

CITY OF ROCKWALL

ORDINANCE NO. 08-61

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 7.403-ACRE TRACT OF LAND LOCATED AT 960 SIDS ROAD AND DESCRIBED AS TRACT 3-6, ABSTRACT 26, W. H. BARNES SURVEY, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HEREIN; 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) has been requested by Rayburn Country Electric Cooperative to allow for a "Utility Installation, Other Than Listed," specifically a wind turbine on a 7.403-acre tract zoned (Ag) Agricultural District and located at 960 Sids Road, and known as Tract 3-6, Abstract 26, W. H. Barnes Survey, 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 on a 7.403-acre tract zoned (Ag) Agricultural District and located at 960 Sids Road, and known as Tract 3-6, Abstract 26, W. H. Barnes Survey, City and County of Rockwall, Texas; 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 located on the property as indicated on the site plan attached as Exhibit "A".
2. The wind turbine shall have a maximum overall height of 130-feet (including tower and blade), as indicated on Exhibit "B".
3. The wind turbine shall be an **Entegriety EW50** model with the physical specifications listed in "Exhibit C" as submitted by the applicant.
4. Any mechanical equipment and/or batteries associated with the turbine shall be screened from adjacent right-of-ways and properties.

5. The wind turbine shall comply with all City noise regulations, including maximum sound levels at residential property lines. Any violation may result in the termination of the SUP.
6. If at any time the wind turbine ceases to operate or is no longer used by the property owner for a continuous period of twelve (12) months, the SUP shall be subject to review by City Council and, if voided, shall be removed from the property.
7. The owner shall provide the City copies of any reports that analyze the effectiveness, efficiency or concerns relating to the wind turbine prepared for or by Rayburn Country Electric Cooperative.

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 3rd day of November, 2008.

William R. Cecil

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Pete Eckert

Pete Eckert, City Attorney

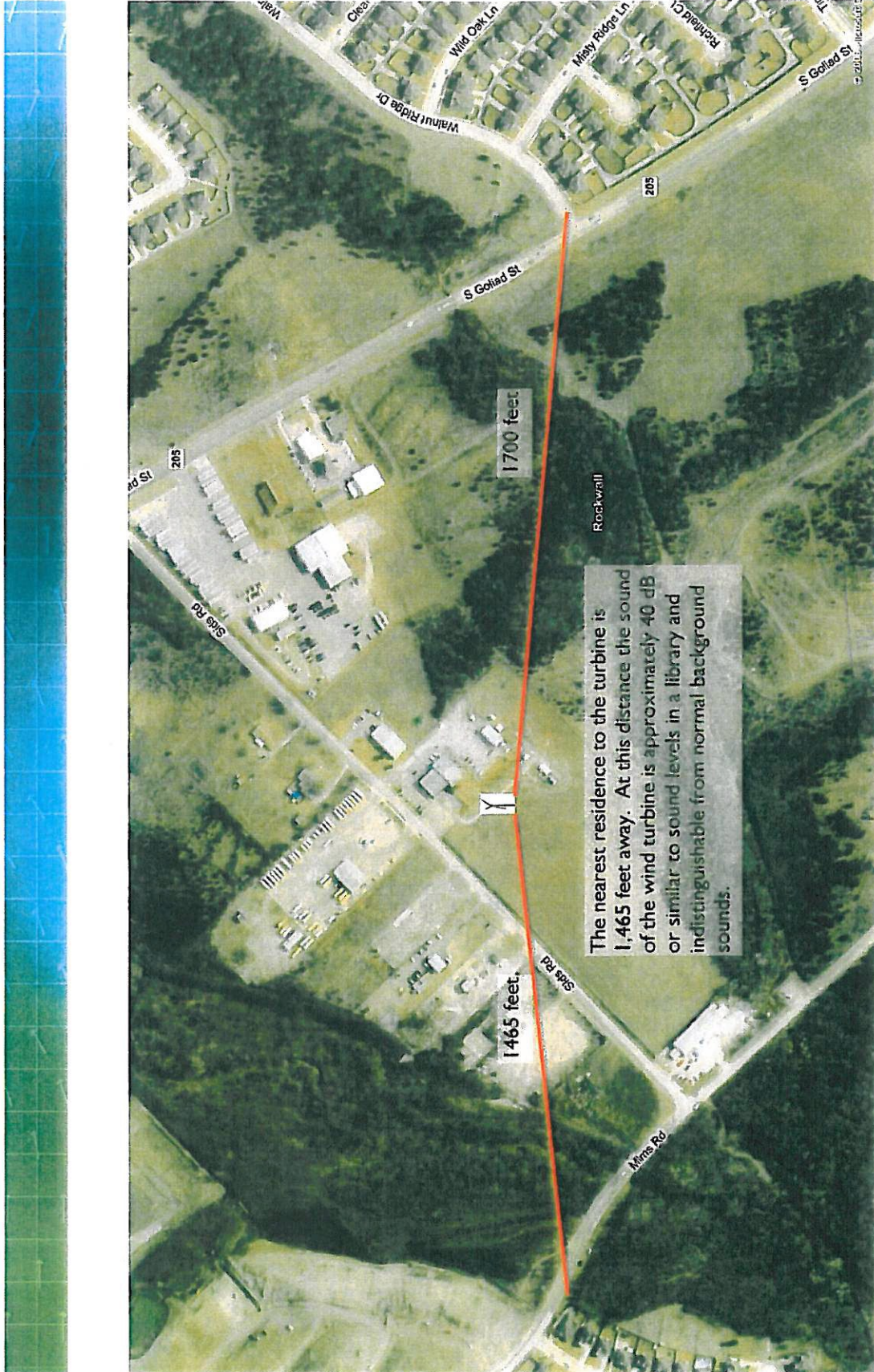
1st Reading: 10-20-08

2nd Reading: 11-03-08





EXHIBIT A



FILE COPY

2008 026

OCT 10 2008

phone 303.440.8799
fax 303.577.9775

4855 Riverbend Road Suite 100
Boulder, Colorado 80301

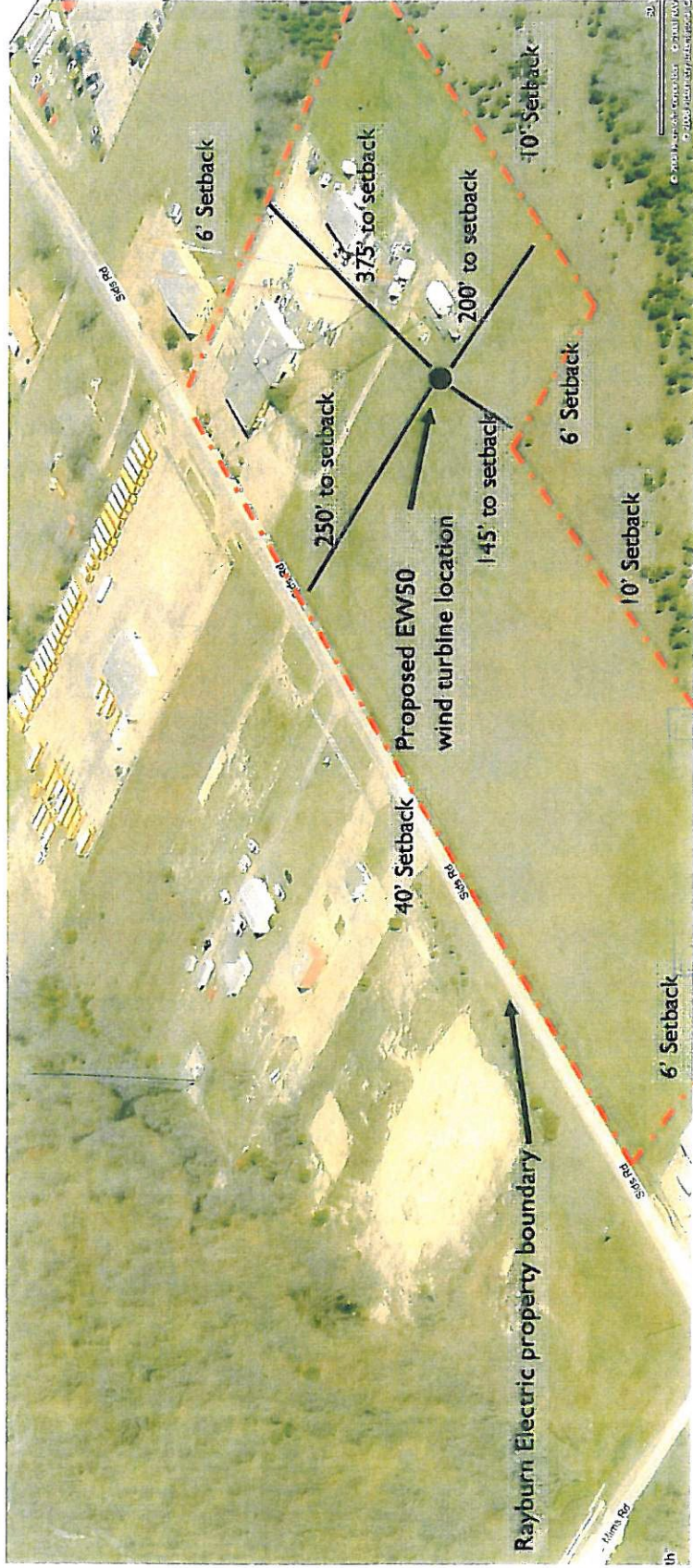
Entegrity Wind Systems Inc.
www.entegritywind.com



EXHIBIT A (cont)

SITE PLAN – Proposed EW50 Wind Turbine Site

Project: Rayburn Electric 50kW Wind Turbine
Address: 980 Sids Road
Rockwall, TX 75302
Zoning: Agricultural



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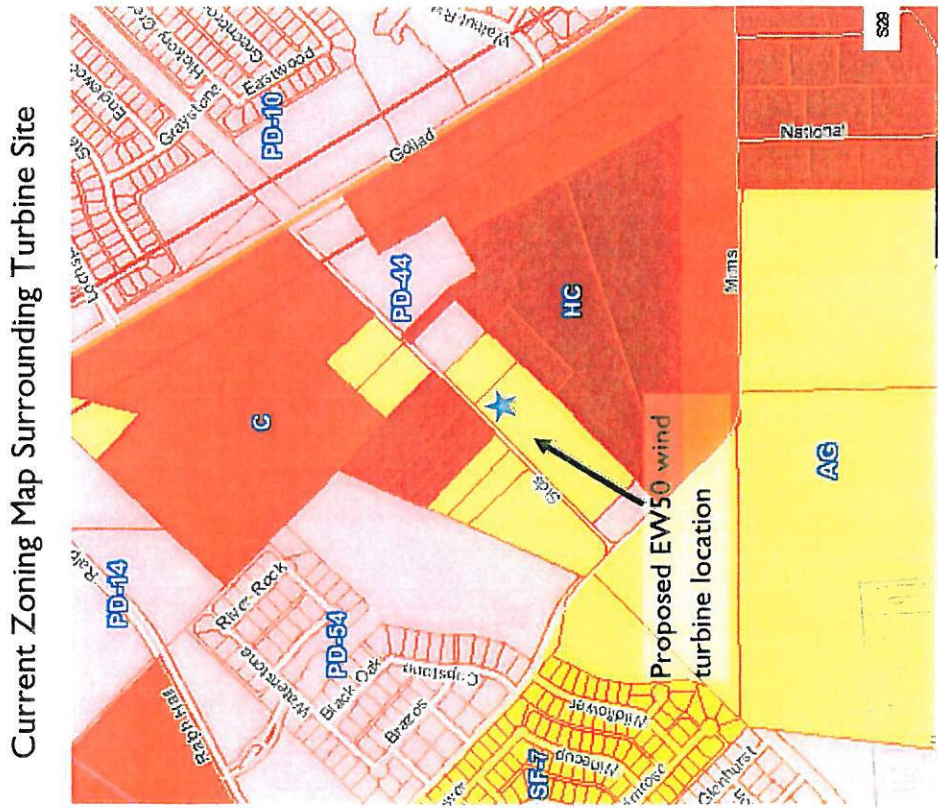
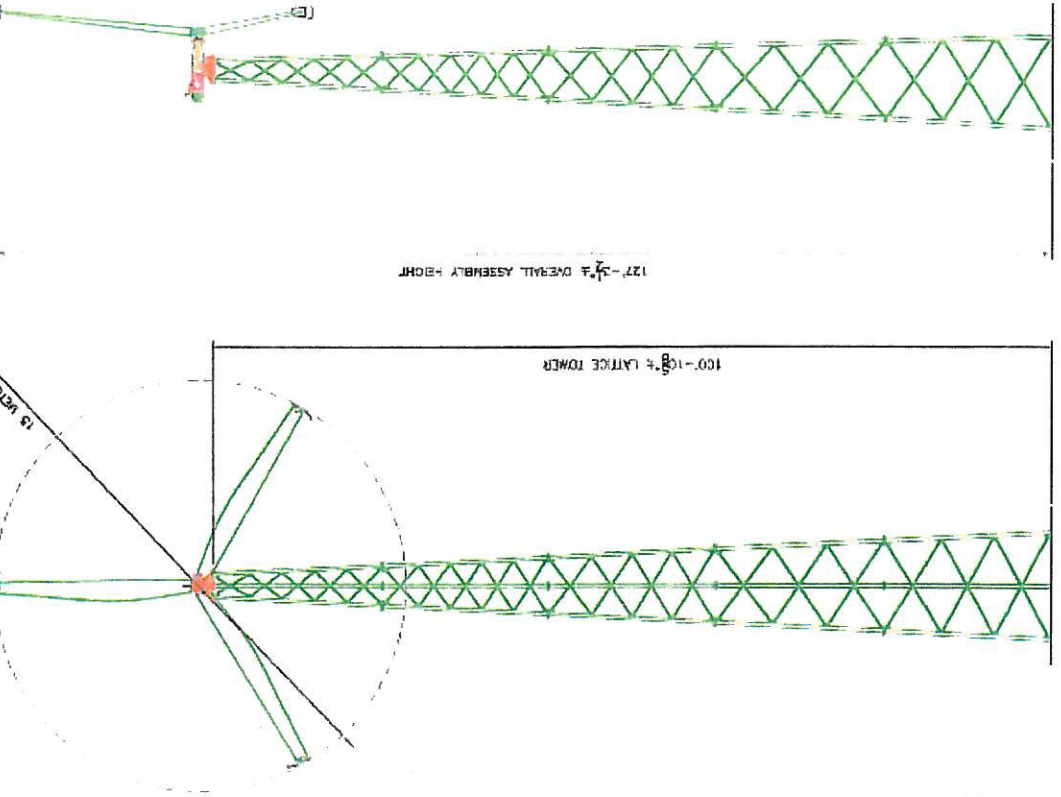
phone 303.440.8799
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4855 Riverbend Road | suite 100
Boulder, Colorado 80301

Entegrity Wind Systems Inc.
www.entegritywind.com



EXHIBIT B



Current Zoning Map Surrounding Turbine Site

OCT 10 2008
 2008 026
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 www.entegrittywind.com

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 Boulder, Colorado 80301

phone 303.440.8799
 fax 303.577.9775

EXHIBIT C



EW50 Specifications

1. SYSTEM

Type	3 ϕ Grid Connected
Configuration	Horizontal Axis
Rotor Diameter	15 m (49.2 ft)
Centerline Hub Ht.	31.1 m (102 ft)

2. PERFORMANCE PARAMETERS

Rated Electrical Power	50 kW @11.3 m/s (25.3 mph)
Wind Speed Ratings	
Cut-in	4.0 m/s (8.9 mph)
Shut-down (high wind)	22.4 m/s (50 mph)
Design Speed	59.5 m/s (133 mph)
Average Annual Output at Sea Level	Class 2 115,000kWh Class 3 149,000kWh Class 4 177,000kWh

3. ROTOR

Type of Hub	Fixed Pitch
Rotor Diameter	15 m (49.2 ft)
Swept Area	177 m ² (1902 ft ²)
Number of Blades	3
Rotor Solidity	0.077
Rotor Speed @ Nameplate Capacity	65 rpm
Location Relative to Tower	Downwind
Cone Angle	6°
Tilt Angle	0°
Rotor Tip Speed	51 m/s (114 mph) @ 60 Hz
Design Tip Speed Ratio	6.1

4. BLADE

Length	7.2 m (23.7 ft)
Material	Epoxy /glass fiber
Blade Weight	150 kg (330 lbs) approximate

5. GENERATOR

Type	3 phase/4 pole asynchronous
Frequency	60 Hz
Voltage	3 phase @ 50/60 Hz, 415-600 VAC
kW @ Rated Wind Speed	50 kW
kW @ Peak Continuous	66 kW
Insulation	Class F
Enclosure	Totally Enclosed Air Over
Options	Arctic low temp shafting - 40C

6. TRANSMISSION

Type	Planetary
Housing	Ductile Iron
Ratio (rotor to generator sp)	1 to 28.25 (60 Hz)
Rating, output horse power	88
Lubrication	Synthetic gear oil/non-toxic
Heater (option)	Arctic version, electric

7. YAW SYSTEM

Normal	Free, Passive
Electrical	Twist Cable

8. TOWER

Type	Free standing monopole or galvanized lattice
Lattice Tower Heights	80', 100', 120'
Monopole Tower Heights	72', 100', 120'
Monopole Options	Noise Reducing Fairing, Ladder, Finish

9. FOUNDATION

Type	Monolithic Slab or Custom
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10. CONTROL SYSTEM

Type	Microprocessor based
Communications	Cellular or Internet/Ethernet connection to central computer for energy monitor and maintenance dispatch
Enclosures	NEMA 1, NEMA 4 (optional)
Soft Start	Optional

11. ROTOR SPEED CONTROL

Running	Passive stall regulation
Start-up	Aerodynamic
Shut-down	Aerodynamic tip brake Parking brake for servicing

12. BRAKE SYSTEM CONTROL

Fail-safe aerodynamic and parking brakes

13. APPROXIMATE SYSTEM DESIGN WEIGHTS

100' Lattice Tower	3,210 kg (7,080 lb)
100' Monopole Tower	7,281 kg (16,051 lb)
Rotor & Drive Train	2,420 kg (5,340 lb)

14. DESIGN LIFE

30 Years

15. DESIGN STANDARDS

IEEE 1547 compliant, CE certified, UL listed

16. DOCUMENTATION

Installation Guide and Operation & Maintenance Manual

17. MAINTENANCE SCHEDULE

Semi-annual