

ORDINANCE NO. 93-10

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A ZONING CHANGE ON A TRACT OF LAND MORE FULLY DESCRIBED HEREIN; ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM "AG" AGRICULTURAL ZONING CLASSIFICATION TO "PD-38" PLANNED DEVELOPMENT-38 TO ALLOW THE USES SPECIFIED IN THE HEAVY COMMERCIAL ZONING DISTRICT TO INCLUDE AN ADDITIONAL USE OF CAST STONE FABRICATION; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a change in zoning from "AG" Agricultural Zoning Classification to "PD-38" Planned Development-38 Zoning Classification on the property described on Exhibit "A" has been requested by Richard Slaughter; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Ordinance 84-4 of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

Section 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended so as to approve a change from "AG" Agricultural Zoning Classification to "PD-38" Planned Development-38 Zoning Classification on the property described on Exhibit "A".

Section 2. That Planned Development District No. 38 shall be used only in the manner and for the purposes authorized by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended and as amended hereby, provided that the granting of Planned Development District No. 38 to the above described tract of land is subject to the following special conditions:

A. All development of property covered by Planned Development District No. 38 shall be in accordance with the provisions of this ordinance and the finally approved comprehensive development plan and list of approved uses, and no substantial change in the

development shall be permitted except after obtaining approval of the changes and amendments to the Comprehensive Zoning Ordinance.

B. Development of Planned Development District No. 38 shall be regulated by the zoning requirements of the Heavy Commercial Zoning Classification with an additional permitted use of cast stone fabrication.

C. That Planned Development District No. 38 shall be reviewed in three years from the date of approval. At the conclusion of the three year period, public hearings shall be held in the manner prescribed in the Comprehensive Zoning Ordinance to determine if Planned Development District No. 38 shall be continued or removed.

Section 3. 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 4. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation, or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance are declared to be severable.

Section 5. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 6. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED this 7th day of June, 1993.

APPROVED:



Mayor

ATTEST:

By: Hilda Crangle

1st reading May 17, 1993

2nd reading June 7, 1993