

CITY OF ROCKWALL

ORDINANCE NO. 08-33

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A "UTILITY INSTALLATION, OTHER THAN LISTED," SPECIFICALLY A WIND TURBINE WITHIN THE (AG) AGRICULTURAL DISTRICT, ON A 5.0-ACRE TRACT OF LAND LOCATED AT 1903 S. FM 549 AND DESCRIBED AS PART OF LOT 2, MCLENDON COMPANIES ADDITION; PROVIDING FOR SPECIAL CONDITIONS; 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, a Specific Use Permit (SUP) to allow for a "Utility Installation, Other Than Listed," specifically a wind turbine, in the (Ag) Agricultural District, has been requested by Stanley Jeffus, to be located at 1903 S. FM 549 on a 5.0-acre tract known as part of Lot 2, McLendon Companies Addition, City and County of Rockwall, Texas; 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code 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 Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended by the approval of a Specific Use Permit to allow for a "Utility Installation, Other Than Listed," specifically a wind turbine located at 1903 S. FM 549, being a 5.0-acre tract zoned (Ag) Agricultural district and known as part of Lot 2, McLendon Companies Addition; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Article V, Section 2, (AG) Agricultural District** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1. The wind turbine shall be attached to the accessory barn building as shown on the site plan attached hereto as Exhibit "A."
2. The wind turbine shall have a maximum height of 20-feet (including pole and base).
3. All mechanical equipment and batteries shall be screened from adjacent right-of-ways and properties.

4. The wind turbine shall be a Delta 1 Pacwind with the physical specifications listed in Exhibit "B" as submitted by the applicant.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.


Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. 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 offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. 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 No. 04-38 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 for this ordinance are declared to be severable.

Section 7. 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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of July, 2008.



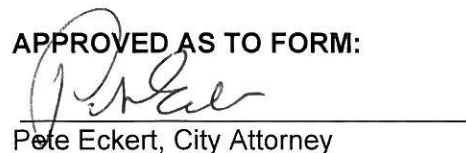
William R. Cecil, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



Pete Eckert, City Attorney

1st Reading: 06-16-08

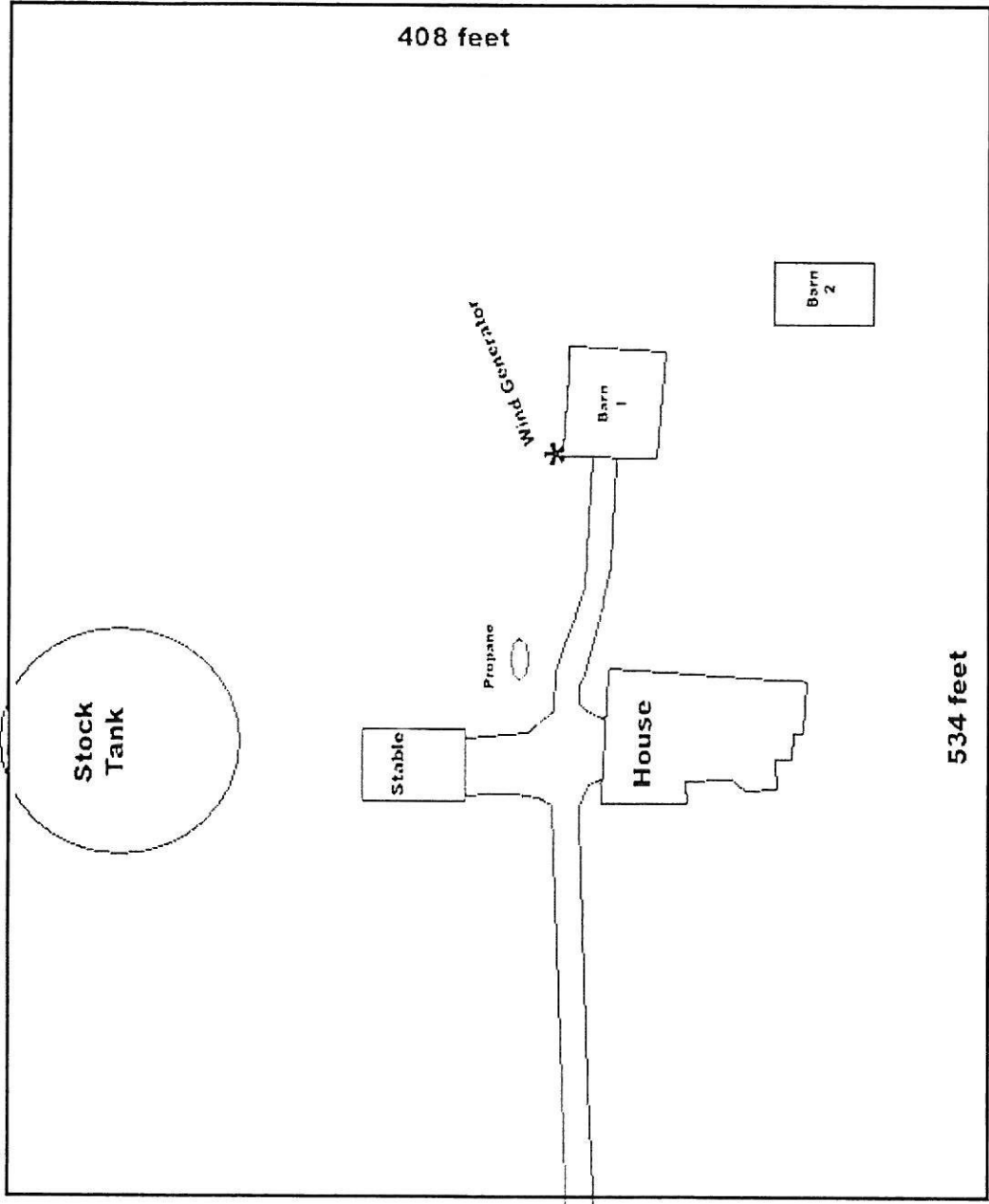
2nd Reading: 07-07-08





F M 5 4 9

1903 S FM 549
Rockwall, TX 75032

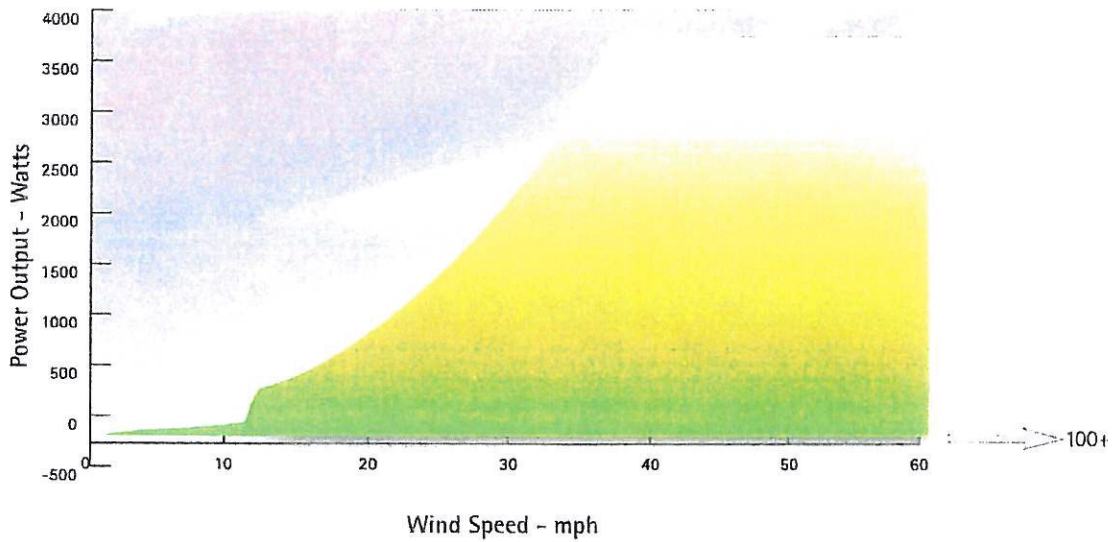


PARK

Fontana Ranch

1 inch = 75 feet

Delta I



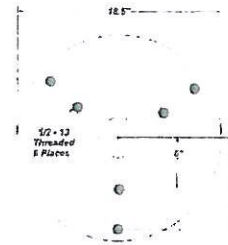
Electrical Specifications

Power Interface:	
D.C. Voltage output	0-190 V Peak
D.C. Current output	0-20 A Peak
Electrical connection	2-Wire
Wire Type	10 AWG
Electromagnetic Containment	FCC Class B

Rated Power	2kw
Rated Wind Speed	28mph
Cut-in Speed	8mph
Cut-out Speed	None
Start-up Speed	4mph

Physical Specifications

Cage Height	48 inches
Cage Diameter	79 inches
Cage Weight	47 pounds
Cage Rotation Speed	0 to 600 RPM
Sound (Noise) Pressure Level	4.5 dB (at 5ft)
Generator Height	5.75 inches
Generator Diameter	18.5 inches
Generator Weight	79 pounds
Hazardous Materials	RoHS Compliant

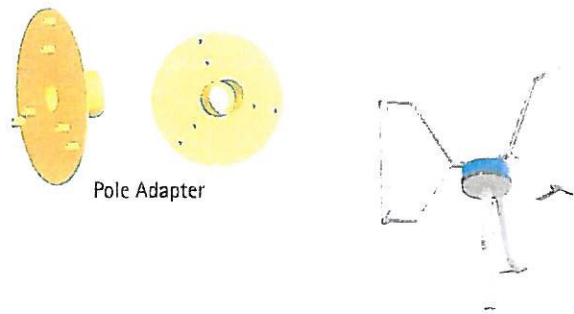


Bottom View Hole Layout

Environment:

• Operating Temperature	-20 to 160° F
• Storage Temperature	-30 to 160° F
• Relative Humidity	0 to 95% NC

Information contained herein is deemed reliable, but not guaranteed, and is subject to change.



Pole Adapter



PacWind, Inc., 23930 Madison Street, Torrance, California 90505 info@pacwind.net Phone: 310.375.9952 FAX: 310.375.2331