

ORDINANCE NO. 2025-10-21 (5)

AN ORDINANCE AMENDING CHAPTER 14 – ZONING, BY AMENDING SECTION 14.02.070 HOME OCCUPATIONS, AND SECTION 14.02.072 ALLOWED USE TABLE, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; 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 initial responsibility for the integrity of governance; and

WHEREAS, the zoning ordinance establishes zoning classifications to protect the compatibility of adjacent land uses with newly proposed uses; and

WHEREAS, the Allowed Use Table establishes allowed uses within each zoning district to protect current land uses and continue to promote compatible land development; and

WHEREAS, the state legislature has established a definition for “No-impact home-based business” and other regulations within Section 229.902 of the Texas Local Government Code; and

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.

Section 2. Amendment of Section 14.02.070 Home Occupations. Section 14.02.070 Home Occupations is hereby amended as follows:

14.02.070 Home Occupations

(a) Purpose. The purpose of this section is to provide types of occupational uses within a residential district.

(b) Permitted uses. A home must be used as a principal residency before being used as a business. The home occupation must be operated on the premises that it is primarily a residential use.

(c) General requirements. Permitted home occupations are listed on the use table. If the listed home occupation is not listed on the allowed use table but meets the definition of a “No-impact home-based business” as defined in Section 229.902 of the Texas Local Government Code, it is allowed by right. A “No-impact home-based business” does not include businesses that sell

alcohol or illegal drugs, operate as a structured sober living home, or is a sexually oriented business as specified in Section 229.902.

(d) Required conditions to operate as a “No-impact home-based business”.

- (1) The home occupation must be subordinate to the residential use and must be owner occupied.
- (2) No more than one home occupation is allowed in a single dwelling unit.
- (3) No activities in relation to the home occupation shall be visible from any rights-of-way. This shall include the storage of any equipment or product relating to the home-based business.
- (4) The exterior of the single dwelling unit may not be altered to alter the residential characteristics of the structure. The only exception is a nonilluminated sign not exceeding one square foot in area.
- (5) A home occupation must not interfere with the residential quality of life in the surrounding area. Any excessive noise, vibration, smoke, dust, odors, or heat that is detectable beyond the walls or property line will be a violation of this section.
- (6) Does not generate on-street parking or a substantial increase in traffic for the area.
- (7) The building in which the “No-impact home-based business” operates in must meet the adopted fire code and building code.

(e) Conditional use permit required. Any home occupation that does not meet the requirements to be defined as a “No-impact home-based business” as defined in Section 229.902 of the Texas Local Government Code must obtain a conditional use permit issued by the City Council before operation of the home occupation. To obtain a conditional use permit the following are required:

- (1) The home occupation must be subordinate to the residential use and must be owner occupied.
- (2) No more than one home occupation is allowed in a single dwelling unit.
- (3) The home occupation cannot be open to the public at any time and can only allow one external customer at a time.
- (4) The exterior of the single dwelling unit may not be altered to alter the residential characteristics of the structure. The only exception is a nonilluminated sign not exceeding one square foot in area.
- (5) A home occupation must not interfere with the residential quality of life in the surrounding area. Any excessive noise, vibration, smoke, dust, odors, or heat that is

detectable beyond the walls or property line will be a violation of this section.

(6) Any home occupation may not create an increase in traffic to a residential area.

(7) Any other applicable information that the Council determines as necessary to make their determination. This may include operational hours, delivery schedules if applicable, site or building plans, and any other applicable information.

Section 3. Amendment of Section 14.02.072 Allowed Use Table. Section 14.02.072 Allowed Use Table is hereby amended as follows:

Sec. 14.02.072 Allowed Use Table

See "Exhibit A" for the Allowed Use Table

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 application 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. 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 7. 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 8. 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 September 8th, 2025.

PASSED AND APPROVED on second reading on this the October 21, 2025.

ATTEST

THE CITY OF ROCKDALE

Shanna Johnson
City Secretary

Ward Roddam, Mayor

“EXHIBIT A”

Allowed Use Table

Sec. 14.02.072. Use Table	Residential Districts							Commercial Districts								
Use Group/Specific Uses	R1	R1C	R1E	R2	R3	M1	M2	C1	C2	CA	I	A	GOV	PUD	IR Overlay	Use Standards
RESIDENTIAL																
Household Living																
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)	C	C	C	C	C									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					C									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					C									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						

Sec. 14.02.072. Use Table	Residential Districts							Commercial Districts								
Use Group/Specific Uses	R1	R1C	R1E	R2	R3	M1	M2	C1	C2	CA	I	A	GOV	PUD	IR Overlay	Use Standards
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	
Child Day-Care Operations																
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							
Home Occupations																
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		
Personal Professional Services (one client)	C	C	C	C	C									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		
Impact Home-Based Business	C	C	C	C	C	C	C							P		
Non-Impact Home-Based Business	X	X	X	X	X	X	X							P		TLGC 229.902
PUBLIC/CIVIC																
Correctional Detention Facility											C					
Cultural Facilities, Libraries	C	C	C	X	X		X	X	X	X	X	X	X	P		
Hospital								C	C	C	C		C	P		
Parks and Open Space	X	X	X	X	X	X	X	X	X	X	X	X	X	P		
Ampitheater								X	X	X	X		X	P		
Animal Park	C	C	C	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		

Sec. 14.02.072. Use Table	Residential Districts							Commercial Districts								
Use Group/Specific Uses	R1	R1C	R1E	R2	R3	M1	M2	C1	C2	CA	I	A	GOV	PUD	IR Overlay	Use Standards
Public/Private Park	X	X	X	X	X	X	X	X	X	X	X	X	X	P		
Race Track (Horse/Dog)											P	P		P		
Rodeo Grounds									C		X	X	X	P		
Zoo								C	C	C	C	C	C	P		
Public Facilities	X	X	X	X	X	X	X	X	X	X	X	X	X	P		
Major Utilities	C	C	C	C	C	C	C	C	C	C	C	C	C	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		
Religious Assembly																
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		
School																
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		
AGRICULTURAL																
Animal Shelter (public or private)											X	C				
Bulk grain or feed storage												X				
Concentrated Animal Feed Operation												C				
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			C				
Livestock Auction												C				
Orchard or Garden, Commercial												X				
Stables, Commercial												X				
Veterinarian with exterior cages											X	X				
COMMERCIAL																

Sec. 14.02.072. Use Table	Residential Districts							Commercial Districts								
Use Group/Specific Uses	R1	R1C	R1E	R2	R3	M1	M2	C1	C2	CA	I	A	GOV	PUD	IR Overlay	Use Standards
Animal Services																
Kennel (Commercial)									X		X					
Pet Grooming								X	X	X	X	X				
Pet Shop								X	X	X	X	X				Allow outdoor pens
Veterinary Clinic									X	X	X	X				Allow outdoor pens
Automobile Sales and Service																
Automobile Dealership									X	X	X			P		
RV Dealership									X	X	X			P		
Banks and Financial Services																
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		
Construction Sales and Service																
Bldg. Material/Home Supply Store									X	X	X			P		
Bldg. Material/Home Supply Store with outdoor storage									X	C	X			P		
Cabinet/Woodwork Shop								X	X	X	X		X	P		
Contractor's Shop/Storage Yard									P	P	X			P		
Electrical Plumbing, A/C Heat (Wholesale)									X	X	X		X	P		
Lumber/Building Materials Sales Yard									P	P	X			P		
Plumbing shop									X	X	X		X	P		
Eating and Drinking Establishments																
All alcoholic beverages, 75% or more revenue from alcohol									C	C	C			P		
All alcoholic beverages, >50% & <75% revenue from alcohol								C	X	X	X			P		
All alcoholic beverages 50% or less revenue from alcohol								X	X	X	X			P		
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		

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Restaurant (Drive in)									X	X	X			P		
Restaurant (Not Drive in)									X	X	X			P		
Entertainment																
Ampitheater								C	X	X	X	C		P		
Club/Social Organization								X	X	X	X			P		
Concert Facility									X	C	X	X		P		
Country Club								P	X		X	P		P		
Dance hall, Nightclub, Disco									X	X	X			P		
Indoor Shooting Range									X		X					
Shooting Range									X		X					
Theater, Cinema\								X	X	X	X			P		
Theater - Drive In									X		X			P		
Theater, Playhouse								X	X	X	X			P		
Funeral and Interment Service																
Cemetery, Mausoleum								C	C	C	C	C	C	P		
Columbarium								X	X	X	X	X	X	P		
Monument Sales Lot									X	X				P		
Mortuary/Funeral Home/Crematory								X	X	X	X	X	X	P		
Gas Station								C	C	C	C		C	P		
Heavy Equipment																
Boat Sales									X		X			P		
Heavy Equipment/Machinery Rental Yard									C		X			P		
Heavy Machinery Dealership									C		X			P		
RV / Boat Storage									X		X			P		Min. lot 3 acres, min. asphalt pavement, front of property must be landscaped, and install a site barring fence with security system and lighting
Trailer/ Truck Rental											X			P		
Trailer/ Truck Repair											X			P		
Tractor Sales and Rental									C		X			P		
Hotel/Motel/Resort								X	X	X	X		X	P		
Office (All Types)								X	X	X	X		X	P		

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Use Group/Specific Uses	R1	R1C	R1E	R2	R3	M1	M2	C1	C2	CA	I	A	GOV	PUD	IR Overlay	Use Standards
Parking Garage/Lot (Commercial)								X	X	X	X		X	P		
Personal and Consumer Services																
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		
Personal Professional Services	C	C	C	C	C			X	X	X	X			P		
Photography Studio								X	X	X	X	P		P		
Piano Lessons	C	C	C	C	C	C	C	X	X	X	X			P		
Swim Lessons	C	C	C	C	C	C	C	X	X			C	X	P		
Tailor/Seamstress								X	X	X				P		
Tattoo Studio								X	X		X			P		
Wedding Venue								X	X	X		P	X	P		
Retail Sales and Service																
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									C		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		
Discount or Department Store									X	X	X			P		

Sec. 14.02.072. Use Table	Residential Districts							Commercial Districts								
Use Group/Specific Uses	R1	R1C	R1E	R2	R3	M1	M2	C1	C2	CA	I	A	GOV	PUD	IR Overlay	Use Standards
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)									C		C			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									C		C			P		
Open storage of furniture, app., or machinery									C		X			P		
Paint shop								X	X	X	X			P		
Retal Bakery								X	X	X			X	P		
Upholstery shop								X	X		X			P		
Welding shop											X			P		
INDUSTRIAL																
General																
Auto/Truck Assembly/Manufacturing Plant											X			P		
Boat Assembly/Manufacturing Plant											X			P		
Concrete/Asphalt Plant											X			P		
High Risk/Hazardous Materials											C			P		
Fertilizer Plant											C			P		
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)	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Oil & Gas Exploration (Producing Well)	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Sand/Gravel Extraction	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Wood Products Manufacturing Plant											X			P		
Recycling Facilities																
Recycling Center/Collection									X		X		X	P		
Recycling Center (Hazardous Material)											C			P		
Building Material Salvage Yard											X			P		
Recycling Plant											X			P		
Warehousing																
Hauling and Storage Facility											X			P		

Sec. 14.02.072. Use Table	Residential Districts							Commercial Districts								
Use Group/Specific Uses	R1	R1C	R1E	R2	R3	M1	M2	C1	C2	CA	I	A	GOV	PUD	IR Overlay	Use Standards
Warehouse and Distribution Center											X			P		
OTHER																
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			
Temporary																
Carnivals/Circuses								T	T	T	T	T	T	T		
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		
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		