

ORDINANCE NO. 2023-2-13 (9E)

AN ORDINANCE AMENDING CHAPTER 14 ZONING, BY AMENDING SECTION 14.02.072 ALLOWED USE TABLE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PENALTIES; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council ("Council") is the governing body for the City of Rockdale, Texas, and therefore, it must bear the initial responsibility for the integrity of governance; and

WHEREAS, the public health, safety and welfare, require the adoption and enforcement of codes governing the issuance of permits for, inspection and completion of construction, plumbing, electrical work and buildings within the City of Rockdale, Texas; and

WHEREAS, the City desires to adopt zoning and/or building codes pertaining to Boat and RV storage at allowed zoning districts; and

WHEREAS, the public health, safety and welfare will be served by updating certain codes heretofore adopted by the City;

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

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Addition of Section 14.02.072 ALLOWED USE TABLE. Section 14.02.072 Allowed Use Table is hereby amended as follows:

*See "Exhibit A" for Allowed Use Table – revised to allow for the use of Boat & RV storage*

Section 3. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances, and sections of the City Code of Ordinances, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict; provided, however, that all other provisions of said ordinances not in conflict herewith shall remain in full force and effect. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provision of this ordinance shall govern.

Section 4. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, unlawful, unenforceable, or unconstitutional, the same shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 5. Savings Clause. All rights and remedies of the City of Rockdale are expressly

saved as to any and all violations of the provisions of any ordinances affecting zoning and all other codes affected hereby including permit issuance, or vendor registration within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 6. Effective Date. This ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the City Charter and the Texas Local Government Code.

Section 7. Open Meeting Act. It is officially found and determine that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code.

PASSED AND APPROVED on first reading on this the \_\_\_\_\_, 2023.

PASSED AND APPROVED on second reading on this the \_\_\_\_\_, 2023.

ATTEST

THE CITY OF ROCKDALE

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Shanna Johnson  
City Secretary

Brett M. Boren, Mayor

**Sec. 14.02.078. Residential District Use Table**

USE GROUP Use Category Use Sub- Category Specific Uses	R1	R1C	R1E	R2	R3	M1	M2	C1	C2	GOV	CA	I	A	PUD	IR Overlay	Use Standards
<b>RESIDENTIAL</b>																
<b>Household Living</b>																
Apartment Hotel					X			X	X		X			P		
Apartment House					X						X			P		
Assisted Living					X				X					X		
Bed and Breakfast Homestay Establishment	X	X	X								X					
Bed and Breakfast Inn					X						X					
Boarding House					X						X			P		
Crisis Center (6 or fewer)	S	S	S	S	S									P		
Four-Plex					X						X			P		
Fraternity, Sorority or Group Student Housing					X						X			P		
Group or Community Home (6 or fewer residents)	X	X	X	X	X									P		
Group or Community Home (7 or more residents)					X									P		
Halfway House					S									P		
Manufactured Home Park							X							P		
Manufactured Home Subdivision						X								P		
Modular Component/Industrialized Housing	X	X	X	X							X			P	X	
Multiple Family Dwelling					X						X			P		
Nursing Home					X				X					P		
Recreational Vehicle Park									X			X		P		
Rescue Mission/Home					S									P		
Short Term Rental I	X	X	X								X			P		
Short Term Rental II	X	X	X	X							X					
Short Term Rental III					X						X					

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Single-Family Residence, Attached				X	X						X			P	X	
Single-Family Residence, Detached	X	X	X	X							X			P		
Skilled Nursing Home/Rehabilitation					X				X					P		
Townhouse				X	X						X			P		
Two-Family Duplex				X							X			P		
Zero Lot Line		X		X	X						X			P	X	
<b>Child Day-Care Operations</b>																
Listed Family Home	X	X	X	X	X									P		
Registered Child-Care Home	X	X	X	X	X									P		
Licensed Child-Care Home	X	X	X	X	X									P		
Child-Care Center								X	X							
<b>Home occupation</b>																
Art Studio	X	X	X	X	X									P		
Barber/Beauty Shop (one chair)	X	X	X	X	X									P		
Craft, Ceramic, Art Workshop	X	X	X	X	X									P		
Photography Studio	X	X	X	X	X									P		
Piano Lessons	X	X	X	X	X									P		
Swim Lessons	X	X	X	X	X									P		
Tailor/Seamstress	X	X	X	X	X									P		
<b>PUBLIC/CIVIC</b>																
Cultural Facilities and Libraries	S	S	S	X	X		X	X	X	X	X	X	X	P		
<b>Correctional Detention Facility</b>													S			
<b>Cultural Facilities, Libraries</b>										X	X	X		P		
<b>Hospital</b>								S	S	S	S	S		P		
<b>Parks and Open Space</b>	X	X	X	X	X	X	X	X	X	X	X	X	X	P		
Ampitheater								X	X	X	X	X		P		
Animal Park	S	S	S	X	X			X	X	X	X	X	X	P		
Concerts, Fairs, Festivals								T	T	T	T	T	T			Allowed by right if city sponsored.
Fairgrounds/Exhibition (Permanent)													X	X		
Golf Course	X	X	X	X	X	X	X							P		
Public/Private Park	X	X	X	X	X	X	X	X	X	X	X	X	X	P		

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Race Track (Horse/Dog)												P	P	P		
Rodeo Grounds									P	X		X	X	P		
Zoo								S	S	S	S	S	S	P		
<b>Public Facilities</b>	X	X	X	X	X	X	X	X	X	X	X	X	X	P		
Major Utilities	S	S	S	S	S	S	S	S	S	S	S	S	S	P		
Minor Utilities	X	X	X	X	X	X	X	X	X	X	X	X	X	P		
Post Office	X	X	X	X	X	X	X	X	X	X	X	X	X	P		
Public Safety (Police/Fire)	X	X	X	X	X	X	X	X	X	X	X	X	X	P		
<b>Religious Assembly</b>																
Church, Temple, Synagogue, Mosque	X	X	X	X	X	X	X	X	X	X	X	X	X	P		
Church Activity/Recreational Center	X	X	X	X	X	X	X	X	X	X	X	X	X	P		
<b>School</b>																
College or University								X	X	X	X	X	X	P		
College Dormitory (Off- Campus)					X						X			P		
College Fraternity/Sorority House					X			X	X	X	X	X	X	P		
High School	X	X	X	X	X	X	X	X	X	X	X			P		
Elementary School	X	X	X	X	X	X	X	X	X	X	X			P		
Junior High or High School	X	X	X	X	X	X	X	X	X	X	X			P		
Pre-School/Kindergarten	X	X	X	X	X	X	X	X	X	X	X			P		
School Student/Activity Center/Field(Public)	X	X	X	X	X	X	X	X	X	X	X		X	P		
<b>AGRICULTURAL</b>																
Animal Shelter (public or private)												X	S			
Bulk grain or feed storage													X			
Concentrated Animal Feed Operation													S			
Farm or Ranch													X			
Greenhouse or Nursery (wholesale)													X			
Hatchery, fish, shrimp or fish farm													X			
Hatchery, poultry												X	X			
Hay, grain or feed sales												X	X			
Kennel without vet hospital								X	X				S			
Livestock Auction													S			
Orchard or Garden, Commercial													X			
Stables, Commercial													X			
Veterinarian with exterior cages												X	X			

**Sec. 14.02.078. Residential District Use Table**

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<b>COMMERCIAL</b>																
<b>Animal Services</b>																
Kennel (Commercial)									X			X				
Pet Grooming								X	X		X	X	X			overnight stay?
Pet Shop								X	X		X	X	X			Allow outdoor pens
Veterinary Clinic									X		X	X	X			Allow outdoor pens
<b>Automobile Sales and Service</b>																
Automobile Dealership									X		X	X		P		
RV Dealership									X		X	X		P		
<b>Banks and Financial Services</b>															X	
Automatic Teller Machine (ATM)								X	X	X	X	X		X	X	
Bank								X	X	X	X	X		X	X	
Credit Union/Bureau								X	X	X	X	X		X	X	
Pawn Brokerage Shop									X	X	X	X		X	X	
Savings and Loan								X	X	X	X	X		X	X	
Bail Bonds									X	X	X	X		X		
<b>Construction Sales and Service</b>																
Bldg. Material/Home Supply Store									X		X	X		P		
Bldg. Material/Home Supply Store with outdoor storage									X		P	X		P		With or without outdoor storage
Cabinet/Woodwork Shop								X	X	X	X	X		P		
Contractor's Shop/Storage Yard									P		P	X		P		With yard
Electrical Plumbing, A/C Heat (Wholesale)									X	X	X	X		P		
Lumber/Building Materials Sales Yard									P		P	X		P		With yard
Plumbing shop									X	X	X	X		P		
<b>Eating and Drinking Establishments</b>																
All alcoholic beverages, 75% or more revenue from alcohol									S		S	S		P		
All alcoholic beverages, >50% & <75% revenue from alcohol								S	X		X	X		P		
All alcoholic beverages 50% or less revenue from alcohol								X	X		X	X		P		

**Sec. 14.02.078. Residential District Use Table**

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Beer & Wine only, less than 75% revenue from alcohol								X	X		X	X		P		
Beer & Wine only, more than 75% revenue from alcohol									X		X	X		P		
Restaurant (Drive in)									X		X	X		P		
Restaurant (Not Drive in)									X		X	X		P		
<b>Entertainment</b>																
Ampitheater								S	X		X	X	P	P		
Club/Social Organization								X	X		X	X		P		Subject to noise
Concert Facility									X		P	X	X	P		
Country Club								P	X			X	P	P		
Dance hall, Nightclub, Disco									X		X	X		P		
Theater, Cinema\								X	X		X	X		P		Subject to noise
Theater - Drive In									X			X		P		
Theater, Playhouse								X	X		X	X		P		
<b>Funeral and Interment Service</b>																
Cemetery, Mausoleum								P	P	P	P	P	P	P		
Columbarium								X	X	X	X	X	X	P		
Monument Sales Lot									X		X			P		Define outdoor storage
Mortuary/Funeral Home/Crematory								X	X	X	X	X	X	P		
<b>Gas Station</b>								X	X	X	X	X		P		
<b>Heavy Equipment</b>																
Boat Sales									X			X		P		
Heavy Equipment/Machinery Rental Yard									S			X		P		
Heavy Machinery Dealership									S			X		P		
<b>RV / Boat Storage</b>									X			X		P		Min. lot 3 acres, min. asphalt pavement, front of property must be landscaped, minimum 8' site barring fence with security system and lighting
Trailer/ Truck Rental												X		P		
Trailer/ Truck Repair												X		P		
Tractor Sales and Rental									S			X		P		
<b>Hotel/Motel/Resort</b>								X	X	X	X	X		P		

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<b>Office (All Types)</b>								X	X	X	X	X		P		
<b>Parking Garage/Lot (Commercial)</b>								X	X	X	X	X		P		
<b>Personal and Consumer Services</b>																
Art Studio								X	X		X	X		P		
Barber/Beauty Shop								X	X		X	X		P		
Business, Professional School									X	X	X	X		P		
Catering Service								X	X		X	X		P		
Craft, Ceramic, Art Workshop								X	X		X	X		P		
Dry Cleaning								X	X	X	X			P		
Framing Shop								X	X		X	X		P		
Laundromats								X	X	X	X			P		
Optical/Eyeware Store								X	X		X			P		
Photography Studio								X	X		X	X	P	P		
Piano Lessons	S	S	S	S	S	S	S	X	X		X	X		P		Traffic concern
Swim Lessons	S	S	S	S	S	S	S	X	X	X			S	P		Traffic concern
Tailor/Seamstress								X	X		X			P		
Tattoo Studio								X	X			X		P		
Wedding Venue								X	X	X	X		P	P		
<b>Retail Sales and Service</b>																
Antique Shop, Sales Indoors								X	X		X			P		Outdoor display with permit
Appliance Rental								X	X		X			P		
Art Supply Store								X	X		X			P		
Bakery or confectionary (wholesale)								X	X		X	X		P		
Banking, ATM								X	X	X	X	X		P		
Book, Stationery Shop or Newsstand								X	X		X			P		
Building Material Sales									X			X		P		
Cabinet/Furniture Shop									X			X		P		
Cleaning, dyeing or laundry plant												X		P		
Computer Sales or Service								X	X	X	X	X		P		
Contractor storage or equipment yard									S			X		P		
Consignment Store (inside)								X	X		X			P		
Copy Shop								X	X	X	X			P		
Custom Manufacture and Assembly Shop						X		X	X	X	X			P		
Custom Personal Service Shop								X	X		X			P		
Day Care Center (Child or Adult)								X	X		X	X		P		



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Discount or Department Store									X		X	X		P		
Drapery, Needlework or Weaving Shop								X	X		X	X		P		
Drug Store or Pharmacy								X	X	X	X			P		
Flea market (indoors)								X	X			X		P		
Flea Market (outdoors)									S			S		P		
Florist Shop								X	X		X			P		
Hemp Shop								X	X					P		Subject to state reg.
Lithographic or print shop								X	X		X	X		P		
Maintenance and repair service for building												X		P		
Mini-storage warehouse									X			X		P		
Open storage of furniture, app., or machinery									S			X		P		Open storage?
Paint shop								X	X		X	X		P		
Retal Bakery								X	X	X	X			P		
Upholstery shop								X	X			X		P		
Welding shop												X		P		
<b>Entertainment</b>																
<b>Indoor</b>																
Club/Social Organization	S	S	S	S	S				X	X	X			P		
Country Club (Private)	S	S	S	S	S	S	S	S	S	S	S			P		
Indoor Shooting Range									X			X				
<b>Outdoor</b>																
<b>Funeral and Internment Service</b>																
Cemetery, Mausoleum (Per State Law:	S	S	S	S	S	S	S			S		S		P		
Columbarium	P	P	P	P	P	P	P	P	P	P	P	P	P	P		Accessory to religious assembly
Mortuary/Funeral Home/Crematory									X							
Shooting Range									X			X				
<b>INDUSTRIAL</b>																
<b>General</b>																
Auto/Truck Assembly/Manufacturing Plant												X		P		
Boat Assembly/Manufacturing Plant												X		P		
Concrete/Asphalt Plant												X		P		
High Risk/Hazardous Materials												S		P		
Fertilizer Plant												S		P		

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Grain/Feed Processing Plant												X	X	P		
Foundry/Metals Manufacturing Plant												X		P		
Home Appliance Manufacturing Plant												X		P		
Industrial/Commercial Equipment Plant												X		P		
Oil & Gas Exploration (Drilling Activity)	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
Oil & Gas Exploration (Producing Well)	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
Sand/Gravel Extraction	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
Wood Products Manufacturing Plant												X		P		
<b>Recycling Facilities</b>																
Recycling Center/Collection									X	X		X		P		
Recycling Center (Hazardous Material)												S		P		
Building Material Salvage Yard												X		P		
Recycling Plant												X		P		
<b>Warehousing</b>																
Hauling and Storage Facility												X		P		
Warehouse and Distribution Center												X		P		
<b>OTHER</b>																
Accessory Uses	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Accessory Structures	X	X	X	X	X	X	X	X	X	X	X	X	X	P		
Community Center (Public or Private)								X	X	X	X					
<b>Temporary</b>																
Carnivals/Circuses								T	T	T	T	T	T	T		Subject to noise ordinance
Concert, Outdoor (Temp.)	T	T	T	T	T	T	T	T	T	T	T	T	T	T		
Farmers Market	T	T	T	T	T	T	T	T	T	T	T	T	T	T		
Festivals	T	T	T	T	T	T	T	T	T	T	T	T	T	T		Subject to noise ordinance
Model Home	X	X	X	X	X	X	X	X	X	X	X	X	X	P		
Revival (Outdoor)	T	T	T	T	T	T	T	T	T	T	T	T	T	T		Subject to noise ordinance