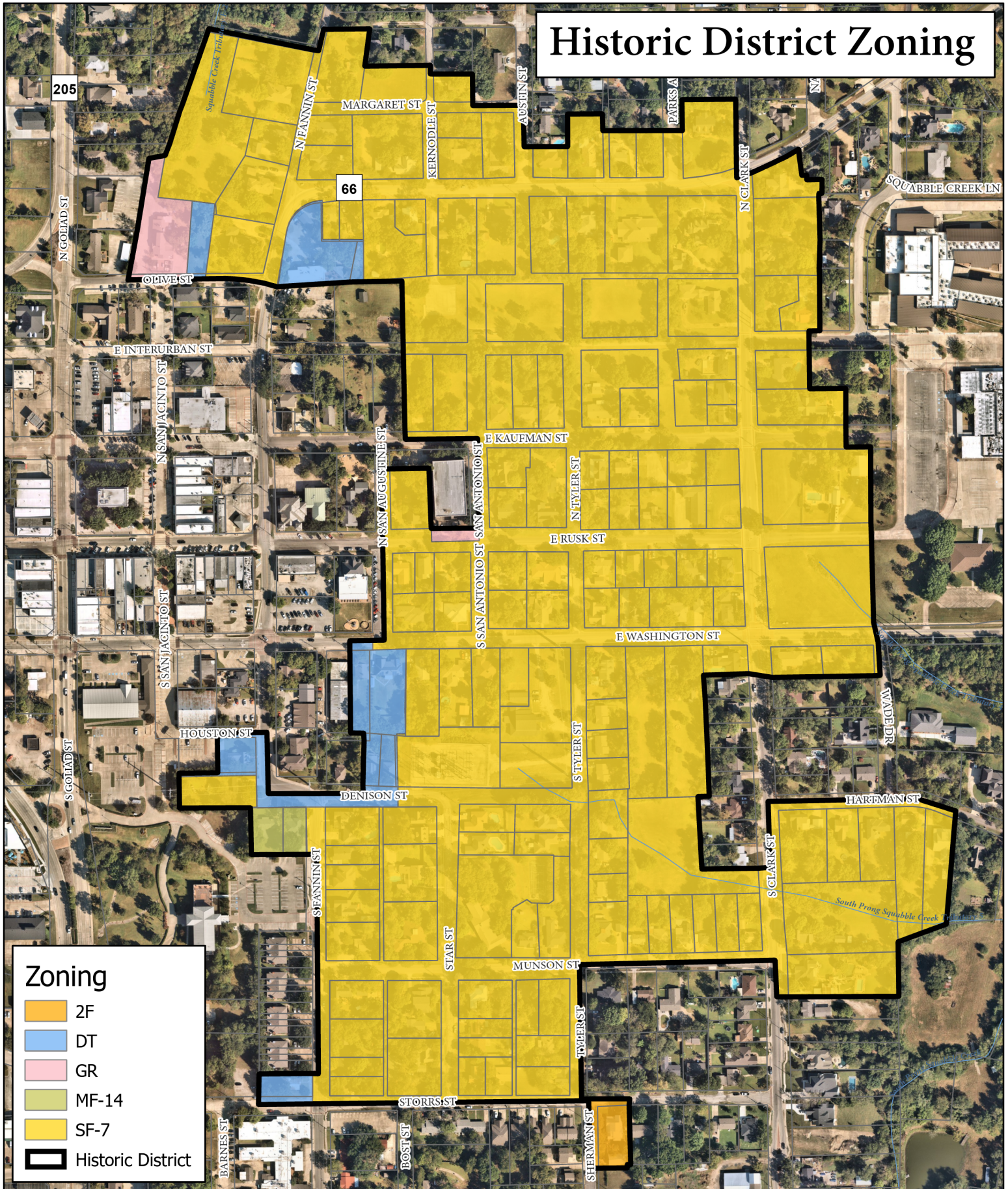
Thank you so much,

Carol Crow
504 Williams Street
Rockwall, Tx. 75087

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Historic District Zoning



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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Date Saved: 11/11/2021



LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN SINGLE FAMILY 7 (SF-7) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	SINGLE FAMILY 7 (SF-7) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	(1)	(1)	P
Bed and Breakfast	(2)	(2)	S
Residential Garage	(7)	(4) & (5)	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	S
Home Occupation	(9)	(7)	P
Portable Building	(15)	(10)	P
Residential Infill in an Established Subdivision	(16)	(11)	S
Single-Family Detached Structure	(18)	(13)	P
Private Swimming Pool	(20)		A
Private Tennis Court	(21)		S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Church/House of Worship	(4)	(2)	S
Daycare with Seven (7) or More Children	(9)	(4)	S
Group or Community Home	(11)	(5)	P
Public or Private Primary School	(21)	(7)	S
Public or Private Secondary School	(22)	(8)	S
Temporary Education Building for a Public or Private School	(23)	(9)	S
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	(4)		S
Private Country Club	(5)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	(25)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	(18)	(6)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna; as an Accessory	(2)	(1)	S
Antenna; for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A

<u>LEGEND:</u> <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN SINGLE FAMILY 7 (SF-7) DISTRICT</h1>		
LAND USE SCHEDULE		LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	SINGLE FAMILY 7 (SF-7) DISTRICT
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment		(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses		(11)		P
Private Streets		(12)		S
Railroad Yard or Shop		(14)		S
Satellite Dish		(16)		A
Solar Energy Collector Panels and Systems		(17)	(7)	A
Utilities Holding a Franchise from the City of Rockwall		(21)		S
Utility Installation Other than Listed		(22)		S
Utility/Transmission Lines		(23)		S
Wireless Communication Tower		(24)		S

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LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	DOWNTOWN (DT) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	(1)	(1)	P
Bed and Breakfast	(2)	(2)	S
Caretakers Quarters/Domestic or Security Unit	(3)		P
Commercial Parking Garage	(6)		A
Residential Garage	(7)	(4) & (5)	A
Home Occupation	(9)	(7)	P
Limited-Service Hotel	(10)		S
Full-Service Hotel	(11)	(8)	S
Residence Hotel	(12)		S
Motel	(13)		S
Residential Infill in an Established Subdivision	(16)	(11)	S
Private Swimming Pool	(20)		A
Townhouse	(22)	(15)	P
Urban Residential	(23)	(16)	P
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Assisted Living Facility	(1)	(1)	S
Church/House of Worship	(4)	(2)	S
College, University, or Seminary	(5)		P
Convalescent Care Facility/Nursing Home	(6)		S
Congregate Care Facility/Elderly Housing	(7)	(3)	S
Daycare with Seven (7) or More Children	(9)	(4)	S
Government Facility	(12)		S
Public Library, Art Gallery or Museum	(16)		P
Local Post Office	(18)		P
Public or Private Primary School	(21)	(7)	S
Public or Private Secondary School	(22)	(8)	S
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)	
Financial Institution without Drive-Through	(1)		P
Office Building less than 5,000 SF	(2)		P
Office Building 5,000 SF or Greater	(2)		P
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Temporary Carnival, Circus, or Amusement Ride	(1)	(1)	S
Indoor Commercial Amusement/Recreation	(2)	(2)	S
Public or Private Community or Recreation Club as an Accessory Use	(4)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Health Club or Gym	(9)		P

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LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	DOWNTOWN (DT) DISTRICT
Private Club, Lodge or Fraternal Organization	(10)	(6)	S
Public Park or Playground	(12)		P
Theater	(15)		P
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Antique/Collectible Store	(1)		S
Astrologer, Hypnotist, or Psychic	(2)		S
Banquet Facility/Event Hall	(3)		S
Portable Beverage Service Facility	(4)	(1)	S
Brew Pub	(5)		P
Business School	(6)		P
Catering Service	(7)		A
Temporary Christmas Tree Sales Lot and/or Similar Uses	(8)	(2)	S
Copy Center	(9)		P
Craft/Micro Brewery, Distillery and/or Winery	(10)	(3)	S
Incidental Display	(11)	(4)	P
Food Trucks/Trailers	(12)	(5)	P
General Personal Service	(14)	(6)	P
General Retail Store	(15)		P
Hair Salon and/or Manicurist	(16)		P
Laundromat with Dropoff/Pickup Services	(17)		P
Self Service Laundromat	(18)		P
Massage Therapist	(19)		P
Private Museum or Art Gallery	(20)		P
Night Club, Discotheque, or Dance Hall	(21)		S
Permanent Cosmetics	(23)	(7)	A
Temporary Real Estate Sales Office	(25)		P
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	(28)		P
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	(28)		P
Secondhand Dealer	(30)		S
Art, Photography, or Music Studio	(31)		P
Tailor, Clothing, and/or Apparel Shop	(32)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Electrical, Watch, Clock, Jewelry and/or Similar Repair	(6)		P
Locksmith	(11)		P
Shoe and Boot Repair and Sales	(16)		P
Trade School	(17)		S
Temporary On-Site Construction Office	(18)	(6)	P
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)	
Minor Auto repair garage	(2)	(2)	S
Commercial Parking	(8)		S

LEGEND:		PERMITTED LAND USES IN AN DOWNTOWN (DT) DISTRICT		
	Land Use <u>NOT</u> 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 USE SCHEDULE		LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	DOWNTOWN (DT) DISTRICT
Non-Commercial Parking Lot		(9)		A
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES		2.02(K)	2.03(K)	
Commercial Antenna		(3)	(2)	S
Antenna, for an Amateur Radio		(4)	(3)	A
Antenna Dish		(5)	(4)	A
Mounted Commercial Antenna		(7)	(6)	S
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment		(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses		(11)		P
Radio Broadcasting		(13)		S
Recording Studio		(15)		S
Satellite Dish		(16)		A
Solar Energy Collector Panels and Systems		(17)	(7)	A
Transit Passenger Facility		(18)		S
TV Broadcasting and Other Communication Service		(20)		S
Utilities Holding a Franchise from the City of Rockwall		(21)		S
Utility Installation Other than Listed		(22)		S
Utility/Transmission Lines		(23)		S
Wireless Communication Tower		(24)		S

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LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	MULTI FAMILY 14 (MF-14) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	(1)	(1)	P
Convent, Monastery, or Temple	(4)		P
Duplex	(5)	(3)	P
Residential Garage	(7)	(4) & (5)	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	P
Home Occupation	(9)	(7)	P
Multi-Family Development or Structure	(14)	(9)	P
Residential Infill in an Established Subdivision	(16)	(11)	S
Single-Family Attached Structure	(17)	(12)	P
Single-Family Detached Structure	(18)	(13)	P
Single-Family Zero Lot Line Structure	(19)	(14)	P
Private Swimming Pool	(20)		A
Private Tennis Court	(21)		S
Townhouse	(22)	(15)	P
Urban Residential	(23)	(16)	S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Assisted Living Facility	(1)	(1)	P
Church/House of Worship	(4)	(2)	P
Convalescent Care Facility/Nursing Home	(6)		S
Congregate Care Facility/Elderly Housing	(7)	(3)	P
Daycare with Seven (7) or More Children	(9)	(4)	S
Group or Community Home	(11)	(5)	P
Hospice	(14)		S
Public or Private Primary School	(21)	(7)	S
Public or Private Secondary School	(22)	(8)	S
Temporary Education Building for a Public or Private School	(23)	(9)	S
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	(4)		S
Private Country Club	(5)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Health Club or Gym	(9)		A
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	(25)		P

LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN MULTI FAMILY 14 (MF-14) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	MULTI FAMILY 14 (MF-14) DISTRICT
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	(18)	(6)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of {Sand, Gravel, Oil and/or Other Materials}	(12)	(5)	S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna, as an Accessory	(2)	(1)	P
Antenna, for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Railroad Yard or Shop	(14)		S
Satellite Dish	(16)		A
Solar Energy Collector Panels and Systems	(17)	(7)	A
Utilities Holding a Franchise from the City of Rockwall	(21)		S
Utility Installation Other than Listed	(22)		S
Utility/Transmission Lines	(23)		S
Wireless Communication Tower	(24)		S

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LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	TWO FAMILY (2F) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	(1)	(1)	P
Duplex	(5)	(3)	P
Residential Garage	(7)	(4) & (5)	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	S
Home Occupation	(9)	(7)	P
Portable Building	(15)	(10)	P
Residential Infill in an Established Subdivision	(16)	(11)	S
Single-Family Attached Structure	(17)	(12)	P
Single-Family Detached Structure	(18)	(13)	P
Single-Family Zero Lot Line Structure	(19)	(14)	P
Private Swimming Pool	(20)		A
Private Tennis Court	(21)		S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Church/House of Worship	(4)	(2)	S
Daycare with Seven (7) or More Children	(9)	(4)	S
Group or Community Home	(11)	(5)	P
Public or Private Primary School	(21)	(7)	S
Public or Private Secondary School	(22)	(8)	S
Temporary Education Building for a Public or Private School	(23)	(9)	S
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	(4)		S
Private Country Club	(5)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	(25)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	(18)	(6)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna; as an Accessory	(2)	(1)	S
Antenna; for an Amateur Radio	(4)	(3)	A

LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN TWO FAMILY (2F) DISTRICT</h1>		
LAND USE SCHEDULE		LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	TWO FAMILY (2F) DISTRICT
Antenna Dish		(5)	(4)	A
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment		(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses		(11)		P
Private Streets		(12)		S
Railroad Yard or Shop		(14)		S
Satellite Dish		(16)		A
Solar Energy Collector Panels and Systems		(17)	(7)	A
Utilities Holding a Franchise from the City of Rockwall		(21)		S
Utility Installation Other than Listed		(22)		S
Utility/Transmission Lines		(23)		S
Wireless Communication Tower		(24)		S

LEGEND: <div> <div>Land Use <i>NOT</i> Permitted</div> <div>P Land Use Permitted <i>By-Right</i></div> <div>P Land Use Permitted with Conditions</div> <div>S Land Use Permitted Specific Use Permit (SUP)</div> <div>X Land Use Prohibited by Overlay District</div> <div>A Land Use Permitted as an Accessory Use</div> </div>		<h1>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	GENERAL RETAIL (GR) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Animal Boarding/Kennel without Outside Pens	(2)	(2)	S
Animal Clinic for Small Animals without Outdoor Pens	(3)	(3)	P
Animal Hospital or Clinic	(4)		S
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Caretakers Quarters/Domestic or Security Unit	(3)		P
Convent, Monastery, or Temple	(4)		P
Commercial Parking Garage	(6)		A
Limited-Service Hotel	(10)		S
Full-Service Hotel	(11)	(8)	S
Residence Hotel	(12)		S
Motel	(13)		S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Assisted Living Facility	(1)	(1)	S
Blood Plasma Donor Center	(2)		P
Cemetery/Mausoleum	(3)		P
Church/House of Worship	(4)	(2)	S
Convalescent Care Facility/Nursing Home	(6)		P
Congregate Care Facility/Elderly Housing	(7)	(3)	S
Daycare with Seven (7) or More Children	(9)	(4)	P
Emergency Ground Ambulance Services	(10)		P
Group or Community Home	(11)	(5)	P
Government Facility	(12)		P
Hospice	(14)		P
Hospital	(15)		P
Public Library, Art Gallery or Museum	(16)		P
Mortuary or Funeral Chapel	(17)		P
Local Post Office	(18)		P
Public or Private Primary School	(21)	(7)	P
Public or Private Secondary School	(22)	(8)	P
Temporary Education Building for a Public or Private School	(23)	(9)	S
Social Service Provider (Except Rescue Mission or Homeless Shelter)	(25)		S
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)	
Financial Institution with Drive-Through	(1)	(1)	P
Financial Institution without Drive-Through	(1)		P
Office Building less than 5,000 SF	(2)		P
Office Building 5,000 SF or Greater	(2)		P

LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	GENERAL RETAIL (GR) DISTRICT
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Temporary Carnival, Circus, or Amusement Ride	(1)	(1)	P
Indoor Commercial Amusement/Recreation	(2)	(2)	S
Outdoor Commercial Amusement/Recreation	(3)	(3)	S
Public or Private Community or Recreation Club as an Accessory Use	(4)		P
Private Country Club	(5)		S
Golf Driving Range	(6)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Indoor Gun Club with Skeet or Target Range	(8)	(5)	S
Health Club or Gym	(9)		P
Private Club, Lodge or Fraternal Organization	(10)	(6)	S
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
Theater	(15)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Antique/Collectible Store	(1)		P
Astrologer, Hypnotist, or Psychic	(2)		P
Banquet Facility/Event Hall	(3)		P
Portable Beverage Service Facility	(4)	(1)	S
Brew Pub	(5)		P
Business School	(6)		P
Catering Service	(7)		P
Temporary Christmas Tree Sales Lot and/or Similar Uses	(8)	(2)	P
Copy Center	(9)		P
Craft/Micro Brewery, Distillery and/or Winery	(10)	(3)	S
Incidental Display	(11)	(4)	P
Food Trucks/Trailers	(12)	(5)	P
Garden Supply/Plant Nursery	(13)		P
General Personal Service	(14)	(6)	P
General Retail Store	(15)		P
Hair Salon and/or Manicurist	(16)		P
Laundromat with Dropoff/Pickup Services	(17)		P
Self Service Laundromat	(18)		P
Massage Therapist	(19)		P
Private Museum or Art Gallery	(20)		P
Night Club, Discotheque, or Dance Hall	(21)		S
Permanent Cosmetics	(23)	(7)	A
Pet Shop	(24)		P
Temporary Real Estate Sales Office	(25)		P
Rental Store without Outside Storage and/or Display	(26)	(8)	S

LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	GENERAL RETAIL (GR) DISTRICT
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	(27)	(9)	S
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	(28)		P
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	(27)	(10)	S
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	(28)		P
Retail Store with Gasoline Sales that has Two (2) or less Dispensers (<i>i.e. a Maximum of Four [4] Vehicles</i>)	(29)		P
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	(29)		S
Secondhand Dealer	(30)		P
Art, Photography, or Music Studio	(31)		P
Tailor, Clothing, and/or Apparel Shop	(32)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Electrical, Watch, Clock, Jewelry and/or Similar Repair	(6)		P
Locksmith	(11)		P
Shoe and Boot Repair and Sales	(16)		P
Trade School	(17)		S
Temporary On-Site Construction Office	(18)	(6)	P
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)	
Minor Auto repair garage	(2)	(2)	S
Full Service Car Wash and Auto Detail	(5)	(4)	S
Self Service Car Wash	(5)	(4)	S
Non-Commercial Parking Lot	(9)		P
Service Station	(11)	(8)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna; as an Accessory	(2)	(1)	P
Commercial Antenna	(3)	(2)	S
Antenna; for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A
Commercial Freestanding Antenna	(6)	(5)	S
Mounted Commercial Antenna	(7)	(6)	S
Helipad	(9)		S
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Radio Broadcasting	(13)		P
Railroad Yard or Shop	(14)		S
Recording Studio	(15)		S
Satellite Dish	(16)		A

LEGEND:		<div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> </div> <div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> </div>		
	Land Use <i>NOT</i> 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 USE SCHEDULE		LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	GENERAL RETAIL (GR) DISTRICT
Solar Energy Collector Panels and Systems		(17)	(7)	A
Transit Passenger Facility		(18)		S
TV Broadcasting and Other Communication Service		(20)		S
Utilities Holding a Franchise from the City of Rockwall		(21)		S
Utility Installation Other than Listed		(22)		S
Utility/Transmission Lines		(23)		S
Wireless Communication Tower		(24)		S



CITY OF ROCKWALL

HISTORIC PRESERVATION ADVISORY BOARD MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Historic Preservation Advisory Board

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: November 18, 2021

SUBJECT: Appointment with Carol Crow to Discuss the Requirements for the Bed and Breakfast Land Use

On October 20, 2021, Carol Crow -- a resident of the Old Town Rockwall (OTR) Historic District (i.e. 504 Williams Street) -- requested an appointment with the Historic Preservation Advisory Board (HPAB) to discuss the *Conditional Land Use Standards* for the *Bed and Breakfast* land use. These requirements are as follows:

Article 04, *Permissible Uses*, of the Unified Development Code (UDC)
Subsection 02.03, *Conditional Land Use Standards*

(B) Residential and Lodging Land Uses

(2) *Bed and Breakfast*

- (a) The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by-right.
- (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.
- (d) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a nonresidential zoning district or as permitted by a Specific Use Permit (SUP).
- (e) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
- (f) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
- (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 shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.

Ms. Crow is particularly concerned with this land use being allowed *by-right* in the Old Town Rockwall (OTR) Historic District. She is requesting the appointment to discuss the possibility of changing this section of the zoning code. Staff can approach Ms. Crow's request in one (1) of two (2) ways: [1] remove land use condition (a) above, which would allow the land use through a Specific Use Permit (SUP), or [2] change the *Permissible Land Use Charts* to specifically not allow the land use in the Single Family 7 (SF-7) District. The first solution would only have impacts within the Old Town Rockwall (OTR) Historic District, but would continue to allow the land use through a discretionary zoning process. The second solution would have implications for all property in the City zoned Single-Family 7 (SF-7) District. In order to accommodate Ms. Crow's request, the Historic Preservation Advisory Board (HPAB) would need to forward a recommendation to the City Council as part of an appointment item; however, staff should note that any changes to the zoning code would be at the discretion of the City Council. If directed to move forward, the appointment with the City Council would be at the December 6, 2021 City Council meeting.

Ms. Crow has also requested staff review the zoning in the Old Town Rockwall (OTR) Historic District to ensure that there are no additional carve outs or exceptions for land uses within the district. Currently, the majority of property within the Old Town Rockwall (OTR) Historic District is zoned Single-Family 7 (SF-7) District; however, there are also parcels of land zoned Downtown (DT) District (i.e. nine [9] parcels of land that include one [1] vacant parcel of land, five [5] single-family homes, a restaurant -- the Roundabout -- and a house of worship/church), Multi-Family 14 (MF-14) District (i.e. two [2] parcels of land

*with single-family homes situated on them), Two Family (2F) District (i.e. one [1] parcel of land with a single-family home situated on it) and General Retail (GR) District (i.e. one [1] parcel of land -- the Bin 303 restaurant). Staff has included a map and *Permissible Land Use Charts* for these districts for the Historic Preservation Advisory Board's (HPAB's) reference. Based on staff's review of the Unified Development Code (UDC), there does not appear to be any additional allowances or exceptions for the Old Town Rockwall (OTR) Historic District. In addition, the majority of the uses that would be deemed undesirable in the district require a Specific Use Permit (SUP). As a reminder a Specific Use Permit (SUP) is a process that "...allow(s) 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." Specific Use Permits (SUPs) proposed in the Old Town Rockwall (OTR) Historic District require a recommendation from the Historic Preservation Advisory Board (HPAB) when dealing solely with land use. In other circumstances (i.e. *circumstances that deal with the construction of a new single-family home or an accessory building that does not meet the standards of the Unified Development Code [UDC]*), a Certificate of Appropriateness (COA) is required before a Specific Use Permit (SUP) application can be submitted.*

Should the Historic Preservation Advisory Board (HPAB) have any questions concerning Ms. Crow's appointment item, staff will be available at the November 18, 2021 Historic Preservation Advisory Board (HPAB) meeting to discuss.

Miller, Ryan

From: Carol Crow <carolcrow646@gmail.com>
Sent: Wednesday, October 20, 2021 9:22 AM
To: Miller, Ryan
Subject: Historic Advisory Board

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ryan,

I am requesting an appointment to speak to the Historic Advisory Board at their November meeting regarding city approved uses for our historic homes in Old Town, and particularly Bed and Breakfast commercial establishments.

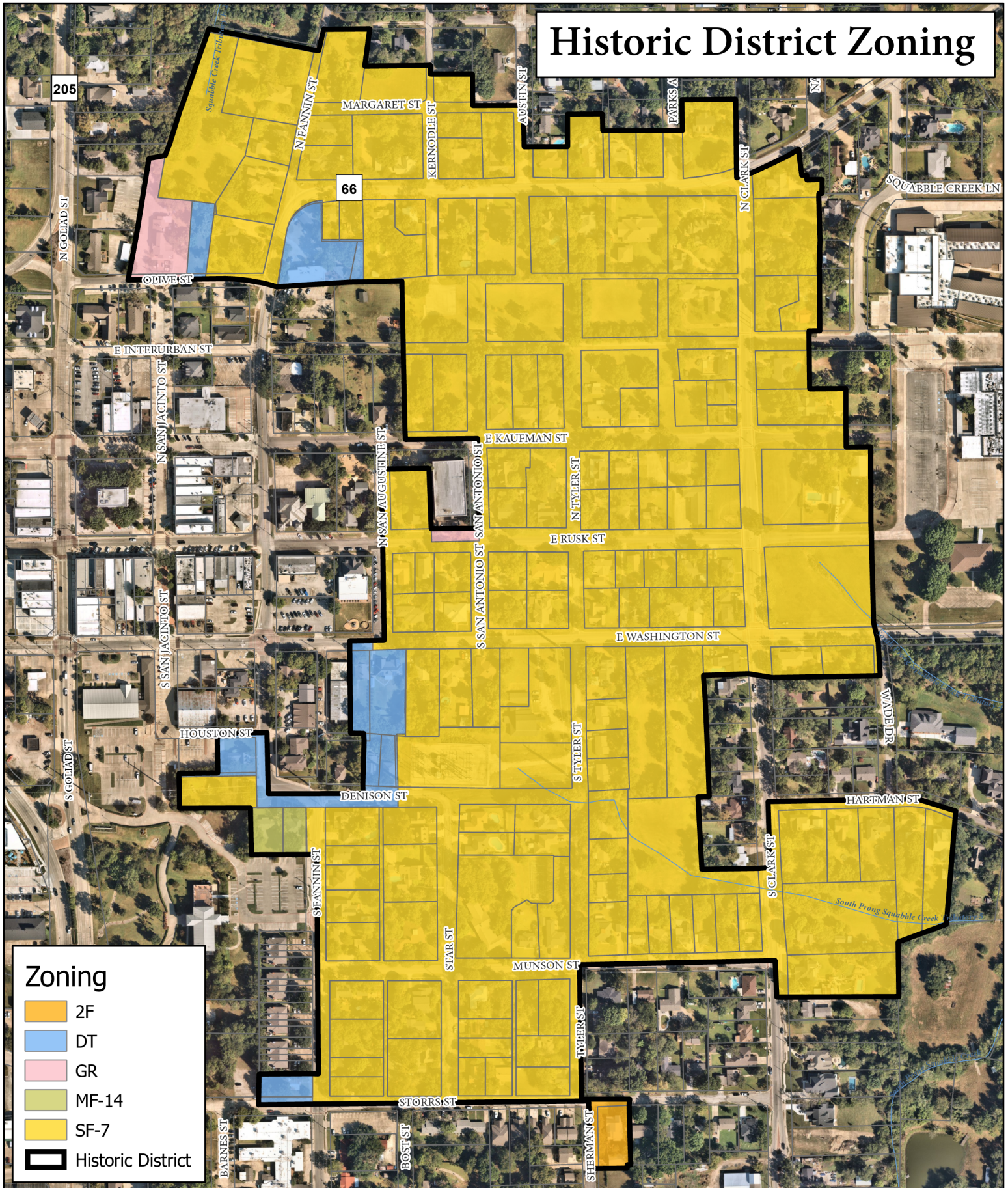
Thank you so much,

Carol Crow
504 Williams Street
Rockwall, Tx. 75087

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Historic District Zoning



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.

Date Saved: 11/11/2021



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LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	SINGLE FAMILY 7 (SF-7) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	(1)	(1)	P
Bed and Breakfast	(2)	(2)	S
Residential Garage	(7)	(4) & (5)	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	S
Home Occupation	(9)	(7)	P
Portable Building	(15)	(10)	P
Residential Infill in an Established Subdivision	(16)	(11)	S
Single-Family Detached Structure	(18)	(13)	P
Private Swimming Pool	(20)		A
Private Tennis Court	(21)		S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Church/House of Worship	(4)	(2)	S
Daycare with Seven (7) or More Children	(9)	(4)	S
Group or Community Home	(11)	(5)	P
Public or Private Primary School	(21)	(7)	S
Public or Private Secondary School	(22)	(8)	S
Temporary Education Building for a Public or Private School	(23)	(9)	S
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	(4)		S
Private Country Club	(5)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	(25)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	(18)	(6)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna; as an Accessory	(2)	(1)	S
Antenna; for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A

<u>LEGEND:</u> <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN SINGLE FAMILY 7 (SF-7) DISTRICT</h1>		
LAND USE SCHEDULE		LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	SINGLE FAMILY 7 (SF-7) DISTRICT
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment		(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses		(11)		P
Private Streets		(12)		S
Railroad Yard or Shop		(14)		S
Satellite Dish		(16)		A
Solar Energy Collector Panels and Systems		(17)	(7)	A
Utilities Holding a Franchise from the City of Rockwall		(21)		S
Utility Installation Other than Listed		(22)		S
Utility/Transmission Lines		(23)		S
Wireless Communication Tower		(24)		S

LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN DOWNTOWN (DT) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	DOWNTOWN (DT) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	(1)	(1)	P
Bed and Breakfast	(2)	(2)	S
Caretakers Quarters/Domestic or Security Unit	(3)		P
Commercial Parking Garage	(6)		A
Residential Garage	(7)	(4) & (5)	A
Home Occupation	(9)	(7)	P
Limited-Service Hotel	(10)		S
Full-Service Hotel	(11)	(8)	S
Residence Hotel	(12)		S
Motel	(13)		S
Residential Infill in an Established Subdivision	(16)	(11)	S
Private Swimming Pool	(20)		A
Townhouse	(22)	(15)	P
Urban Residential	(23)	(16)	P
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Assisted Living Facility	(1)	(1)	S
Church/House of Worship	(4)	(2)	S
College, University, or Seminary	(5)		P
Convalescent Care Facility/Nursing Home	(6)		S
Congregate Care Facility/Elderly Housing	(7)	(3)	S
Daycare with Seven (7) or More Children	(9)	(4)	S
Government Facility	(12)		S
Public Library, Art Gallery or Museum	(16)		P
Local Post Office	(18)		P
Public or Private Primary School	(21)	(7)	S
Public or Private Secondary School	(22)	(8)	S
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)	
Financial Institution without Drive-Through	(1)		P
Office Building less than 5,000 SF	(2)		P
Office Building 5,000 SF or Greater	(2)		P
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Temporary Carnival, Circus, or Amusement Ride	(1)	(1)	S
Indoor Commercial Amusement/Recreation	(2)	(2)	S
Public or Private Community or Recreation Club as an Accessory Use	(4)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Health Club or Gym	(9)		P

LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN DOWNTOWN (DT) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	DOWNTOWN (DT) DISTRICT
Private Club, Lodge or Fraternal Organization	(10)	(6)	S
Public Park or Playground	(12)		P
Theater	(15)		P
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Antique/Collectible Store	(1)		S
Astrologer, Hypnotist, or Psychic	(2)		S
Banquet Facility/Event Hall	(3)		S
Portable Beverage Service Facility	(4)	(1)	S
Brew Pub	(5)		P
Business School	(6)		P
Catering Service	(7)		A
Temporary Christmas Tree Sales Lot and/or Similar Uses	(8)	(2)	S
Copy Center	(9)		P
Craft/Micro Brewery, Distillery and/or Winery	(10)	(3)	S
Incidental Display	(11)	(4)	P
Food Trucks/Trailers	(12)	(5)	P
General Personal Service	(14)	(6)	P
General Retail Store	(15)		P
Hair Salon and/or Manicurist	(16)		P
Laundromat with Dropoff/Pickup Services	(17)		P
Self Service Laundromat	(18)		P
Massage Therapist	(19)		P
Private Museum or Art Gallery	(20)		P
Night Club, Discotheque, or Dance Hall	(21)		S
Permanent Cosmetics	(23)	(7)	A
Temporary Real Estate Sales Office	(25)		P
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	(28)		P
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	(28)		P
Secondhand Dealer	(30)		S
Art, Photography, or Music Studio	(31)		P
Tailor, Clothing, and/or Apparel Shop	(32)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Electrical, Watch, Clock, Jewelry and/or Similar Repair	(6)		P
Locksmith	(11)		P
Shoe and Boot Repair and Sales	(16)		P
Trade School	(17)		S
Temporary On-Site Construction Office	(18)	(6)	P
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)	
Minor Auto repair garage	(2)	(2)	S
Commercial Parking	(8)		S

LEGEND:		PERMITTED LAND USES IN AN DOWNTOWN (DT) DISTRICT		
	Land Use <u>NOT</u> 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 USE SCHEDULE		LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	DOWNTOWN (DT) DISTRICT
Non-Commercial Parking Lot		(9)		A
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES		2.02(K)	2.03(K)	
Commercial Antenna		(3)	(2)	S
Antenna, for an Amateur Radio		(4)	(3)	A
Antenna Dish		(5)	(4)	A
Mounted Commercial Antenna		(7)	(6)	S
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment		(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses		(11)		P
Radio Broadcasting		(13)		S
Recording Studio		(15)		S
Satellite Dish		(16)		A
Solar Energy Collector Panels and Systems		(17)	(7)	A
Transit Passenger Facility		(18)		S
TV Broadcasting and Other Communication Service		(20)		S
Utilities Holding a Franchise from the City of Rockwall		(21)		S
Utility Installation Other than Listed		(22)		S
Utility/Transmission Lines		(23)		S
Wireless Communication Tower		(24)		S

LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN MULTI FAMILY 14 (MF-14) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	MULTI FAMILY 14 (MF-14) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	(1)	(1)	P
Convent, Monastery, or Temple	(4)		P
Duplex	(5)	(3)	P
Residential Garage	(7)	(4) & (5)	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	P
Home Occupation	(9)	(7)	P
Multi-Family Development or Structure	(14)	(9)	P
Residential Infill in an Established Subdivision	(16)	(11)	S
Single-Family Attached Structure	(17)	(12)	P
Single-Family Detached Structure	(18)	(13)	P
Single-Family Zero Lot Line Structure	(19)	(14)	P
Private Swimming Pool	(20)		A
Private Tennis Court	(21)		S
Townhouse	(22)	(15)	P
Urban Residential	(23)	(16)	S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Assisted Living Facility	(1)	(1)	P
Church/House of Worship	(4)	(2)	P
Convalescent Care Facility/Nursing Home	(6)		S
Congregate Care Facility/Elderly Housing	(7)	(3)	P
Daycare with Seven (7) or More Children	(9)	(4)	S
Group or Community Home	(11)	(5)	P
Hospice	(14)		S
Public or Private Primary School	(21)	(7)	S
Public or Private Secondary School	(22)	(8)	S
Temporary Education Building for a Public or Private School	(23)	(9)	S
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	(4)		S
Private Country Club	(5)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Health Club or Gym	(9)		A
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	(25)		P

LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN MULTI FAMILY 14 (MF-14) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	MULTI FAMILY 14 (MF-14) DISTRICT
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	(18)	(6)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of {Sand, Gravel, Oil and/or Other Materials}	(12)	(5)	S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna, as an Accessory	(2)	(1)	P
Antenna; for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Railroad Yard or Shop	(14)		S
Satellite Dish	(16)		A
Solar Energy Collector Panels and Systems	(17)	(7)	A
Utilities Holding a Franchise from the City of Rockwall	(21)		S
Utility Installation Other than Listed	(22)		S
Utility/Transmission Lines	(23)		S
Wireless Communication Tower	(24)		S

LEGEND: <div> <div>Land Use <i>NOT</i> Permitted</div> <div>P Land Use Permitted <i>By-Right</i></div> <div>P Land Use Permitted with Conditions</div> <div>S Land Use Permitted Specific Use Permit (SUP)</div> <div>X Land Use Prohibited by Overlay District</div> <div>A Land Use Permitted as an Accessory Use</div> </div>		<h1>PERMITTED LAND USES IN AN TWO FAMILY (2F) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	TWO FAMILY (2F) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	(1)	(1)	P
Duplex	(5)	(3)	P
Residential Garage	(7)	(4) & (5)	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	S
Home Occupation	(9)	(7)	P
Portable Building	(15)	(10)	P
Residential Infill in an Established Subdivision	(16)	(11)	S
Single-Family Attached Structure	(17)	(12)	P
Single-Family Detached Structure	(18)	(13)	P
Single-Family Zero Lot Line Structure	(19)	(14)	P
Private Swimming Pool	(20)		A
Private Tennis Court	(21)		S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Church/House of Worship	(4)	(2)	S
Daycare with Seven (7) or More Children	(9)	(4)	S
Group or Community Home	(11)	(5)	P
Public or Private Primary School	(21)	(7)	S
Public or Private Secondary School	(22)	(8)	S
Temporary Education Building for a Public or Private School	(23)	(9)	S
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	(4)		S
Private Country Club	(5)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	(25)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	(18)	(6)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna; as an Accessory	(2)	(1)	S
Antenna; for an Amateur Radio	(4)	(3)	A

LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN TWO FAMILY (2F) DISTRICT</h1>		
LAND USE SCHEDULE		LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	TWO FAMILY (2F) DISTRICT
Antenna Dish		(5)	(4)	A
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment		(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses		(11)		P
Private Streets		(12)		S
Railroad Yard or Shop		(14)		S
Satellite Dish		(16)		A
Solar Energy Collector Panels and Systems		(17)	(7)	A
Utilities Holding a Franchise from the City of Rockwall		(21)		S
Utility Installation Other than Listed		(22)		S
Utility/Transmission Lines		(23)		S
Wireless Communication Tower		(24)		S

LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	GENERAL RETAIL (GR) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Animal Boarding/Kennel without Outside Pens	(2)	(2)	S
Animal Clinic for Small Animals without Outdoor Pens	(3)	(3)	P
Animal Hospital or Clinic	(4)		S
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Caretakers Quarters/Domestic or Security Unit	(3)		P
Convent, Monastery, or Temple	(4)		P
Commercial Parking Garage	(6)		A
Limited-Service Hotel	(10)		S
Full-Service Hotel	(11)	(8)	S
Residence Hotel	(12)		S
Motel	(13)		S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Assisted Living Facility	(1)	(1)	S
Blood Plasma Donor Center	(2)		P
Cemetery/Mausoleum	(3)		P
Church/House of Worship	(4)	(2)	S
Convalescent Care Facility/Nursing Home	(6)		P
Congregate Care Facility/Elderly Housing	(7)	(3)	S
Daycare with Seven (7) or More Children	(9)	(4)	P
Emergency Ground Ambulance Services	(10)		P
Group or Community Home	(11)	(5)	P
Government Facility	(12)		P
Hospice	(14)		P
Hospital	(15)		P
Public Library, Art Gallery or Museum	(16)		P
Mortuary or Funeral Chapel	(17)		P
Local Post Office	(18)		P
Public or Private Primary School	(21)	(7)	P
Public or Private Secondary School	(22)	(8)	P
Temporary Education Building for a Public or Private School	(23)	(9)	S
Social Service Provider (Except Rescue Mission or Homeless Shelter)	(25)		S
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)	
Financial Institution with Drive-Through	(1)	(1)	P
Financial Institution without Drive-Through	(1)		P
Office Building less than 5,000 SF	(2)		P
Office Building 5,000 SF or Greater	(2)		P

LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	GENERAL RETAIL (GR) DISTRICT
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Temporary Carnival, Circus, or Amusement Ride	(1)	(1)	P
Indoor Commercial Amusement/Recreation	(2)	(2)	S
Outdoor Commercial Amusement/Recreation	(3)	(3)	S
Public or Private Community or Recreation Club as an Accessory Use	(4)		P
Private Country Club	(5)		S
Golf Driving Range	(6)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Indoor Gun Club with Skeet or Target Range	(8)	(5)	S
Health Club or Gym	(9)		P
Private Club, Lodge or Fraternal Organization	(10)	(6)	S
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
Theater	(15)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Antique/Collectible Store	(1)		P
Astrologer, Hypnotist, or Psychic	(2)		P
Banquet Facility/Event Hall	(3)		P
Portable Beverage Service Facility	(4)	(1)	S
Brew Pub	(5)		P
Business School	(6)		P
Catering Service	(7)		P
Temporary Christmas Tree Sales Lot and/or Similar Uses	(8)	(2)	P
Copy Center	(9)		P
Craft/Micro Brewery, Distillery and/or Winery	(10)	(3)	S
Incidental Display	(11)	(4)	P
Food Trucks/Trailers	(12)	(5)	P
Garden Supply/Plant Nursery	(13)		P
General Personal Service	(14)	(6)	P
General Retail Store	(15)		P
Hair Salon and/or Manicurist	(16)		P
Laundromat with Dropoff/Pickup Services	(17)		P
Self Service Laundromat	(18)		P
Massage Therapist	(19)		P
Private Museum or Art Gallery	(20)		P
Night Club, Discotheque, or Dance Hall	(21)		S
Permanent Cosmetics	(23)	(7)	A
Pet Shop	(24)		P
Temporary Real Estate Sales Office	(25)		P
Rental Store without Outside Storage and/or Display	(26)	(8)	S

LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	GENERAL RETAIL (GR) DISTRICT
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	(27)	(9)	S
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	(28)		P
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	(27)	(10)	S
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	(28)		P
Retail Store with Gasoline Sales that has Two (2) or less Dispensers (<i>i.e. a Maximum of Four [4] Vehicles</i>)	(29)		P
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	(29)		S
Secondhand Dealer	(30)		P
Art, Photography, or Music Studio	(31)		P
Tailor, Clothing, and/or Apparel Shop	(32)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Electrical, Watch, Clock, Jewelry and/or Similar Repair	(6)		P
Locksmith	(11)		P
Shoe and Boot Repair and Sales	(16)		P
Trade School	(17)		S
Temporary On-Site Construction Office	(18)	(6)	P
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)	
Minor Auto repair garage	(2)	(2)	S
Full Service Car Wash and Auto Detail	(5)	(4)	S
Self Service Car Wash	(5)	(4)	S
Non-Commercial Parking Lot	(9)		P
Service Station	(11)	(8)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna; as an Accessory	(2)	(1)	P
Commercial Antenna	(3)	(2)	S
Antenna; for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A
Commercial Freestanding Antenna	(6)	(5)	S
Mounted Commercial Antenna	(7)	(6)	S
Helipad	(9)		S
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Radio Broadcasting	(13)		P
Railroad Yard or Shop	(14)		S
Recording Studio	(15)		S
Satellite Dish	(16)		A

LEGEND: <div> <div></div> Land Use <i>NOT</i> Permitted <div>P</div> Land Use Permitted <i>By-Right</i> <div>P</div> Land Use Permitted with Conditions <div>S</div> Land Use Permitted Specific Use Permit (SUP) <div>X</div> Land Use Prohibited by Overlay District <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</h1>		
LAND USE SCHEDULE		LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	GENERAL RETAIL (GR) DISTRICT
Solar Energy Collector Panels and Systems		(17)	(7)	A
Transit Passenger Facility		(18)		S
TV Broadcasting and Other Communication Service		(20)		S
Utilities Holding a Franchise from the City of Rockwall		(21)		S
Utility Installation Other than Listed		(22)		S
Utility/Transmission Lines		(23)		S
Wireless Communication Tower		(24)		S



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Planning and Zoning Commission

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: December 28, 2021

SUBJECT: Z2021-050; *Amendment to Article 04, Permissible Uses, of the Unified Development Code (UDC) to Change the Requirements for Bed and Breakfast*

On November 18, 2021, the Historic Preservation Advisory Board (HPAB) directed staff to bring forward a text amendment to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) for the purpose of changing the *Conditional Land Use Standards* for the *Bed and Breakfast* land use. Specifically, the HPAB directed staff to change the land use from being permitted *by-right* in the Old Town Rockwall (OTR) Historic District to being permitted through a Specific Use Permit (SUP). This came in response to an appointment with Carol Crow -- *a resident of the Old Town Rockwall (OTR) Historic District (i.e. 504 Williams Street)* -- who expressed concern about a commercial land use being permitted *by-right* within the City's Historic District, which is primarily a residential district.

According to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) the following are the current *Conditional Land Use Standards* for the *Bed and Breakfast* land use:

Bed and Breakfast.

- (a) The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by-right.
- (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.
- (d) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a nonresidential zoning district or as permitted by a Specific Use Permit (SUP).
- (e) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
- (f) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
- (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 shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.

After consideration by the HPAB, the board directed staff to bring forward a recommendation to the Planning and Zoning Commission and City Council proposing to change this section by removing condition (a), which states "(t)he Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by-right." Since the majority of the Old Town Rockwall (OTR) Historic District is zoned Single-Family 7 (SF-7) District, this means that a Specific Use Permit (SUP) would be required to establish a *Bed and Breakfast* in the district should the change be adopted.

In accordance with Subsection 02.01(C) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), the Director of Planning and Zoning is bringing forward the HPAB's proposed text amendment to the City Council for consideration, and -- *in accordance with Section 02.04(B) of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC)* -- staff is bringing the proposed amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. The schedule for this text amendment is as follows:

Planning and Zoning Commission Work Session: December 28, 2021
Planning and Zoning Commission Public Hearing: January 11, 2022
City Council Public Hearing/First Reading: January 18, 2022 (*Tuesday*)

City Council Second Reading: February 7, 2022

Staff will send out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). Should the Planning and Zoning Commission have any questions staff will be available at the meeting on December 28, 2021.

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SUBSECTION 02.03, *CONDITIONAL LAND USE STANDARDS*, OF ARTICLE 04, *PERMISSIBLE USES*, AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; 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. 20-02] has been initiated by the Historic Preservation Advisory Board (HPAB) of the City of Rockwall to amend Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, of the Unified Development Code [Ordinance No. 20-02] for the purpose of changing the *Conditional Land Use Standards* for the *Bed and Breakfast* land use; 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. 20-02] should be amended as follows:

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

SECTION 1. That Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, of the Unified Development Code [Ordinance No. 20-02] 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 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 3. 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 4. 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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Section 10, Fee Schedule, of
Article 11, Development Applications and Review Procedures, of the
Unified Development Code (UDC)

Additions: Highlighted

Deletions: Highlighted, Strikeout

Article 04, *Permissible Uses*, of the Unified Development Code (UDC)
Subsection 02.03, *Conditional Land Use Standards*

(B) Residential and Lodging Land Uses

(2) *Bed and Breakfast.*

- ~~(a)~~ The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by right.
- (b)(a) A Bed and Breakfast may only be established on an owner-occupied, single-family lot.
- (c)(b) In addition to the single-family parking requirements, one (1) parking space per bedroom shall be provided.
- (d)(c) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a nonresidential zoning district or as permitted by a Specific Use Permit (SUP).
- (e)(d) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
- (f)(e) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
- (g)(f) All applicable hotel/motel taxes shall be paid.
- (h)(g) The maximum length of a guests stay is shall be limited to 14 consecutive days in any 30-day period.
- (i)(h) A Specific Use Permit (SUP) for a Bed and Breakfast shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Planning and Zoning Commission

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: January 11, 2022

SUBJECT: Z2021-050; *Amendment to Article 04, Permissible Uses, of the Unified Development Code (UDC) to Change the Requirements for Bed and Breakfast*

On November 18, 2021, the Historic Preservation Advisory Board (HPAB) directed staff to bring forward a text amendment to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) to request that the Planning and Zoning Commission and City Council consider changing the *Conditional Land Use Standards* for the *Bed and Breakfast* land use. Specifically, the HPAB, requested staff to change the land use from being permitted *by-right* in the Old Town Rockwall (OTR) Historic District to being permitted through a Specific Use Permit (SUP). This came in response to an appointment with Carol Crow -- a resident of the Old Town Rockwall (OTR) Historic District (i.e. 504 Williams Street) -- who expressed concern about a commercial land use being permitted *by-right* within the City's Historic District, which is primarily a residential district.

According to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) the following are the current *Conditional Land Use Standards* for the *Bed and Breakfast* land use:

Bed and Breakfast.

- (a) The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by-right.
- (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.
- (d) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a nonresidential zoning district or as permitted by a Specific Use Permit (SUP).
- (e) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
- (f) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
- (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 shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.

After consideration by the HPAB, the board directed staff to bring forward a recommendation to the Planning and Zoning Commission and City Council proposing to change this section by removing condition (a), which states "(t)he Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by-right." Since the majority of the Old Town Rockwall (OTR) Historic District is zoned Single-Family 7 (SF-7) District, this means that a Specific Use Permit (SUP) would be required to establish a *Bed and Breakfast* in the district should the change be adopted.

In accordance with Subsection 02.01(C) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), the Director of Planning and Zoning is bringing forward the HPAB's proposed text amendment to the City Council for consideration, and -- in accordance with Section 02.04(B) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) -- staff is bringing the proposed amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. The schedule for this text amendment is as follows:

Planning and Zoning Commission Work Session: December 28, 2021
Planning and Zoning Commission Public Hearing: January 11, 2022
City Council Public Hearing/First Reading: January 18, 2022 (*Tuesday*)

City Council Second Reading: February 7, 2022

Staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). Should the Planning and Zoning Commission have any questions staff will be available at the meeting on January 11, 2022.

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SUBSECTION 02.03, *CONDITIONAL LAND USE STANDARDS*, OF ARTICLE 04, *PERMISSIBLE USES*, AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; 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. 20-02] has been initiated by the Historic Preservation Advisory Board (HPAB) of the City of Rockwall to amend Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, of the Unified Development Code [Ordinance No. 20-02] for the purpose of changing the *Conditional Land Use Standards* for the *Bed and Breakfast* land use; 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. 20-02] should be amended as follows:

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

SECTION 1. That Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, of the Unified Development Code [Ordinance No. 20-02] 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 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 3. 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 4. 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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Section 10, Fee Schedule, of
Article 11, Development Applications and Review Procedures, of the
Unified Development Code (UDC)

Additions: Highlighted

Deletions: Highlighted, Strikeout

Article 04, *Permissible Uses*, of the Unified Development Code (UDC)
Subsection 02.03, *Conditional Land Use Standards*

(B) Residential and Lodging Land Uses

(2) *Bed and Breakfast.*

- ~~(a)~~ The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by right.
- (b)(a) A Bed and Breakfast may only be established on an owner-occupied, single-family lot.
- (c)(b) In addition to the single-family parking requirements, one (1) parking space per bedroom shall be provided.
- (d)(c) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a nonresidential zoning district or as permitted by a Specific Use Permit (SUP).
- (e)(d) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
- (f)(e) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
- (g)(f) All applicable hotel/motel taxes shall be paid.
- (h)(g) The maximum length of a guests stay is shall be limited to 14 consecutive days in any 30-day period.
- (i)(h) A Specific Use Permit (SUP) for a Bed and Breakfast shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.



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: Mary Smith, *City Manager*
Joey Boyd, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: January 18, 2022

SUBJECT: Z2021-050; *Amendment to Article 04, Permissible Uses, of the Unified Development Code (UDC) to Change the Requirements for Bed and Breakfast*

On November 18, 2021, the Historic Preservation Advisory Board (HPAB) directed staff to bring forward a text amendment to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) to request that the Planning and Zoning Commission and City Council consider changing the *Conditional Land Use Standards* for the *Bed and Breakfast* land use. Specifically, the HPAB, requested staff to change the land use from being permitted *by-right* in the Old Town Rockwall (OTR) Historic District to being permitted through a Specific Use Permit (SUP). This came in response to an appointment with Carol Crow -- *a resident of the Old Town Rockwall (OTR) Historic District (i.e. 504 Williams Street)* -- who expressed concern about a commercial land use being permitted *by-right* within the City's Historic District, which is primarily a residential district.

According to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) the following are the current *Conditional Land Use Standards* for the *Bed and Breakfast* land use:

Bed and Breakfast.

- (a) The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by-right.
- (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.
- (d) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a nonresidential zoning district or as permitted by a Specific Use Permit (SUP).
- (e) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
- (f) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
- (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 shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.

After consideration by the HPAB, the board directed staff to bring forward a recommendation to the Planning and Zoning Commission and City Council proposing to change this section by removing condition (a), which states "(t)he Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by-right." Since the majority of the Old Town Rockwall (OTR) Historic District is zoned Single-Family 7 (SF-7) District, this means that a Specific Use Permit (SUP) would be required to establish a *Bed and Breakfast* in the district should the change be adopted.

In accordance with Subsection 02.01(C) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), the Director of Planning and Zoning is bringing forward the HPAB's proposed text amendment to the City Council for consideration, and -- *in accordance with Section 02.04(B) of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC)* -- staff brought the proposed amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. On January 11, 2022, the Planning and Zoning Commission failed to approve a motion to recommend denial by a vote of 3-3, with Commissioners Welch, Moeller, and Conway dissenting and Commissioner Thomas absent. According to Subsection 02.04(E), *Failure to Approve a Motion*, of the Unified Development Code (UDC), "(i)f 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." Staff should note that this case not being a zoning change or Specific Use Permit (SUP), will only require a simple majority of the City Council to pass a motion. Staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). Should the Planning and Zoning Commission have any questions staff will be available at the meeting on January 11, 2022.

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SUBSECTION 02.03, *CONDITIONAL LAND USE STANDARDS*, OF ARTICLE 04, *PERMISSIBLE USES*, AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; 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. 20-02] has been initiated by the Historic Preservation Advisory Board (HPAB) of the City of Rockwall to amend Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, of the Unified Development Code [Ordinance No. 20-02] for the purpose of changing the *Conditional Land Use Standards* for the *Bed and Breakfast* land use; 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. 20-02] should be amended as follows:

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

SECTION 1. That Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, of the Unified Development Code [Ordinance No. 20-02] 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 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 3. 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 4. 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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Section 10, Fee Schedule, of
Article 11, Development Applications and Review Procedures, of the
Unified Development Code (UDC)

Additions: Highlighted

Deletions: Highlighted, Strikeout

Article 04, *Permissible Uses*, of the Unified Development Code (UDC)
Subsection 02.03, *Conditional Land Use Standards*

(B) Residential and Lodging Land Uses

(2) *Bed and Breakfast.*

- ~~(a)~~ The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by right.
- (b)(a) A Bed and Breakfast may only be established on an owner-occupied, single-family lot.
- (c)(b) In addition to the single-family parking requirements, one (1) parking space per bedroom shall be provided.
- (d)(c) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a nonresidential zoning district or as permitted by a Specific Use Permit (SUP).
- (e)(d) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
- (f)(e) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
- (g)(f) All applicable hotel/motel taxes shall be paid.
- (h)(g) The maximum length of a guests stay is shall be limited to 14 consecutive days in any 30-day period.
- (i)(h) A Specific Use Permit (SUP) for a Bed and Breakfast shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 22-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SUBSECTION 02.03, *CONDITIONAL LAND USE STANDARDS*, OF ARTICLE 04, *PERMISSIBLE USES*, AS DEPCITED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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. 20-02*] has been initiated by the Historic Preservation Advisory Board (HPAB) of the City of Rockwall to amend Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] for the purpose of changing the *Conditional Land Use Standards* for the *Bed and Breakfast* land use; 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. 20-02*] should be amended as follows:

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


SECTION 1. That Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] 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 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 3. 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 4. 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
7TH DAY OF FEBRUARY, 2022.



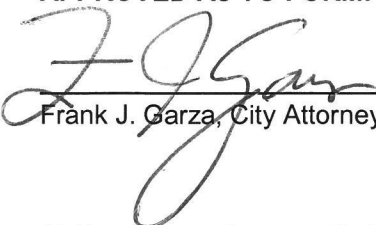
Kevin Fowler, Mayor

ATTEST:



Kristy Teague, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Section 10, Fee Schedule, of
Article 11, Development Applications and Review Procedures, of the
Unified Development Code (UDC)

Additions: Highlighted

Deletions: Highlighted, Strikeout

Article 04, *Permissible Uses*, of the Unified Development Code (UDC)
Subsection 02.03, *Conditional Land Use Standards*

(B) Residential and Lodging Land Uses

(2) Bed and Breakfast.

- ~~(a)~~ The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by right.
- (b)(a) A Bed and Breakfast may only be established on an owner-occupied, single-family lot.
- (e)(b) In addition to the single-family parking requirements, one (1) parking space per bedroom shall be provided.
- (d)(c) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a nonresidential zoning district or as permitted by a Specific Use Permit (SUP).
- (e)(d) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
- (f)(e) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
- (g)(f) All applicable hotel/motel taxes shall be paid.
- (h)(g) The maximum length of a guests stay is shall be limited to 14 consecutive days in any 30-day period.
- (h)(h) A Specific Use Permit (SUP) for a Bed and Breakfast shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.