



**AGENDA
PLANNING & ZONING COMMISSION
TUESDAY, JUNE 23, 2015**

The Planning and Zoning Commission will convene into a Regular Meeting at 7:00 p.m. in the City Hall Chambers at the Municipal Center, 4000 Main Street, Rowlett, at which time the following items will be considered:

A. CALL TO ORDER

1. Update Report from Director of Development Services.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of June 9, 2015.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Conduct a public hearing and make a recommendation on proposed text amendments to the Rowlett Development Code as it pertains to Landscaping.

D. ADJOURNMENT

NOTE: THE PLANNING AND ZONING COMMISSION MAY RETIRE AND CONVENE INTO EXECUTIVE, CLOSED SESSION ON ANY MATTER RELATED TO ANY OF THE ABOVE AGENDA ITEMS FOR THE PURPOSES OF PRIVATE CONSULTATION WITH THE CITY ATTORNEY UNDER SECTION 551.071 OF THE TEXAS GOVERNMENT CODE.

NOTE: THE CITY OF ROWLETT MEETING ROOMS ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT FOR FURTHER INFORMATION.

A handwritten signature in black ink, appearing to read "Garrett Langford".

Garrett Langford, Principal Planner

**MINUTES OF THE MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 6:30 P.M., JUNE 9, 2015**

PRESENT: Chairman Karl Crawley, Vice-Chairman Michael Lucas, Commissioners Jonas Tune, James Moseley, Thomas Finney, Chris Kilgore, Alternate Lisa Estevez

ABSENT: Commissioner Clayton Farrow, Alternate Gabriela Borcoman

STAFF PRESENT: Principle Planner Garrett Langford, Development Services Technician Lorie Strickland

WORK SESSION

i. Call to Order

Chairman Karl Crawley called the Work Session to order at 6:30 p.m.

ii. Discuss and receive comments from the Planning and Zoning Commission regarding proposed text amendments to the Rowlett Development Code as it pertains to Landscaping.

Principle Planner Garrett Langford gave a briefing on amending the Landscape requirements in the Rowlett Development Code and to solicit comments from the Planning and Zoning Commission. Mr. Langford explained that Oncor is now more restrictive on what landscaping will be allowed within their utility easements such as those along Lakeview Parkway. This will result in conflicts with the City's landscaping requirements. Staff has prepared amendments to address this situation and to clarify other landscaping requirements on the compatibility buffer, internal landscaping and irrigation.

There was discussion among the Commissioners on how the landscaping requirements modifications should be approved whether through alternative landscape plan or administratively by staff. The majority members expressed a desired to allow the landscape modification without an alternative landscape plan.

It was the consensus of the Commission to support the proposed amendments addressing internal landscaping requirements and irrigation. The majority of Commission was not supportive of reducing the compatibility buffer.

iii. Discuss items on the regular agenda.

Garrett Langford gave a brief review of the proposed rezoning from SF-40 to New Neighborhood. There was discussion amongst the Commissioners about housing mix and the possibility of townhomes being built.

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iv. Adjourn

Chairman Karl Crawley adjourned the Work Session at 7:10 p.m.

REGULAR MEETING

A. CALL TO ORDER

Chairman Karl Crawley called the Regular Meeting to order at 7:13 p.m.

1. Update Report from Director of Development Services

No update was given to the Commissioners.

B. CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting of May 12, 2015.

Vice-Chairman Michael Lucas made a motion to approve the Consent Agenda. Commissioner Chris Kilgore seconded the motion. The Consent Agenda was approved unanimously.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. **Conduct a public hearing and make a recommendation to City Council on a request for a rezoning from Single Family-40 Zoning District to the New Neighborhood Form Based Zoning District with Major Warrants. The Major Warrants are to allow modification to the lighting and open space standards as they pertain to buildings fronting on open space. The subject properties are located at 4401, 4413, 4501, 4509, 4513, 4601, 4609, 4613 and 4701 Dexham Road, further described as being Lots 1 – 9, Block A of the Dexham Creek Ranch Estates. (Case FW14-740)**

Mr. Langford gave a presentation on the proposed rezoning. This included a review of the site location, framework plan, site analysis, floodplain area, open space, trail, and housing mix. He also discussed thoroughfare assemblies and major warrants. He further stated that the proposed development will be required to obtain a Traffic Impact Analysis and confirm adequate water and sewer capacity prior to the development.

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Mr. Langford stated that this item is a public hearing and it was noticed in accordance with State Law and the RDC. He stated that 14 responses were received in opposition of the request and none in favor within the 200 foot buffer range. One courtesy notice response was received in favor of the request and 13 were received in opposition. 31 responses were received in opposition from outside of the notice area. He concluded his presentation by stating that Staff is recommending approval of the item and requested that the Commission recommend approval to the City Council.

Chairman Crawley asked for Shelby Griffin to come forth and give her presentation.

Shelby Griffin
5225 Village Creek Dr.
Plano, TX 75093

Shelby Griffin representing the applicant gave a presentation on Creekside Village, showing the goals and challenges of this area. She showed the proposed housing mix, and product types and how the proposed housing sizes compare with square footage of the existing in the area. She stated there was no plan for any townhomes or multi-family.

Robert Cresswell
Developer/Property Owner
17409 Clubhill Ct.
Dallas, TX

Mr. Cresswell discussed the challenges with the property and the appeal of utilizing the Form-Based Code. He stated that the proposed neighborhood will be a “lock and leave” development that will attract young professionals and the retired. He further discuss the proposed open spaces, HOA, small yards, walking trails, front porches, lighting, housing variety, slip street, and landscaping. He said this will be a first class subdivision when done.

Chairman Crawley opened the public hearing at 7:49 and limited the speakers to 3 minutes.

The following speaker’s came forward. A summary of their comments follows each speaker’s name and address.

JoAnn Slack
4514 Dexham Rd.

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Rowlett, TX 75088

Ms. Slack opposes the proposed zoning change. The comprehensive master plan from 1996 intended land use was to keep the country feel, beauty of the land with larger lots. She would like to see it stay as intended and would prefer the Rural Neighborhood district.

**Gregory Craig
1914 Stallion Cir
Rowlett, TX 75088**

Mr. Craig stated most of his neighbors have lived in this area for a long time and love their neighborhood and he is opposed to the rezoning. The proposal does not fit this area and that the rezoning is an attempt to fit a square peg in a round hole.

**Diane Perkins
4414 Dexham Rd.
Rowlett, TX 75088**

Ms. Perkins stated that the Staff Report was not objective and that City Staff provided short answers that were not to her satisfaction. She asked if the city can support the need for water, sewer, storm water drainage and services to existing development if the proposal is constructed. Ms. Perkins stated developing 13.5 acres in the floodplain will have a negative impact and will cause flooding in other areas. She asked that this application be denied in its entirety.

**Larry Perkins
4414 Dexham Rd.
Rowlett, TX 75088**

Mr. Perkins stated there would be a negative impact on the environment and would be significant change in the area. There would be an increase in foot traffic, loss of privacy, and an increase in rodents. Mr. Perkins did not like the idea of buffer hedges he doesn't think they look good. He thinks within 5 years the value of the homes will decrease and that flooding will be an issue since 65% of area is in a floodplain. Mr. Perkins asked for denial.

**Mike Tornatore
1906 Palomino Dr.
Rowlett, TX 75088**

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Mr. Tornatore stated that there has been increased traffic along Dexham Road which has been further exacerbated by congestion caused by DART and the intersection of Dexham Road and Miller Road. He also stated that Dexham road cannot handle current traffic and will not be able to support the proposed development. There is not adequate infrastructure to support the proposal and it should not be approved.

**Gerald Kerby
1706 Palomino Dr.
Rowlett, TX 75088**

Mr. Kerby stated from a real estate aspect, he has seen neighborhoods come and go, small square footage homes will turn into rental property. FBC designed to have mix of square footage, leaves too many open doors. Small square footage homes will not help the area but will increase the traffic.

**Jon Simikic
1902 Palomino Dr.
Rowlett, TX 75088**

Mr. Simikic stated Dexham Estates is cozy, has large lots and the neighborhood is bonded together. Feels shacks being built will cause people to move out of the neighborhood.

**Betty Littlejohn
4418 Dexham Rd.
Rowlett, TX 75088**

Ms. Littlejohn stated that this area was not one of the 13 areas targeted in the Realize Rowlett 2020 Plan. She stated the south entrance will be in her driveway, and is very opposed. Police can't control speeding traffic currently in the area as it is. One hundred houses will mean at least two hundred extra cars. Rowlett can't support the price per square-footage of the proposed homes. She would like a meeting of the minds on the rezoning. And feels like City Staff pushed this project.

**Jerry Carter
2725 Country Valley Rd.
Garland, TX 75043**

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Mr. Carter stated that he built 8 or 10 homes in Dexham Estates but that was then and this is now. The changes in real estate market is reflected in the FBC. The new generation doesn't want to mow grass. Change causes concern. Not hardly any trees will be torn down, the walking trail is wonderful and will actually go to Allen and Plano when completed.

**Jodi Kirby
1706 Palomino Dr.
Rowlett, TX 75088**

Ms. Kirby is a realtor and has seen what these development do. Nantucket Village same plan, HOA disbanded, neighborhood not safe now. Other developments builders can't sell houses because of the smell coming from the sewage plant. She asked that the request be denied.

Chairman Crawley closed the public hearing at 8:24, and requested any additional discussion or comments.

Chairman Crawley asked Mr. Anderson a professional engineer to explain in non-engineering terms the process you have to go through to fill that 13 acres.

Bill Anderson with Dowdy Anderson and Associates explained the approval process with FEMA and the City of Rowlett for reclaiming a portion of the floodplain. It will have to show the surface water will not raise on adjacent property and the valley storage cannot be reduced. The land in the floodplain can only be reclaimed with FEMA approval.

Chairman Crawley asked the applicant if they would agree to the percentages of housing mix being put in the zoning and if townhouses would be taken off the table. The applicant indicated that townhomes could be taken off the table. Chairman Crawley stated a minimum and maximum of housing categories should be added to zoning. Limit category 3 to 10 percent.

Chairman Crawley asked if the developer meet with the homeowners. Ms. Griffin said there was a meeting in January 2015; however, no plan was shown at that time.

Chairman Crawley asked if anyone had questions. With no more questions he asked for discussion amongst the Commissioners.

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Commissioner James Moseley stated he lives close to the area and has strong concerns about the floodplain and traffic impact, smell of sewage and blend of new development in this area. He stated he would not support changing the zoning.

Commissioner Chris Kilgore stated approval doesn't guarantee the project will be built. There is a process and many people will need to be satisfied, including FEMA, a traffic impact study, the people providing the money and the marketability of the project. FBC provides quality in a walkable, livable and sustainable neighborhood. With maximum on Category 2 at 40% and Category 3 at 10%, Commissioner Kilgore is in favor of this rezoning.

Chairman Crawley stated that he has been involved in FBC in Rowlett and other cities. Rowlett has an overabundance of cookie cutter lots and needs to get away from that. Realize Rowlett 2020 talked about the importance of broadening our housing stock and the types of housing that people want here. That requires walkability and sustainability. One of the most growing and thriving areas in Dallas is along the Katy Trail because people want to be on the trail. The plan for Robinson Park known as Bayside includes a good trail system on both sides of IH-30. Developing the property under a different zoning would not include the trail system. The developer has a right to develop land. He stated that he wants to establish some percentages for product types and is in favor of the development.

Chairman Crawley asked if there were any additional comments and if not he would entertain a motion.

Commissioner Moseley made a motion to deny the request. Chairman Crawley stated that the motion died for a lack of a second.

Commissioner Kilgore made a motion to recommend approval of the two major warrants and the rezoning with the condition that Category homes 3 be limited to a maximum of 10% and Category homes 2 be limited to a maximum of 40%. Commissioner Tune seconded the motion. The item passed 6-1 vote. Commissioner Mosely voted in opposition.

- 2. Consider and make a recommendation to City Council on an Alternative Landscape Plan for Sprouts located at 2801 Lakeview Parkway, further described as a 12.608-acre tract of land from the Reason Crist Survey, Abstract No. 225 and the U. Matthusen Survey, Abstract No. 1017, City of Rowlett, Dallas County, Texas. (DP14-736).**

Mr. Langford gave a brief presentation of the proposed landscape plan for sprouts and stated staff recommends approval.

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Chairman Crawley asked if there were any questions or comments and if not he would entertain a motion. Commissioner Tune made a motion to recommend approval of the item as presented. Commissioner Finney seconded the motion. The motion passed with a 7-0 vote.

Chairman Crawley recused himself from item C3.

- 3. Consider and make a recommendation to City Council regarding a tree mitigation plan and related tree removal permit application for more than three trees associated with Platinum Storage located at 7301 Lakeview Parkway further described as being Block A, Lot 2 RaceTrac Addition, City of Rowlett, Dallas County, Texas (Case Number DP15-776).**

Mr. Langford gave an overview of tree mitigation plan for Platinum Storage and stated staff recommends approval.

Commissioner Kilgore asked if any changes were made to the current landscape plan. Mr. Langford confirm that landscape plan is the same but that the saved trees are now being incorporated into the plan.

Vice-Chairman Lucas asked for a motion. Commissioner Mosely gave a motion to approve and Commissioner Tune seconded the motion. The motion passed with a 6-0 vote.

D. ADJOURNMENT

Vice-Chairman Michael Lucas adjourned the meeting at 8:56 p.m.

Chairman

Secretary



City of Rowlett

Staff Report

Planning & Zoning Commission

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
www.rowlett.com

AGENDA DATE: 06/23/2015

AGENDA ITEM: C1

AGENDA LOCATION

Individual Consideration

TITLE

Conduct a public hearing and make a recommendation on proposed text amendments to the Rowlett Development Code as it pertains to Landscaping.

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

The purpose of this item is to receive a recommendation from the Planning and Zoning Commission on a proposed text amendment to the Landscaping Section of the Rowlett Development Code (RDC). As it was discussed in the Work Session on June 9, 2015, the main reason for the proposed text amendment is to address potential conflicts between landscaping requirements and utility easements in light of recent policy changes from Oncor. Oncor, who owns utility easements along the length of Lakeview Parkway that contain their high voltage transmission lines, will no longer allow any trees within their easements. In addition to addressing conflicts between landscaping and utility easements, the proposed text amendments would also seek to clarify requirements for the compatibility buffer, off-street parking landscaping and irrigation.

BACKGROUND INFORMATION

The main purpose for the proposed text amendment is to address potential conflicts arising from a recent change in Oncor's policy to no longer allow canopy trees within their high voltage transmission line easements (Attachment 1 - Oncor's Letter with Revisions). Oncor's high voltage transmission lines run parallel along the entire length of Lakeview Parkway. When the high voltage transmission lines are located over private property and not within the City's right-of-way, they are located in easements owned by Oncor. These easements give Oncor the legal right to dictate what improvements are allowed within their easements. For the most part, these easements are generally located within the first 20-30 feet of the properties that front on the north side of Lakeview Parkway. This is also where the RDC requires a 20-ft landscape right-of-way buffer that must include one canopy tree per 35 linear feet and 10 shrubs per 30 linear feet.

On June 9, 2015, separate Work Sessions were held with the Planning and Zoning Commission, and City Council where Staff presented the proposed text amendments to address conflicts between utility easements and required landscaping, and to clarify other landscaping

requirements. This included the compatibility buffer, off-street parking landscaping and irrigation. In the following section, the proposed text amendments are reviewed along with the feedback that Staff received from the June 9, 2015, Work Sessions.

DISCUSSION

Staff has prepared a strikethrough and underline of the proposed text amendments (Attachment 1 – Strikethrough and Underline) to Section 77-504 of the Rowlett Development Code to receive a recommendation from the Planning and Zoning Commission. Following is a synopsis of the proposed amendments followed by feedback from the June 9, 2015, Work Sessions.

Compatibility Buffer

The compatibility buffer is a six-foot wide landscape buffer that is required between similar land uses. This buffer is required to contain one tree per 50 linear feet and 10 shrubs per 30 linear feet. As currently written, the ordinance requires that each development shall provide a compatibility buffer resulting in a 12-foot landscape buffer between similar land uses. Staff is proposing an amendment that clarifies that a single six-foot wide landscape buffer is required to be installed along the property line where one does not presently exist. The initial developer in a sequence of contiguous parcels would be responsible for constructing the compatibility buffer. The proposed amendment does not reduce the overall landscaping requirement for a site which is a minimum of 15% of the property.

Work Session Feedback: The majority of the Planning and Zoning Commission members indicated a desire to maintain the current standard. City Council had the alternate viewpoint and was to support this change.

Internal Landscaping:

The RDC requires internal landscaping based on a percentage of the size of the off-street parking area. Additionally, internal landscaping trees are required for every 400 square feet of required internal landscaping. This is in addition to the tree islands that are required for every 12 parking spaces and at the terminus of all rows of parking. It further states that 75% of all internal trees shall consist of canopy trees. However, the code also states that there shall be a minimum of at least one canopy tree for each eight parking spaces. Staff believes that there should be one calculation to determine the minimum amount of canopy trees within a parking lot. To avoid confusion, staff proposes eliminating the one canopy tree per eight parking spaces.

Work Session Feedback: Planning and Zoning Commission, and City Council were supportive of this change.

Overhead Utilities:

Specifies that when required canopy trees are located beneath overhead utilities that the applicant may substitute the canopy trees with ornamental trees from the approved tree list at a ratio of three ornamental trees to one canopy tree.

Work Session Feedback: Planning and Zoning Commission, and City Council were supportive of this change.

Utility Easement:

This is a new subsection within the Landscape section of the RDC that would require an applicant to obtain written approval when from the owner of the utility easement when locating landscaping and/or irrigation within that utility easement. This new subsection would not grant relief from the landscaping requirements should encroachment agreement not be granted by the owner of the easement. Instead, the new subsection would allow for the required plants and/or trees to be planted elsewhere onsite but within the same yard of the required location. Relocating the required landscaping from a conflicting utility easement will be subject to staff approval and will not require approval of alternative landscape plan. An alternative landscape plan will be required should the applicant request a reduction in the plant material that would have otherwise been required.

Work Session Feedback: The majority of the Planning and Zoning Commission, and City Council were supportive of this change with a provision to allow administrative approval. The proposed amendment was modified to allow administrative approval when landscaping is relocated from an easement to an area within the same yard of the required location. An alternative landscape plan will be needed in the event an applicant requests a reduction in the required landscaping.

Irrigation and Maintenance:

The RDC currently has two subsections on irrigation. The proposed amendment would combine the two subsections on irrigation into one section to avoid confusion. There are no proposed changes to the irrigation standards.

Work Session Feedback: Planning and Zoning Commission and City Council were supportive of this change.

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends the Planning and Zoning Commission make a favorable recommendation.

ATTACHMENTS

Attachment 1 – Oncor Letter with revisions

Attachment 2 – Section 77-504, Strikethrough and Underline



Oncor Electric Delivery
115 W. 7th Street, Suite 411
P.O. Box 970
Fort Worth, Texas 76101-0970

Tel 817.215.5534
Fax 817.215.6360

June 8, 2015

VIA HAND DELIVERY

City of Rowlett

Re: Proposed Ordinance on Landscaping within Oncor Rights-of-way

Dear City of Rowlett:

Per the City's request, Oncor Electric Delivery Company LLC provides the following addressing the City's proposed ordinance revisions to vegetation and landscaping within Oncor's transmission easements and right-of-ways. While Oncor shares your city's aim to ensure the aesthetic and beneficial value of trees and other greenery in our communities, due to regulatory, reliability and safety concerns inherent in the operation of high-voltage transmission lines, our right-of-ways and easements present barriers to such use.

The dangers of contact between trees and high voltage lines has long been understood and recognized. Most electric utility easements have included language to the effect that the utility has the right to trim and cut down trees and shrubbery within easements and rights-of-way to the extent necessary to prevent possible interference with the operation of high-voltage lines or to remove possible hazard thereto.

Furthermore, in addition to private contractual obligations, Oncor must answer to state and federal regulatory oversight which compels the necessity of maintaining transmission right-of-ways free of trees and other threats to reliability and safety. In the last decade, the federal government has extended its authority over transmission operations.

The Federal Energy Regulatory Commission ("FERC") has been granted broad responsibilities to ensure the reliability of the bulk power system, which includes high voltage transmission lines like those at issue. FERC had promulgated regulations that require utilities to ensure that transmission lines are not compromised by potential hazards and to audit their compliance. Severe penalties may accrue where a violation of FERC's regulations occur. As a practical result of these regulations, Oncor and other utilities are expected to fully exercise their easement rights for vegetation management.

In turn, under Texas law, easement rights are relatively broad. As a general rule, an easement allows Oncor to do whatever is reasonably necessary to secure and protect the rights granted. Additionally, Oncor has a duty to maintain its easements and to prevent others from interfering with easements. The Courts have consistently upheld an electrical utility's right to cut down and remove trees to protect its transmission lines and the public safety.

Furthermore, Texas law mandates that Oncor safeguard reliability and safety, in part by maintaining adequate clearances around high-voltage lines. The State of Texas recognized that continuous service by a public utility is essential to the life, health, and safety of the public and that the primary duty of a public utility is to maintain continuous and adequate service at all times to protect the safety and health of the

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public against the danger inherent in the interruption of service. The Texas Utilities Code also provides that an electric utility company shall construct, operate, and maintain its lines for the transmission and distribution of electric energy along highways and other places in accordance with the National Electric Safety Code ("NESC"). The NESC provision addressing tree trimming states, "trees that may interfere with ungrounded supply conductors should be trimmed or removed." A note follows, stating "normal tree growth, the combined movement of trees and conductors under adverse weather conditions, voltage, and sagging of conductors at elevated temperatures are among the factors to be considered in determining the extent of trimming required."

The law prohibits parties from conducting any activity that may bring material within six (6) feet of high voltage power lines and vegetation, such as tree branches, is a material that one may not bring or attempt to bring into contact with high voltage wires.

We hope this will help the city understand the legal and regulatory constraints that Oncor and other utilities face. Given these existing regulations, which we believe will become more stringent over time, we respectfully request that if amendments are made to an ordinance pertaining to development and landscaping in Oncor's transmission right-of-ways, it should contain the following points:

- 1) Before beginning construction, the land developer or other party responsible for development, will submit a landscape plan to Oncor for consideration and approval;
- 2) Before beginning construction and during the course of construction, the land developer or other party responsible for development will educate, train and monitor its employees and contractors so as to avoid any contact or close proximity between Oncor's high voltage lines and any persons, equipment or material during construction or landscaping on the project;
- 3) The developer should not include any metal fences or other metal or conductive features running parallel to the high-voltage lines that may be subject to induced voltages or pose a risk that a person climbing upon the fence or feature may come in proximity to Oncor's high voltage lines;
- 4) No underground or pressurized irrigation system should be installed within the right-of-way;
- 5) For operating voltages greater than 60,000 volts; No tree, shrub or other vegetation shall be planted in the right-of-way that has a mature height of more than twelve (12) feet.

We consider that these points will serve to protect Oncor's facilities and the safety of your residents. Please let us know what can be done to assist the city further with regards to the Landscaping Section of the Rowlett Development Code that best meets the needs of the community.

Very Truly Yours,



Dan Altman

DGA/da

Garrett Langford

From: Young, Barry <Barry.Young@oncor.com>
Sent: Monday, June 15, 2015 2:25 PM
To: Garrett Langford
Subject: FW: Landscaping and HV Lines

Garrett,

With reference to the Oncor letter dated June 8,2015 regarding proposed amendments to the landscaping section of the City's development Code; To reduce any ambiguity and further clarify on page 2 of the letter, the Company provides the following:

Please see below number 5 additions and a new number 6. These clarifications should be attached to the June 8 letter.

5) For operating voltages greater than 60,000 volts; No tree, shrub or other vegetation shall be planted in the right-of-way that has a mature height of more than twelve (12) feet; any plantings shall be based solely on Oncor Electric Delivery's discretion. No trees or shrubbery will be allowed in 345,000 volt transmission line right-of-way.

6) For operating voltages less than 60,000 volts; Trees should be selected and planted such that at mature height no limbs will be closer than 10 ft. from high voltage lines.

We believe this additional clarity will serve both the City and Oncor well going forward. There are no guarantees with regard to future Federal and state oversight the Company may receive with regards to grid reliability standards on electric transmission lines. We appreciate the City of Rowlett's understanding of this regulatory environment. Please contact me with any questions

Best regards

Barry Young
Sr. Area Manager

Oncor
7309 Frankford Rd.
Dallas, TX 75252-6347

Phone: (972) 985-2066 - Mobile: (469) 261-2417 - Fax: (214) 985-2060
E-mail: barry.young@oncor.com
Visit Oncor at: www.Oncor.com

From: Young, Barry
Sent: Monday, June 08, 2015 1:53 PM
To: 'Garrett Langford'
Subject: RE: Landscaping and HV Lines

Garrett,

Please see the attached letter. If you have any questions at all, please let me know.

Sec. 77-504. Landscaping and Screening.

D. *Required Landscaping.*

...

2. *Perimeter buffer landscape requirements.*

...

(g) *Compatibility Buffer.* Compatibility buffers shall serve to provide a minor transitional buffer between similar land uses. ~~The minimum width of a compatibility buffer is six feet.~~ A compatibility buffer with a minimum width of six feet shall be provided along all property lines where there is no existing buffer.

...

3. *Off-Street Parking Landscape Requirements.*

...

(e) *Trees.* In addition to the trees required to be planted in parking landscape islands, there shall be a minimum of one tree planted for each 400 square feet or fraction thereof of required interior landscape area. A minimum of 75 percent of all trees required in the interior planting area shall be canopy trees. Ornamental trees substituted at a rate of 3:1, may count as one required tree, not to exceed 25 percent of the total required trees. Where only three or fewer trees are required, those trees shall all be canopy trees. ~~The minimum requirement for canopy trees shall not be less than one tree for every eight parking spaces.~~ Interior parking lot landscaping trees should not be placed in compatibility buffers. The number of interior parking lot landscaping trees may be reduced by the director of planning if the applicant provides written information documenting that providing the required interior parking lot landscaping trees would result in unhealthy conditions for tree growth.

...

E. *General Landscaping Requirements and Standards.*

...

4. *Proximity to Overhead Utilities.* To minimize conflicts with overhead powerlines and overhead utility installations, the applicant may substitute canopy trees with ornamental trees from the approved plant list in Subsection 77-504J at a ratio of three ornamental trees to one canopy tree when locating under overhead utilities. ~~with a mature height of 25 feet or less for canopy trees when planting within ten feet from either side of overhead power lines. Such trees shall be selected from a tree list approved by the appropriate utility. Where overhead utilities exists, trees shall be maintained so that the mature tree canopy is a minimum of ten feet from the overhead utilities.~~

5. Utility Easements: When locating landscaping and/or irrigation within a public or private utility easement, the applicant shall obtain an encroachment agreement from the owner(s) of the utility easement. An easement owner's refusal to allow landscaping within their easement shall not absolve the applicant from complying the landscaping requirements within this Section. Plants required in the easement area shall be planted elsewhere on site, in the same yard of the required location, should an encroachment agreement not be granted by the easement holder.

5.6. Irrigation and maintenance. All landscape areas and open space shall be provided with an adequate, inconspicuous, and complete-coverage automatic irrigation system according to the following standards: ~~Under high-voltage power lines and in easements for transmission towers, low pressure systems (drip and soaker hoses) shall be used. No control valve shall be located within an easement for transmission towers.~~

- (a) Irrigation systems shall be calibrated and designed to provide the appropriate amount of water that relates to the plant species, and shall not overwater.
- (b) All planted areas shall be irrigated.
- (c) All irrigation systems shall be equipped with rain and freeze sensors and shall comply with backflow and cross-connection regulations.
- (d) (d) Drip or soaker irrigation shall be used in all vegetated areas exclusive of turf grass areas.
- (e) Under high-voltage power lines and in easements for transmission towers, low pressure systems (drip and soaker hoses) shall be used. No control valve shall be located within an easement for transmission towers.. Under high-voltage power lines and in easements for transmission towers, low pressure systems (drip and soaker hoses) shall be used. No control valve shall be located within an easement for transmission towers.

6.7. Shrub beds. All shrub beds shall be separated from turf areas with steel edging, concrete edging, or other similar material. Beds shall be mulched with a minimum two-inch layer of shredded hardwood or cypress mulch. Irrigation for shrub beds shall be separated from turf areas.

7.8. Maintenance. Every owner and person in control of property shall keep landscaped areas in a well-maintained, safe, clean, and attractive condition at all times. Such maintenance shall include, but is not limited to, the following:

...

8.9 Landscaping on or affecting public property.

...

~~9. Irrigation.~~ All landscaped areas shall be irrigated according to the following standards:

- ~~(a) Irrigation systems shall be calibrated and designed to provide the appropriate amount of water that relates to the plant species, and shall not overwater.~~
- ~~(b) All planted areas shall be irrigated.~~

ATTACHMENT 2

- ~~(c) All irrigation systems shall be equipped with rain and freeze sensors and shall comply with backflow and cross-connection regulations.~~
- ~~(d) Drip or soaker irrigation shall be used in all vegetated areas exclusive of turf grass areas.~~

...