

ORDINANCE NO. 2022-07-11 (8A)

**AN ORDINANCE OF THE CITY OF ROCKDALE, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A CERTAIN PARCEL OF LAND FROM ZONING DISTRICT RESIDENTIAL-1 TO ZONING DISTRICT COMMERCIAL-2 WITH PLANNED UNIT DEVELOPMENT OVERLAY; MAKING FINDINGS OF FACT; AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the legal owner of property described as Dyer Addition, Block 2, Lot 1 West 40' of and Lots 23 & 24, City of Rockdale, Milam County, Texas (more commonly known as Property ID 28364 – property located known as 700 Dyer Street) has requested that the property be re-zoned from Residential-1 zoning classification to Commercial-2 with PUD overlay zoning classification; and

**WHEREAS**, proper written notice was given to the owners of land within two hundred feet of the property proposed for re-zoning at least ten (10) days prior to public hearing; and

**WHEREAS**, the Planning and Zoning Commission considered the zoning request at a public hearing on June 7, 2022 and after such hearing has made a final recommendation of rezoning to the City Council; and

**WHEREAS**, proper notice of the public hearing before the City Council was placed in the City's official newspaper at least fifteen (15) days prior to the date of such hearing; and

**WHEREAS**, the City Council conducted a public hearing on June 13, 2022 at which citizens were allowed to speak for or against the proposed re-zoning; and

**WHEREAS**, the City Council finds that re-zoning the subject property is in the best interests of the community to promote economic development, orderly growth and the general welfare of the community;

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

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Amendment of Zoning Ordinance.** As amended, the City of Rockdale Zoning Ordinance (the "Zoning Ordinance" or the "Code"), is hereby modified and amended by changing the zoning district for the land and parcel of the following property:

S08200 Dyer Addition, Block 2, Lot 1 West 40' of and Lots 23 & 24 (Property ID 28364 – property known as 700 Dyer Street), City of Rockdale, Milam County, Texas;

from zoning district Residential-1 (R-1) to zoning district Commercial-2 with Planned Unit Development overlay (C-2 w/PUD overlay). The property is accordingly rezoned to Commercial-2 with Planned Unit Development (C-2 w/PUD overlay) – with the following conditions:

1. The building may only be used as a Climate-Controlled Storage Facility.
2. Hours of operation may be Monday through Sunday from 8:00 a.m. to 8:00 p.m. Entrance to the building will be disabled outside of those hours.

3. A monitored alarm system will be installed along with security cameras inside and around perimeter of building.
4. Entrance of the building will be an electronic keypad with private pin numbers to monitor who enters the building.
5. The existing monumental sign will be the only signage for the building or a new one may be built in the same area using the same dimensions. No electronic message signs allowed.
6. Dark Sky Outdoor Lighting Fixtures will be used to illuminate the exterior of the property. Maximum of 0.2 footcandles at property line.
7. Construction hours will be limited to Monday through Saturday from 8:00 a.m. to 7:00 p.m.
8. No expansion of building or changes to the property (ex: fencing, lighting, signage, etc.) without prior City Council approval.

**Section 3. Amendment of Zoning Map.** The City Manager is hereby instructed to amend the official zoning map to reflect the change in zoning for the above properties.

**Section 4. Repeal of Conflicting Ordinances.** All ordinances or parts of ordinances, and sections of the City Code of Ordinances, in conflict with this ordinance are hereby repealed to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

**Section 5. 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 6. Effective Date.** This ordinance shall be effective from and after the date of its passage and publication according to State law and the City Charter.

**Section 7. Open Meetings.** It is hereby officially found and determined 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 Open Meetings Act, Chapt. 551, Texas Gov't. Code.


**PASSED, APPROVED AND ADOPTED ON FIRST READING THIS 13<sup>TH</sup> DAY OF JUNE, 2022.**

**PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING ON THIS THE 11<sup>TH</sup> DAY OF JULY, 2022.**

ATTEST:

  
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Terry Blanchard, TRMC  
City Secretary

THE CITY OF ROCKDALE, TEXAS

  
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Brett M. Boren, Mayor