



# City of Rowlett

## Special Meeting Agenda

### City Council

4000 Main Street  
Rowlett, TX 75088  
www.rowlett.com

*City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6115 or write 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.*

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Tuesday, October 11, 2016

5:30 P.M.

Municipal Building – 4000 Main Street

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As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

1. **CALL TO ORDER**
2. **INDIVIDUAL CONSIDERATION (5:30 P.M.)** \* Times listed are approximate.
  - 2A. Consider action to approve a resolution entering into an employment agreement with Pamela Harrell Liston to serve as Chief Municipal Judge for the City of Rowlett
3. **PRESENTATION**
  - 3A. Official swearing in ceremony for Pamela Harrell Liston as Chief Municipal Judge.
4. **WORK SESSION**
  - 4A. Discuss an ordinance allowing food service establishments to have dogs on outdoor patios. (20 minutes)
  - 4B. Discuss the research, development, and implementation of a Rental Standards Program for all rental homes in Rowlett. (45 minutes)
  - 4C. Discuss proposed changes to subdivision regulations in the Unified Development Code pertaining to platting regulations and subdivision control regulations. (20 minutes)
  - 4D. Discuss proposed amendments to the Rowlett Development Code as it pertains to Drainage Design Criteria in Sections 77-502 and the creation of a Drainage Design Criteria Manual. (20 minutes)
  - 4E. Discuss proposed changes to Standard Construction Details and creation of new Roadway Design Manual. (20 minutes)

**5. ADJOURNMENT**

*Laura Hallmark*

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Laura Hallmark, City Secretary

I certify that the above notice of meeting was posted on the bulletin boards located inside and outside the doors of the Municipal Center, 4000 Main Street, Rowlett, Texas, as well as on the City's website ([www.rowlett.com](http://www.rowlett.com)) on the 7<sup>th</sup> day of October 2016, by 5:00 p.m.



# City of Rowlett

## Staff Report

4000 Main Street  
P.O. Box 99  
Rowlett, TX 75080-0099  
www.rowlett.com

**AGENDA DATE:** 10/11/16

**AGENDA ITEM:** 2A

### **TITLE**

Consider action to approve a resolution entering into an employment agreement with Pamela Harrell Liston to serve as Chief Judge for the City of Rowlett Municipal Court.

### **STAFF REPRESENTATIVE**

Brian Funderburk, City Manager

### **SUMMARY**

On September 20, 2016, the City of Rowlett appointed Pamela Harrell Liston as the Chief Judge for the City's Municipal Court effective October 1, 2016. The purpose of this item is to approve an employment agreement associated with her appointment as Chief Judge.

### **BACKGROUND INFORMATION**

On September 30, 2016, Judge Owen Lokken retired as the City of Rowlett's Chief Judge. As a result, on September 20, 2016, the City Council appointed Pamela Harrell Liston as the new Chief Judge effective October 1, 2016.

The action on September 20, 2016 met the requirements of Section 5.04 of the Rowlett City Charter which states that "the Municipal court shall be presided over by a judge to be known as the 'Chief Judge of the Municipal Court' who shall be a licensed attorney in the State..."

### **DISCUSSION**

As indicated, Pamela Harrell Liston was appointed the Chief Judge on September 20, 2016. She has 22 years of legal experience, more than 20 of which have been as a municipal judge or prosecutor. She was the prosecutor for the City of Rowlett for 15 years before being appointed as Associate Judge in Rowlett in 2011 and has continued in that role for the past five years.

Historically, the judges of the municipal court have been retained as independent contractors. The purpose of this action is to approve the employment agreement associated with her appointment as Chief Judge and to convert the independent contracting status to that of employee.

### **FINANCIAL/BUDGET IMPLICATIONS**

The City has \$173,379 budgeted for legal services in municipal court.

Budget Account Number	Account Title	Budget Amount	Proposed Amount
1014025 6404	Legal	\$173,379	\$173,379
<b>Total</b>		<b>\$173,379</b>	<b>\$173,379</b>

**RECOMMENDED ACTION**

Recommendation to approve the resolution approving an employment agreement for Pamela Harrell Liston to serve as the Chief Judge for the City of Rowlett Municipal Court.

**RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, APPROVING AN EMPLOYMENT AGREEMENT WITH PAMELA HARRELL LISTON TO SERVE AS CHIEF JUDGE FOR THE CITY’S MUNICIPAL COURT OF RECORD NO. 1; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Rowlett, Texas finds and determines that the appointment of a new Chief Judge of the City of Rowlett Municipal Court of Record No. 1 was necessary due to the retirement of the current Chief Judge; and

**WHEREAS**, on September 20, 2016, the City Council appointed Pamela Harrell Liston to serve as the Chief Judge for the Rowlett Municipal Court; and

**WHEREAS**, the Council finds and determines that Pamela Harrell Liston is a competent and duly qualified attorney licensed in the State of Texas, and meets all requirements for said position based on training and experience.

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

**Section 1:** That the City Council of the City of Rowlett, Texas hereby approves an employment agreement with Pamela Harrell Liston pertaining to the office and compensation of the Chief Judge of the City’s Municipal Court, and does further authorize the Mayor to execute the agreement on the City’s behalf, upon review and approval by the City Attorney.

**Section 2:** This resolution shall take effect immediately from and after its passage as the law and Charter in such cases provide.



**City of Rowlett**  
**Staff Report**

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**AGENDA DATE:** 10/11/16

**AGENDA ITEM:** 3A

**TITLE**

Official swearing in ceremony for Pamela Harrell Liston as Chief Municipal Judge.

**STAFF REPRESENTATIVE**

Brian Funderburk, City Manager

**SUMMARY**

The purpose of this item is to officially swear in Pamela Harrell Liston as the Chief Municipal Judge for the City of Rowlett Municipal Court of Record No. 1.

**BACKGROUND INFORMATION**

On September 30, 2016, Judge Owen Lokken retired as the City of Rowlett's Chief Judge. As a result, on September 20, 2016, the City Council appointed Pamela Harrell Liston as the new Chief Judge effective October 1, 2016.

The action on September 20, 2016, met the requirements of Section 5.04 of the Rowlett City Charter which states that "the Municipal court shall be presided over by a judge to be known as the 'Chief Judge of the Municipal Court' who shall be a licensed attorney in the State..."

**DISCUSSION**

As previously indicated, Pamela Harrell Liston was appointed the Chief Judge on September 20, 2016. She has 22 years of legal experience, more than 20 of which have been as a municipal judge or prosecutor. She was the prosecutor for the City of Rowlett for 15 years before being appointed as Associate Judge in Rowlett in 2011 and has continued in that role for the past 5 years.

The purpose of this item is to officially swear in Pamela Harrell Liston as the Chief Judge for the City of Rowlett Municipal Court of Record No. 1.



**City of Rowlett**  
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**AGENDA DATE:** 10/11/16

**AGENDA ITEM:** 4A

**TITLE**

Discuss an ordinance allowing food service establishments to have dogs on outdoor patios. (15 minutes)

**STAFF REPRESENTATIVE**

Chuck Dumas, Environmental Services Manager

**SUMMARY**

This is a follow-up to the original work session held on September 6, 2016. At this Work Session, City Council requested additional information and research be performed by staff pertaining to monitoring of adherence to regulations. Staff findings are included at the beginning of the Discussion section.

With the growth and development within the City, especially in areas designed to be pedestrian-friendly, the topic of dogs on patios has been discussed. The purpose of this item is to discuss options to allow dogs on patios at food establishments by adding a local ordinance to the Code of Ordinances.

**BACKGROUND INFORMATION**

City Council met on this item on September 6, 2016. During the Work Session, City Council requested additional research and to bring the item back for further discussion. The specific questions were:

- How do other cities monitor rabies licensure of all dogs?
- What problems or changes have other cities had to make since the implementation of the program?

**DISCUSSION**

Although there is little background on this topic in the City of Rowlett, it is widely known that many dog owners enjoy the outdoors with their pets. One of the limitations to walking dogs in urban environments is the lack of dog-friendly dining or refreshment facilities. The desire of this program is to enhance the citizen-pet experience by making the foot traffic area friendlier and more accommodating by allowing dogs on patios of food establishments.

During the September 6, 2016 Work Session, City Council asked for additional information about this item. The specific questions were:

- How do other cities monitor rabies licensure of all dogs?
- What problems or changes have other cities had to make since the implementation of the program?

Staff contacted three municipalities with these ordinances in place (Plano, Frisco, and Lewisville) to ask these questions. None of the municipalities have had any changes relevant to the program. None of the Cities monitor for current rabies tags though rabies licensure is included in their requirements. If there is an animal issue, Animal Services is contacted and it is handled through their protocols. In addition, food establishment staff have the right to check any dog that is onsite for current vaccinations.

It is in the opinion of Staff, that the information gathered is sufficient and provides support of the allowance of dogs on exterior patios. Staff would like to bring this item back to City Council for consideration on the Consent Agenda on October 18, 2016, to be adopted and implemented immediately upon passage and necessary postings/publications.

***The remainder of the text in this section is from the original staff report and is being included for reference and context.***

The City of Rowlett is growing and promotes its slogan *On the Water, On the Move* to illustrate the community's vision for this growth. With new development comes many opportunities to enhance the experience for citizens and visitors alike. The purpose of this discussion is to enhance the outdoor experiences for citizens and their pets and specifically dogs.

Currently, per Texas state law, no live animals are allowed anywhere on the premises of food establishments, except in specific situations. As seen in the following text, only certain live fish and crustaceans, police and sentry dogs, and service animals or service animals in training are allowed on food facility premises.

According to the Texas Food Establishment Rules Section 228.186(o)(1)-(2), pets/live animals are not allowed on the premises of food establishments, except for specific circumstances:

***TFER §228.186 (o) (1)-(2)(A)-(C)***

***(a) Prohibiting animals.***

***(1) Except as specified in paragraphs (2) and (3) of this subsection, live animals may not be allowed on the premises of a food establishment.***

***(2) Live animals may be allowed in the following situations if the contamination of food, clean equipment, utensils, linens, and unwrapped single-service and single-use articles cannot result:***

***(A) edible fish or decorative fish in aquariums, shellfish or crustacea on ice or under refrigeration, and shellfish and crustacea in display tank systems;***

***(B) patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas, and sentry dogs running***

***loose in outside fenced areas;***

***(C) in areas that are not used for food preparation and that are usually open for customers, such as dining and sales areas, service animals that are controlled by the disabled employee or person, or service animals in training when accompanied by an approved trainer if a health or safety hazard will not result from the presence or activities of the service animal;***

The City of Rowlett has adopted the Texas Food Establishment Rules as the food ordinance of the City. As a result, without any local ordinance/variance, the only means of being able to enjoy a refreshment, snack, or meal while on a walk with a dog is to bring your own or have a service animal.

As municipalities began planning and developing more citizen centered, foot traffic oriented areas with activities for people of all ages as well as their dogs, there is a need for animal friendly dining. The Texas Department of State Health Services (TDSHS) does allow local municipalities to adopt ordinances/variances to address the issue of allowing dogs on outdoor patios. Many cities across the State of Texas have since adopted local ordinances allowing dogs on patios.

It is the intention of this ordinance for all food establishments that are equipped with an exterior patio to be able to allow dogs on patios. Establishments will be able to choose if they want to be a Pet Friendly Patio or not. Food establishment owners, management, and staff will be required to adhere to a strict set of regulations concerning dogs.

In preparing for this item to be brought into Rowlett, staff has looked at many cities around the metroplex and around the state and also spoken with state regulators from TDSHS and other municipalities concerning what is allowed, what is not allowed and how the process to administer the program works. Most cities have adopted very straightforward ordinances that strive to be equally friendly to both businesses and citizens/dogs. Cities surrounding Rowlett have not yet addressed the topic of dogs on patios but some have been asked to look into it. Some of the Dallas metroplex cities that have adopted such variances/ordinances are Frisco, Lewisville, Flower Mound, Plano, and Dallas.

The adopted ordinances all adhere to the strong health guidelines that Rowlett Health Staff desire. All of the researched ordinances address where animals can be, require that a current rabies vaccination be attached on a harness or collar at all times, specify where animals may enter and exit, outline clean up procedures for accidents, and where animal cleaning equipment can be stored, as well as what food staff service activities can be conducted in animal friendly areas.

It is important to understand that food service activities (ice refills, table-side food preparation, drink mixing or refills, etc.) and staff interaction with on-site dogs must not occur. It is imperative that every means possible is taken to protect the food service and dining area from contamination.

According to the Texas Food Establishment Rules Section 228.44, food staff may not handle or care for animals while on duty:

***TFER §228.44. Animals, Handling Prohibitions.***

***(a) Except as specified in subsection (b) of this section, food employees may not care for or handle animals that may be present such as patrol dogs, service animals, or dogs that are allowed as specified in §228.186(o)(2)(B)-(E) of this title.***

It is also understood that with live animals being allowed in food establishments that certain bodily functions cannot be controlled. It is also understood that due to the unpredictability of bodily function accidents, scratching, shaking, noise, etc., there may be customers that are inclined to not visit the patio areas. The establishments who choose to participate in being a pet friendly establishment will agree to abide by a set of clean-up protocols in order to minimize the possibility of contamination as well as offensiveness to other customers. Environmental Services staff will respond to complaints as received as well as include pet friendly inspections during annual routine inspections.

Program adherence will be imperative. The program will work in conjunction with an enforcement process, the same as routine food establishments. If violations are observed by staff as a result of a complaint or food inspection, a written notice will be issued on the first offense, a second offense within one year of the first observed violation will result in a written notice and a citation. A third violation within one calendar year of the date of the first confirmed violation may result in a court citation and suspension of pet privileges for a period not to exceed 30 days. Subsequent violations that are confirmed within one calendar year will result in suspension of pet privileges for a period not less than six months up to permanent suspension. Food establishments facing suspension will have the right to an appeals hearing if submitted in writing within 10 days.

Environmental Services staff does not plan to charge fees or print permits for this program. A simple application will be required to notify Staff of the intent of an establishment to be dog friendly. All establishments participating in the program must place a dog friendly sticker or decal that is clearly visible to the public.

If directed to proceed, staff will bring this item back to Council for adoption on October 18, 2016. The desired start date will be January 1, 2017 after adoption by Council and necessary postings/publications. Staff plans to utilize social media, RTN16, personal contact, and posting on the City and Environmental Services Restaurant Resources Pages to inform the public of the new program. Environmental Services is currently working on an email communication process for all food establishments.

With the growth of Rowlett and the addition of many foot traffic oriented venues throughout the City, it is the belief of Staff that enabling our restaurants to allow citizens to bring their dogs onto exterior patios will be beneficial to local businesses and patrons alike.

**FINANCIAL/BUDGET IMPLICATIONS**

N/A

**RECOMMENDED ACTION**

Staff is asking Council to provide direction regarding allowing dogs on exterior patios and the proposed draft ordinance language in Attachment 1.

**ATTACHMENTS**

Attachment 1 – Draft Ordinance allowing Dogs on Patios at Food Establishments

**EXHIBIT A**

**ORDINANCE**

**AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING CHAPTER 10 (“BUSINESSES”) OF THE CODE OF ORDINANCES, CITY OF ROWLETT, TEXAS, TO AMEND ARTICLE V (“FOOD SERVICE ESTABLISHMENTS”) TO ADD A NEW SECTION 10-148, ALLOWING DOGS WITHIN OUTDOOR PATIO AREAS OF LOCAL FOOD ESTABLISHMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); AND, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Rowlett finds and determines that pedestrian-friendly development within many districts in the City is encouraged by zoning concept plans and regulations; and

**WHEREAS**, food service and health regulations prohibit dogs in all areas of restaurants and food service establishments, including outdoor patio environments, except under certain limited circumstances; and

**WHEREAS**, consistent with pedestrian-friendly, walkable urban-type communities, the choice to allow pet dogs in outdoor environments should be at the option of the food service establishment, limited by certain minimum health requirements.

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

**SECTION 1.** That Chapter 10, “Businesses,” of the Code of Ordinances, City of Rowlett, Texas, be and is hereby amended by amending Article V, “Food Service Establishments,” to add section 10-148, to read in its entirety as follows:

**“CHAPTER 10  
BUSINESSES**

...

**ARTICLE V.  
FOOD SERVICE ESTABLISHMENTS**

...

**Sec. 10-148. Dogs and outdoor patio areas.**

- (a) Dogs may be allowed to be present, at the option of the local food establishment, in outdoor dining or patio areas of the establishment under the following conditions:
  - (1) A separate entrance must be provided from the outside of the premises of the establishment to the outdoor patio area so that dogs will have direct access to the outdoor area without passing through any interior portion of the establishment;

- (2) A sign must be posted at the front entrance of the food establishment so that it is readily visible to the public, which in substance states: "DOG FRIENDLY PATIO - DOG ACCESS ONLY THROUGH OUTDOOR PATIO ENTRANCE";
  - (3) All means of ingress and egress and doors to the outdoor area from the interior of the establishment must be protected with self-closing hardware;
  - (4) No food preparation, including but not limited to mixing drinks, serving ice, and tableside preparations, may be conducted in outdoor areas, regardless of whether a dog is present;
  - (5) Outdoor areas must be adequately cleaned to sanitize the area. All animal wastes must be disposed of outside of the food establishment in appropriate waste receptacles;
  - (6) In the event that a dog urinates or defecates in an outdoor area, food establishment personnel must respond to clean and sanitize the area immediately, within not less than 5 minutes of the event. The area must be cleaned and sanitized properly with all waste deposited in proper exterior waste disposal receptacles;
  - (7) All equipment used to clean the outdoor patio areas of the establishment must be kept and stored on the exterior of the establishment;
  - (8) While on duty, no food handler of the establishment, including but not limited to wait staff, bar tenders and cooks, may have any physical contact with dogs present;
  - (9) All dogs must be kept maintained on a leash with a collar or harness at all times;
  - (10) All dogs must have a current rabies tag affixed on the dog's collar at all times; and,
  - (11) No dog may occupy a seat, stool, bench, table, countertop, or other similar surface.
- (b) An owner, officer, manager, or other person with supervisory authority of a food establishment commits an offense if he causes or allows a violation of this section. A violation of this section shall be punishable by fine not to exceed \$500.00. A violation of this section may be punished by administrative action including, but not limited to, the revocation or suspension of permits and certificates of occupancy. The remedies provided herein are in addition to any other remedies provided by law, all such remedies being cumulative and nonexclusive.
- (c) It is the intent of the city council of the city in adopting this section that an offense be a strict liability offense. In the prosecution of an offense under this section, no pleading or proof of intent shall be required to establish the guilt of the accused.

**10-149 -- 10-180. – Reserved.”**

**SECTION 2.** That all provisions of the ordinances of the City of Rowlett, Texas, in conflict with the provisions of this ordinance be and the same are hereby repealed, and

all other provisions of the ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 4.** Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Rowlett, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and upon conviction, shall be subject to a fine not to exceed the sum of Five Hundred (\$500.00) dollars for each offense.

**SECTION 5.** This ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provides.



**City of Rowlett**  
**Staff Report**

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**AGENDA DATE:** 10/11/16

**AGENDA ITEM:** 4B

**TITLE**

Discuss the research, development, and implementation of a Rental Standards Program for all rental homes in Rowlett. (45 minutes).

**STAFF REPRESENTATIVE**

Chuck Dumas, Environmental Service Manager

**SUMMARY**

Staff has been requested to research and bring forward a discussion for the development and implementation of a program designed to regulate single-family and multifamily rental properties within Rowlett. There are few, if any, state requirements that regulate conditions of rental property. As cities age and mature, it is important to ensure that the properties within are well maintained, safe and habitable. A portion of the population resides in rental homes.

Staff has conducted preliminary research and the purpose of this discussion is to receive further direction and feedback from Council concerning the possibility of creating a Rental Standards Program in Rowlett.

**BACKGROUND INFORMATION**

City staff has been asked to research Rental Programs in the surrounding area as context for this discussion. This discussion will address the research, purpose and benefits of the program. Program elements include both single-family and multifamily rental properties. During this Work Session, staff is asking City Council for direction on three specific issues:

1. Is there consensus to proceed with the development of a rental standards program?
2. If there is consensus to proceed with a rental standards program, is the consensus to proceed in Fiscal Year 2017 or Fiscal Year 2018?
3. If there is consensus to proceed with a rental standards program, is the consensus to include or not include minimum property standards (i.e., aesthetics)?

**DISCUSSION**

Protection of the citizens of Rowlett is a top priority. Not only through emergency services, but through a comprehensive neighborhood and property maintenance strategy including proactive code enforcement, environmental health services, planning & zoning, and appropriate building codes. As stated earlier, Staff has been asked to research the implementation focused on rental homes and its occupants and is currently researching the development of a Rental Property Standards Program.

Across the state and country, municipalities have implemented programs focused on rental properties. Rental standards can cover both single-family rental homes (e.g., duplexes, individual townhomes) as well as multifamily rentals (e.g., triplex, quads, and apartments). Some of the benefits of a Rental Standards Program are:

- it provides a system of inspections by trained regulatory authority staff; and
- it helps to maintain neighborhoods, property values, and standards of living; and
- it uses interior inspections help to ensure safety and proper living conditions.

The purpose of this Work Session is to discuss the implementation of regulations to oversee single-family and multifamily rental properties to ensure that the tenants that occupy the structures have proper standards of living and are safe; to protect property values; and to help maintain the neighborhoods throughout the City of Rowlett.

Based on preliminary program research and discussions, staff would recommend that any such program incorporate the following:

1. Single-family rental properties would be required to be licensed or registered annually. Inspections would be conducted only on change in occupancy or upon receipt of a life-safety/critical complaint. No annual routine inspections would be conducted on single-family homes.
2. Multifamily properties would be licensed or registered annually as well. Exterior inspections would be performed annually but interior inspections would be based on random sampling as described more in detail below.
3. Fees for licensing or registration have not yet been set but would be developed for a future discussion if the City Council determines it wants this program to move forward.

Inspections for the program will be based on property maintenance standards that would be vetted by City staff and the City Attorney. Single-Family Rental (SFR) inspections will be conducted only upon change in occupancy and must be completed prior to re-occupancy. Routine property inspections by Code Enforcement will continue to be conducted in the same manner as owner-occupied homes. Multifamily Rental (MFR) inspections will be conducted in the following manner: annually 100% of exteriors will be conducted for all properties over two years old. A required minimum of 5% annual interior inspections would be conducted and of those, at least two units would have to be occupied at the time of inspection.

Question #3 (see Background Information section) comes into play at this point. If the program is desired for the City, the Council must make the determination if City-wide Minimum Property Standards Program is desired and if it should be included in the Rental Standards once both programs are adopted.

For perspective, staff estimates there are currently 2,500-3,000 rental units based on current utility bill data and census information. The majority of these are single-family properties. Within 3-5 years, staff estimates a total of 7,000-8,000 rental units, with an approximate split of 50/50

between multifamily and single-family. This means that the workload would increase significantly between year one and year five.

Based on the number of existing rental units in Rowlett, Staff expects that it will be necessary to add one full-time employee (FTE) to the Environmental Services Division to manage this program. As seen in Financial/Budget Implications section below an additional FTE and program development costs would be expected by FY2020 based on future growth.

If Council determines it wishes to move forward with this program, program adoption and development could be completed by December 31, 2016. Implementation, including training, property research, technology development, printing, testing, and review would occur in the January – February 2017 period, with a tentative go-live licensing date of March 1, 2017. Based on this schedule, inspection programs could begin as soon as June 1, 2017.

Program rollout will utilize social media, local news sources, RTN16, City website, newsletter, development of Rental Division webpage, utility bill stuffers, and possibly city-wide Everbridge notification. In addition, an initial database would be developed for the 2,500-3,000 known or expected rental properties.

#### **FINANCIAL/BUDGET IMPLICATIONS**

It is estimated that the City will need to fully fund the program for at least the first full year of research, development/design, and implementation. Staff projects first year City funds required at approximately \$132,500 depending on actual implementation. Of this amount, \$52,500 is due to the addition of one FTE. The proposed additional staff member will allow the Program Manager to adequately conduct necessary due diligence for this program while maintaining the current level of service for the Environmental Services Division daily activities. The remaining \$80,000 is estimated for equipment, program technology development, printing, other miscellaneous program start-up/development items.

<b>Expense Type</b>	<b>FY2017</b>	<b>FY2018</b>	<b>FY2019</b>	<b>FY2020</b>
One Time Expenses	\$ 80,000	--	--	\$ 40,000
Recurring Expenses	52,500 <sup>1</sup>	\$17,500	--	70,000
Total	\$132,500	\$17,500	--	\$110,000
<i>Total Recurring Expenses (Cumulative)</i>	\$ 52,500	\$70,000	\$70,000	\$122,500

#### Notes

- (1) The above estimate for staff salary and benefits only includes 75% for the first year of recurring expenses, which assumes a January 1, 2017 hire date. The additional \$17,500 for FY2018 accounts for the difference (i.e., 25%) assuming a full year of staff employment for that year.

The City is continuing to grow and develop both commercially and residentially. It is expected that a mature program will be fully funded (i.e., revenue from fees will support expenses) within 3-5 years and may contain 7,000-8,000 combined rental units. It is anticipated that one FTE can

complete 2,000-2,200 quality inspections annually. At this time, the addition of one FTE will suffice as it is anticipated that the initial year of the program will yield a lower number of single-family rental homes and the number of multifamily units is expected to be 1,000-1,500. As more single-family homes are licensed and more multifamily units are brought online, City subsidization should reduce until the program is fully funded.

<b>Revenue Type</b>	<b>FY2017</b>	<b>FY2018</b>	<b>FY2019</b>	<b>FY2020</b>
Projected Recurring Revenue	\$43,000	\$134,000	\$182,000	\$230,000

**RECOMMENDED ACTION**

Staff desires Council direction on the following items.

1. Is there consensus to proceed with the development of a rental standards program?
2. If there is consensus to proceed with a rental standards program, is the consensus to proceed in Fiscal Year 2017 or Fiscal Year 2018?
3. If there is consensus to proceed with a rental standards program, is the consensus to include or not include minimum property standards (i.e., aesthetics)?



**City of Rowlett**  
**Staff Report**

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**AGENDA DATE:** 10/11/16

**AGENDA ITEM:** 4C

**TITLE**

Discuss proposed changes to subdivision regulations in the Unified Development Code pertaining to platting regulations and subdivision control regulations. (20 minutes)

**STAFF REPRESENTATIVE**

Marc Kurbansade, Director of Development Services

**SUMMARY**

The purpose of this item is twofold: 1) discuss proposed modifications to the platting process; and 2) discuss proposed changes to subdivision controls. The proposed changes to the platting process are being proposed in order to be in better alignment with construction processes, and to be more customer-friendly. The proposed changes to the subdivision controls include minor changes regarding subdivision of land.

Staff is seeking direction from City Council whether or not to move forward with these proposed changes.

**BACKGROUND INFORMATION**

The subdivision regulations contained in the Rowlett Development Code (RDC) were reviewed and no substantive changes have been made to these regulations since their inclusion in the Unified Development Code in 2006.

This Work Session will be a discussion about means to establish a platting procedure that allows for a more efficient development approval cycle.

**DISCUSSION**

As stated in the summary section, the main changes being proposed are as follows:

- 1) Proposed modifications to the platting process
- 2) Proposed changes to subdivision controls

The proposed modifications to the platting process include changing the platting requirement to occur after installation of public improvements. Currently, platting is required to occur prior to pre-construction meeting and start of construction. What we have found is that utility installation often shifts during construction thus moving easements accordingly. This results in a replatting process that needs to occur prior to acceptance of public improvements. By moving the platting process, we can avoid a potential extra platting step in the future. The one caveat is that if there is an extension of franchise utilities, these utilities will often require the recordation of an easement

prior to extension of infrastructure. In this case, the developer will need to record a separate instrument for the easement, then later reflect this instrument on the Final Plat.

Below is the proposed new process:

- Preliminary Plat
- Engineering Permit
- Installation of Public Improvements
- Final Plat/Replat
- Acceptance of Public Improvements
- Building Permit
- Certificate of Occupancy

Other changes to the platting process and subdivision controls are summarized below:

#### Platting

- **Submittal Dates Formalized** – Submittal dates are kept in the Zoning & Development Handbook. This will formalize the intent that applications are not accepted as complete except on these submittal dates, thus allowing for easier adherence to state required review periods of thirty days.
- **Two year approval for preliminary plat** – This will expire preliminary plats after a two-year period. Preliminary Plats largely address water, sewer, and drainage infrastructure; therefore, by setting a two-year expiration, staff can re-assess whether or not this infrastructure plan needs to be revisited.
- **Add certification languages to plat** – This new section will codify the certification language that is placed on the face of plats.
- **Substantial completion required before plat filing** – In adherence to the new proposed schedule, this section will state that substantial completion of public improvements is required prior to filing a plat application.
- **Add section for conveyance plat** – Currently a conveyance plat is not a recognized instrument in our Code. This section will allow for such an instrument to be recorded. Since Code requires installation of public improvements prior to filing of a plat, there needs to be an instrument solely for the conveyance of property.
- **Allow issuance of a building permit with approval of preliminary plat, development plan and engineering plan** – This section once again codifies the process mentioned above regarding order of development and associated plan approvals.

#### Subdivision

- **Thoroughfare design manual** – Staff is proposing a thoroughfare design manual to include all design criteria for roadways. This is another effort to make development materials more readily accessible.
- **Allow nonresidential lots to be platted on a public way instead of a public street** – This modification is largely for retail subdivisions that include interior out-parcels. Since the subdivision regulations currently require frontage only on a public street, this makes

development of interior parcels difficult. This change would allow for dedication of an access easement to serve the same purpose as a street and also meet the requirements.

- **Remove building lines from plats** – The proposed change is to remove building lines (a.k.a. setbacks) from plats. These are zoning controls and will be regulated in the appropriate zoning plans (e.g., planned development concept plans, development plans).
- **Add water and waste water utility standards** – This language would state adherence to certain local and state requirements.
- **Subdivision variance process** – include a subdivision variance process for approval by planning and zoning commission.
- **Easement language** – This new section will codify the easement language that is placed on the face of plats.
- **Private street entrance standard** – This will create a gated entry design standard.

### **FINANCIAL/BUDGET IMPLICATIONS**

N/A

### **RECOMMENDED ACTION**

Provide direction to staff whether or not to proceed with the proposed changes to the subdivision regulations.



# City of Rowlett

## Staff Report

4000 Main Street  
P.O. Box 99  
Rowlett, TX 75080-0099  
www.rowlett.com

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**AGENDA DATE:** 10/11/16

**AGENDA ITEM:** 4D

### **TITLE**

Discuss proposed amendments to the Rowlett Development Code as it pertains to Drainage Design Criteria in Sections 77-502 and the creation of a Drainage Design Criteria Manual. (20 minutes)

### **STAFF REPRESENTATIVE**

Shawn Poe, P.E., Director of Public Works

Tyson Thompson, P.E., Assistant City Engineer

### **SUMMARY**

This agenda item requests amending the Rowlett Development Code (RDC) and to implement the Rowlett Drainage Design Manual.

### **BACKGROUND INFORMATION**

The drainage regulations are currently located in Section 77-502 of the RDC, which was last updated in 1985 via Ordinance No. 8-1-85. This ordinance has been attached for your reference.

### **DISCUSSION**

The current drainage ordinance was last modified in 1985. Since then, data and methodology utilized in drainage design has been improved. iSWM (integrated Stormwater Management), is a cooperative initiative led by the North Central Texas Council of Governments (NCTCOG). The iSWM program offers a comprehensive approach to drainage design, which includes updated rainfall data tables by county. Additionally, design criteria from the City of Dallas, McKinney, Fort Worth and other local municipalities were referenced to develop the Rowlett Drainage Design Manual. The modification to the City's Drainage Design Criteria accomplishes the following:

- Adopts design criteria already widely used by several North Texas municipalities
- Requires consultants to perform analysis of the subject site drainage sub-basin
- Analyzes adjacent existing infrastructure
- Determines when site detention is appropriate rather than a requirement of new development
- Increases emphasis on water quality and pollutant discharge elimination
- Adds almost no impact to Development costs and could potentially increase developable land

### **FINANCIAL/BUDGET IMPLICATIONS**

This Code amendment will not have direct financial implications per se. It can however have a future impact through the reduction of maintenance costs and the efficiency of staff in dealing with drainage related matters as it relates to development.

### **RECOMMENDED ACTION**

Provide direction to staff on the proposed changes, and whether or not to proceed with a formal Code amendment.

### **ATTACHMENTS**

Attachment One – Ordinance No. 8-1-85

## ORDINANCE NO. 8-1-85

## AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS

PROVIDING FOR COMPREHENSIVE DRAINAGE AND STORMWATER CONTROL IN THE CITY OF ROWLETT: PROVIDING A TITLE; DECLARING THE PURPOSE AND SCOPE; PROVIDING STANDARD PROVISIONS; RESPONSIBILITY OF OWNER OR DEVELOPER FOR STORM DRAINAGE; PROVIDING REQUIREMENTS FOR ENGINEERING DESIGN INCLUDING DETENTION AND RUNOFF CONTROL: PROVIDING FOR CONSTRUCTION IN AREAS SUBJECT TO FLOODING; PROVIDING FOR BUILDING OR STRUCTURE SET-BACK REQUIREMENTS; PROVIDING FOR MINIMUM LOT AND FLOOR ELEVATIONS; PROHIBITING THE ISSUANCE OF BUILDING PERMITS, PLAT AND SITE PLAN APPROVAL TO BE WITHHELD; PROVIDING FOR MAINTENANCE GUARANTEE; FIXING DUTIES OF THE CITY ENGINEER AND APPEAL TO THE CITY COUNCIL; PROVIDE A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY.

NOWHEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

SECTION I - ADOPTION - TITLE

This Ordinance is hereby adopted and shall be known as the "Official Drainage and Stormwater Control Ordinance" of the City of Rowlett.

SECTION II - PURPOSE AND SCOPE

The purpose set forth herein is to insure adequate stormwater drainage and flood control within the City of Rowlett, and to protect public health and safety, to minimize property damage due to flooding, to limit runoff rates to equitably distribute the cost of necessary drainage improvements, and to minimize the maintenance cost of drainage facilities constructed. Any development or improvement of property affecting storm drainage and flood control in the City of Rowlett is subject to the provisions of this Ordinance and the Flood Hazard Prevention Ordinance (Ordinance No. 3-2-78B). It also applies to individual building structures, subdivisions, excavation and fill operations.

SECTION III - STANDARD PROVISIONS

All construction for storm drainage in the development or improvement of property within the City of Rowlett shall conform to the following Standards and Requirements:

A. Storm sewer inlets shall be provided along paved streets at such intervals as are necessary to limit the depth of flow as follows:

1. RESIDENTIAL STREETS - Based on parkway slopes of 1/4 inch per foot behind the curb, the 100 year Design Frequency flows shall not exceed a depth of 1 1/2 inches over the top of curb. A maximum flow of 45 cfs will be allowed in the street.

2. COLLECTOR STREETS - Based on parkway slopes of 1/4 inch per foot behind the curb, in INDUSTRIAL AND COMMERCIAL areas, the 100 year Design Frequency flows shall not exceed a depth of 1/2 inch over the top of curb. A maximum flow of 45 cfs will be allowed in the street.

3. MAJOR THOROUGHFARES - Based on a transverse slope of 1/4 inch per foot on the pavement, the 100 year Design Frequency flow shall not exceed the elevation of the lowest top of curb. A maximum of 45 cfs will be allowed in the street.

4. ALLEYS - The 100 year Design Frequency flows shall not exceed the capacity of the alley sections. A maximum of 45 C.F.S. will be allowed for an alley with curbs, and 25 C.F.S. for alleys without curbs.

5. POSITIVE OVERFLOW - The approved drainage system shall provide for positive overflow at all low points. The term "positive overflow" means that when the inlets do not function properly, or when the design capacity of the conduit is exceeded, the excess flow can be conveyed over land along a paved course. Normally, this would mean along a street or alley, but can require the dedications of special drainage easements on private property.

B. A closed storm sewer system shall be required to accommodate a run-off exceeding the street capacity, as provided above, up to and including the design capacity of a seventy two (72") inch concrete pipe. The following are recommended maximum design velocities:

Culverts	15 fps
Inlet Laterals	10 fps
Storm Sewers	12.5 FPS

Discharge velocities cannot exceed the permitted velocity of the channel or conduit at the outfall.

C. An open channel may be permitted to accommodate run-off exceeding the design capacity of a seventy-two inch pipe, as provided below:

(1) Channels draining an area with a "CA" factor (coefficient to runoff and drainage area, as used in the hereinafter described "rational formula") of less than 600 shall be concrete lined to the design depth, plus six inch freeboard except that a closed system as provided above may be used. A twenty foot wide access easement shall be provided along at least one side parallel to channel. The top width of the channel at the design depth must not exceed 50' unless specifically approved by the City Engineer.

(2) Channels draining an area with a "CA" factor between 600 and 1,000 shall be improved to a capacity of the 100 year design discharge by excavation, straightening and realignment. The construction of a concrete lined channel shall have a width of not less than the bottom width with concrete lined to a depth of at least three feet on the banks. Earthen side slopes shall be no steeper than 4:1, horizontal to vertical, and shall have approved ground cover to prevent erosion.

Where drainage conditions or velocities of water will exceed that condition which would create erosion, provisions shall be made for the placement of riprap, gabion, etc., along the stream, and channel banks by the developer.

(3) Channels draining an area with a CA factor over 1,000 shall be designed to carry the capacity of a 100 year flood frequency storm. The specific design and type of construction improvements for this drainage facility shall have specific approval by the City Engineer after review of the maintenance, erosion and site conditions.

(4) All areas of an earth Channel Section shall be improved by the Developer with a low maintenance vegetation as approved by the City Engineer, prior to planting. The selection of materials shall comply with the current ground cover listing for North Central Texas furnished through the Texas Agricultural Extension Service.

(5) The setback for the building line shall be as follows:

a. A maintenance strip shall be provided with a twenty (20) foot width along each side of the top of the channel unless approved otherwise by the City Engineer and shown on the file plat.

b. A drainage flume section which provides for limited flow of storm water shall be located within a drainage easement of sufficient width which permits future maintenance accessibility.

D. A drainage feature which is to remain in its natural state of native growth may be accepted by the City to remain as an unimproved facility so long as the water conveyance capacity of the area is adequate to handle the future drainage requirements.

E. In lieu of the improvements of a channel draining an area with a "CA" factor in excess of 600, the City Council may elect to accept the dedication of all land within the 100-year floodway of the existing drainage channel as a permanent drainage right-of-way.

F. The criteria for drainage improvements as herein-above set forth in Paragraphs A through D of this section shall be applicable to publicly owned lands solely at the discretion of the City of Rowlett.

G. Excavation, fill and grading operations within the City Limits shall be undertaken only after a proper permit has been obtained from the City Engineer. Failure to obtain the proper permit shall result in the requirement for the Developer to replace the soils, as required by Chapter 70 of the Appendix of the 1982 Edition of the Uniform Building Code.

H. Easements - Drainage and floodway easements shall be provided for all open channels. Easements shall encompass all areas beneath a ground elevation defined as being the highest elevation of the following:

1. One (1) foot above a design storm having a recurrence interval of 100 years, calculated by the City's criteria.

2. The top of the high bank.

3. Maintenance access.

I. Ground Cover - Any ground cover or vegetation which is planted and is a part of the improvement project will not be accepted by the City until the growth has been established and maintained by the developer for a one (1) year time period.

#### SECTION IV. - RESPONSIBILITY OF OWNER OR DEVELOPER FOR STORM DRAINAGE

A. The owner or developer of property to be developed shall be responsible for all storm drainage flowing through or abutting such property. This responsibility includes the drainage directed to that property by ultimate development as well as the drainage naturally flowing through the property by reason of topography. It is the intent of this Ordinance that provision be made for storm drainage in accordance with Section III above, at such time as any property affected is proposed for development, use or modification.

B. Where the improvement or construction of a storm drainage facility is required along a property line common to two or more owners, the owner hereafter proposing development of his property shall be responsible for the required improvements at the time of development, including the dedication of all necessary right-of-way or easements, to accommodate the improvements.

C. Where a property owner proposed development or use of only a portion of his property, provision for storm drainage in accordance with Section III above shall only be required in that portion of the property proposed for immediate development, except as construction or improvements of a drainage facility outside that designated portion of the property is deemed essential to the development of that designated portion.

D. When a property owner proposes a development, provisions shall be made in the development plan for control of excess siltation and downstream erosion.

E. The owner or owners shall dedicate to the City, the required drainage easements. Determination of minimum easement required shall be made by the City Engineer, or as outlined in Section IIIH.

F. In the event that a property owner or developer desires to modify an existing pond or lake or desires to impound storm water by excavation, filling or construction of a dam within a property, for retention or detention, thereby creating a lake, pond, or lagoon or basin as a part of the planned development of that property, the standard provisions for storm drainage as established in Section III of this Ordinance shall be applicable, and shall also provide:

(1) That an engineering plan for such construction, accompanied by complete drainage design information, prepared by a registered professional engineer, shall have been approved by the City or Rowlett;

(2) That the owner or developer shall have agreed to retain under private ownership the lake, pond, or lagoon or basin constructed, and to assume full responsibility for the protection of the general public from any health or safety hazards related to the lake, pond, or lagoon constructed;

(3) That the owner or developer shall have agreed to assume full responsibility for the maintenance of the lake, pond, or lagoon or basin constructed;

(4) That the obligations herein shall run with the land and shall be a continuing obligation of the Owner or Owners of such land.

(5) That all Federal, State, and County laws pertaining to impoundment of surface water are complied with, including the design construction and safety of the impounding structure. Any Existing Structure which is included in a project development area shall be improved to comply with the applicable Federal, State, and County and City safety requirements for structures. The design flows shall be based upon the urbanized drainage flows which can result from a 100 year flood. All improvements shall be made to the dam structure at the expense of the developer, prior to acceptance of the adjacent street, utilities and drainage improvements as provided for under the Subdivision Ordinance.

(6) On any existing structure, the Owner will furnish a study by a professional Engineer to the City for approval prior to any proposed alteration. Compensatory storage shall be provided in some manner such that equal or comparable flood retention capacity is maintained.

G. The maintenance of Private Drainage Facilities shall be provided for by the property owner or assigned agent. The City shall be kept advised of the responsible agent.

H. All existing water seepage springs, or flowing water shall be connected into an underground storm sewer system, or they shall be discharged into an appropriate facility which is intended to carry storm water runoff. Such flow will not be permitted to discharge directly into the street gutter line.

I. Fences (Private and Public Screening) shall be constructed such that blockage of surface water flow does not occur. This includes the requirement that erosive conditions shall not be created around, under or near a fence structure.

J. The developer shall provide detail offsite drainage plans for the proper transition to natural ground or stream elevations. Criteria for onsite development shall apply to offsite improvements as required by the City Engineer.

SECTION V. - ENGINEERING DESIGN

A. Each storm drainage facility, including street capacities, shall be designed to convey the runoff which results from a certain prescribed design storm.

Drainage design requirements for open and closed systems shall provide protection for property during a storm having a 100-year recurrence interval with this projected flow carried in the streets and closed drainage systems in accordance with the following:

<u>Drainage Facility</u>	<u>Design Recurrence Interval</u>
Closed Storm Sewer Systems-----	10 yr. with emergency 100 yr. overflow
Closed Storm Sewer Systems at Street Low Point or Sag-----	25 yr. with emergency 100 yr. overflow
Culverts and Bridges-----	100 yr. (unless otherwise directed)
Concrete Lined Channels-----	50 yr. with emergency 100 yr. overflow
Earthen Channels-----	100 yr.

B. Computation of Storm Water Run-off for drainage areas less than 200 acres shall be by the "Rational Method", which is based on the principle that a maximum rate of run-off from a given drainage area for an assumed rainfall intensity occurs when all parts of the area are contributing to the flow at the point of discharge. The formula for calculation of run-off by the "Rational Method" is:

- Q = CIA, where
- Q = the maximum rate of discharge expressed in cubic feet per second
- C = a run-off coefficient which varies with the topography, soil, soil cover, land use and moisture content of the soil at the time the run-off producing rainfall occurs. This run-off coefficient shall be based on the ultimate use of the land as recommended by the

Land Use Plan for the City of Rowlett, and shall be selected from Table I herein on the basis of the use shown on land use and zoning map of the Comprehensive Zoning Ordinance for the City of Rowlett. If an area has had a change of Zoning to give the area land use for which the "C" in Table I is higher than use shown on land use and zoning maps, the higher "C" factor shall be used.

I = Rainfall intensity in inches per hour from the applicable curves of Figure 1. Time of Concentration or Duration of Rainfall for use in Figure 1 shall be calculated by velocity data shown in Table II.

A = The drainage area, expressed in acres, contributing to the run-off at the point in question. Calculation of the drainage area shall be made from an accurate topographic map, a copy of which shall be submitted with the engineering plans for approval.

For drainage areas in excess of 200 acres, where the use of "Rational Method" does not provide reliable data, the use of unit Hydrograph Flow Determination shall be made. The use of a unit Hydrograph calculation will be based upon standard and accepted Engineering Principles normally used in the Professional subject to the approval of the City Engineer. The Soil Conservation Service Technical Release Number 55 is an acceptable method.

Computation of run-off shall be based on a fully developed drainage area, or watershed, in accordance with the land use projected in the then current comprehensive land use plan for the City of Rowlett. The developer or builder shall develop their site development plans so that the rate of runoff created by the development of their property does not exceed the rate of runoff resulting from that which presently exists. The runoff rate which will exit the project shall not be greater than that volume or velocity determined through the defined design criteria, as outlined in this Ordinance. When development can, or does provide direct drainage outlet works into Lake Ray Hubbard, consideration will be given to allow the design of storm runoff without detention, or retention within the project limits.

C. The two basic methods suggested for predicting the volume of runoff with time and the peak flow rate are the Rational Method and the Unit Hydrograph Method. The Rational Method may be used for drainage areas less than or equal to 200 acres. Drainage basins that exceed 200 acres must use the Unit Hydrograph Method. The Soil Conservation Service Technical Release Number 55 is an acceptable Unit Hydrograph Method.

When the Rational Method is used and detention is required, the volume of water supplied by the design storm may be calculated by converting the runoff rate, during a specific duration, to volume. The inflow volume should be determined for a period of at least twice the time of concentration for the site.

Retention and detention are two generalized types of storm runoff storage used to control the rate of runoff. All detention ponds should be designed to empty within a 24 hour period.

VALUES OF "C" FOR USE IN "RATIONAL METHOD" FORMULA  $Q = CIA$ 

TABLE I

Slope	Land Use from Land Use Plan	Value of "C" (Run-off Coefficient)
<u>Flat Terrain</u> 0% to 1%	Park Areas - No Developable Land	0.20
	Park and School Land Tract	0.30
	Single Family Residential	0.45
	Duplex	0.50
	Multiple Family	0.55
	Local Business	0.65
	Central Business	0.80
	Commercial	0.80
	Industrial	0.75
<u>Moderate Terrain</u> 1% to 3-1/2%	Park Areas - No Developable Land	0.30
	Park and School Land Tract	0.40
	Single Family Residential	0.50
	Duplex	0.55
	Multiple Family	0.60
	Local Business	0.70
	Central Business	0.85
	Commercial	0.85
	Industrial	0.80
<u>Steep Terrain</u> 3.5% and over	Park Areas - No Developable Land	0.35
	Park and School Land Tract	0.45
	Single Family Residential	0.65
	Duplex	0.70
	Multiple	0.75
	Local Business	0.80
	Central Business	0.85
	Commercial	0.85
	Industrial	0.85

AVERAGE VELOCITY FOR USE IN DETERMINING TIME OF CONCENTRATION

TABLE II

Description of Water Course	0% to 3%	4% to 7%	8% to 11%	Over 12%
	V. in f.p.s.	V. in f.p.s.	V. in f.p.s.	V. in f.p.s.
Surface Drainage annels	5	9	13	15
Storm Sewers	Determine V. by Mannings Formula			

The data shown in Table II are average velocity of the run-off for calculating time of concentration or duration of rainfall for use in Figure 1. These average velocities in this table shall be used unless the designer shows calculation of velocities by streets and/or storm sewers, or overland flows.

Using the average velocities from this table, the designer shall calculate the time of concentration by the following formula unless more data is shown on the plans for calculating time of concentration.

"Inlet Time" = 5 minutes for property zoned for multiple family, local business, central business, commercial or industrial; 10 minutes for property zoned for parks, schools, single family residential and duplex.

$$T = \text{"Inlet Time"} + \frac{D}{V \times 60} \quad \text{Where:}$$

T = Time of concentration in minutes for use in Figure 1.

D = Distance in feet from point of concentration to upper end of drainage area under consideration.

V = Velocity in feet per second from this table or velocity calculated by designer by streets and/or storm sewers.

The existing soils are such that erosive conditions are created at certain velocities. The following velocities are considered to be maximum acceptable design conditions:

Earth (with no concrete protection)	0 to 5 feet per second
Shale	5 to 6 feet per second
Rock	6 to 10 feet per second

D. The minimum curb inlet size shall be eight (8) feet in length with a capacity of 8 cfs.

E. The construction of all improvements shall be in accordance with the standards set forth in the current Paving and Drainage Specifications Handbook, and Design Standards of the City of Rowlett. The frequency chart in years (Figure 1), the Inlet Capacity for low point inlets (Figure 2), the drainage capacity road sections (Figure 3), and the City Criteria are hereby adopted as a part of this Ordinance.

F. Complete engineering plans for storm drainage facilities shall be prepared by a professional engineer registered in the State of Texas and experienced in civil engineering work. The total cost for such engineering plans and specifications shall be borne by the Owner or the Developer and shall be furnished to the City Engineer for his review and approval.

G. In any development, alteration, or improvement of property, the Owner may be required to provide, at his expense, a preliminary drainage study for the total area to be ultimately developed. This study shall be submitted to the City Engineer as a part of the submitted data for consideration of preliminary plat, or site plan approval.

## SECTION VI. - CONSTRUCTION IN AREAS SUBJECT TO FLOODING

A. In all areas subject to flooding, the finished floor elevation shall be a minimum of two feet above the high water elevation calculated for the run-off from a rainfall having a recurrence interval of 100 years, in a completely developed watershed. The owner/developer shall furnish, at his expense to the City Engineer, sufficient engineering information to confirm that the minimum floor elevations proposed are as required by this paragraph. Residential construction permits will not be issued until lots and/or sites are elevated from the flood plain in accordance with F.I.M.A. approved revision.

B. No building or structure, excavation, filling, or construction of embankment or landscaping shall be permitted within a flood plain or channel which will increase water surface elevations or obstruct natural flow of water within that flood plain or channel, unless sufficient engineering design information is furnished to the City Engineer in order that he may determine that same will not adversely affect flow characteristics within that flood plain or channel, resulting in damage to that or any other property nearby.

C. The provisions of the City's current Flood Hazard Prevention Ordinance (F.I.M.A. criteria) shall be observed in preparing land development plans.

D. New construction and substantial improvement of any commercial, industrial or other non-residential structure shall have the lowest floor, including basement, elevated to the level of the base flood elevation, plus two (2.0) feet.

## SECTION VII. - BUILDING OR STRUCTURE SET-BACK REQUIREMENT

No building or structure, including fences, shall hereafter be constructed, reconstructed, or relocated within twenty (20) feet of any open drainage channel. It is the intent of this section to insure that an unobstructed width of at least twenty (20) feet is maintained between the top of the high bank of any such drainage channel and any building or structure. (See also Section III).

## SECTION VIII. - MINIMUM LOT AND FLOOR ELEVATIONS

Minimum lot and floor elevations shall be established as follows:

1. Lots abutting a natural or excavated channel shall have a minimum elevation for the buildable area of the lot at least equal to the highest elevation of the drainage floodway easement, and a finished floor elevation at least two (2) feet above the 100-year design storm or F.I.M.A. floodway elevation, whichever is greater. The minimum finished floor elevation shall be set at an elevation of two (2) feet above the top of curb elevation, except when the terrain feature slopes, such that drainage is not a critical element to the project.

2. Where lots do not abut a natural or excavated channel, minimum floor elevations shall be a minimum of one (1) foot above the street curb or edge of alley, whichever is lower, unless otherwise approved by the City Engineer. Where a lot is adjacent to a drainage flume or channel, the finished floor shall be a minimum of two (2) feet above the high water elevation. Where the structure is below a street or alley, the builder shall grade and construct facilities such that a positive drainage system of swales are capable of discharging the resultant flows which may flow across the yard area into the structure.

3. The minimum finished floor elevation shall be shown on the final file plat for record purposes. Prior to final acceptance of utilities and street construction by the City, a certified statement shall be prepared by a Registered Public Surveyor showing all lot elevations, as developed within the subject project, meet or exceed the required minimum finished floor elevations. This certification shall be filed with the City Engineer.

4. Existing platted property which is subject to flooding or carries a specified or recorded minimum finished floor elevation shall be surveyed by a Registered Public Surveyor prior to obtaining a building permit. The certified survey data shall be furnished to the City Engineer for approval. Certificate of Compliance with the provisions of this ordinance pertaining to specified finished floor levels shall be required.

#### SECTION IX. - BUILDING PERMITS, PLAT & SITE PLAN APPROVAL TO BE WITHHELD

No Building Permit shall be issued, nor plat or site plan approval, nor Certificate of Occupancy approved for any construction, reconstruction, or development upon any land where such construction, reconstruction or development is not in conformity with the requirements and intent of this Ordinance. Anyone who violates any of the terms and provisions of this Ordinance shall be denied a Building Permit until the violation is corrected. Residential construction permits will not be issued until lots and/or sites are elevated from the flood plain by F.I.M.A. approved revisions.

#### SECTION X. - MAINTENANCE GUARANTEE

The Contractor shall guarantee the work which he does against defective workmanship and materials for a period of one (1) year from the date of final acceptance by the City.

Where defective workmanship and/or materials are discovered requiring repairs to be made under this guarantee, all such repair work shall be done by the Contractor at his own expense within five (5) days after written notice of such defect has been given to him by the City. Should the Contractor fail to make repair or correct such defective workmanship and/or materials within five (5) days after being notified, the City may make the necessary repairs and charge the Contractor with the actual cost of all labor and materials required.

The Contractor shall provide a performance bond for a period of one (1) year time period after the date of acceptance of the work to cover his guarantee as set forth above.

SECTION XI. - REPEALING CLAUSE

That all ordinances of the City of Rowlett in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City of Rowlett not in conflict with the provisions of this ordinance shall remain in full force and effect.

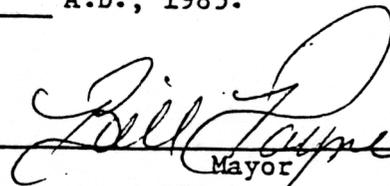
SECTION XII. - SEVERABILITY

If any section, paragraph, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional; nor shall such unconstitutionality or invalidity have any effect on any other ordinances or provisions of ordinances of the City of Rowlett.

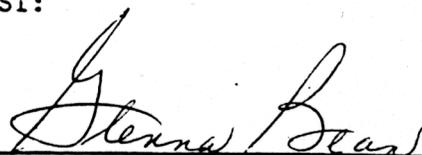
SECTION XIII. - EMERGENCY

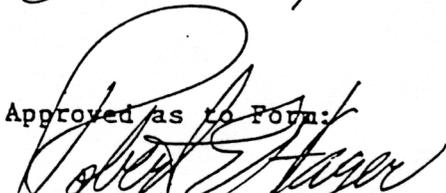
That the present ordinances of the City of Rowlett are inadequate to provide for adequate storm drainage facilities and flood control in the development of properties within such city, constitutes an urgency and emergency in the interest of public health, safety, and welfare, and necessitates that this Ordinance become effective immediately from and after its date of passage as the law in such cases permits.

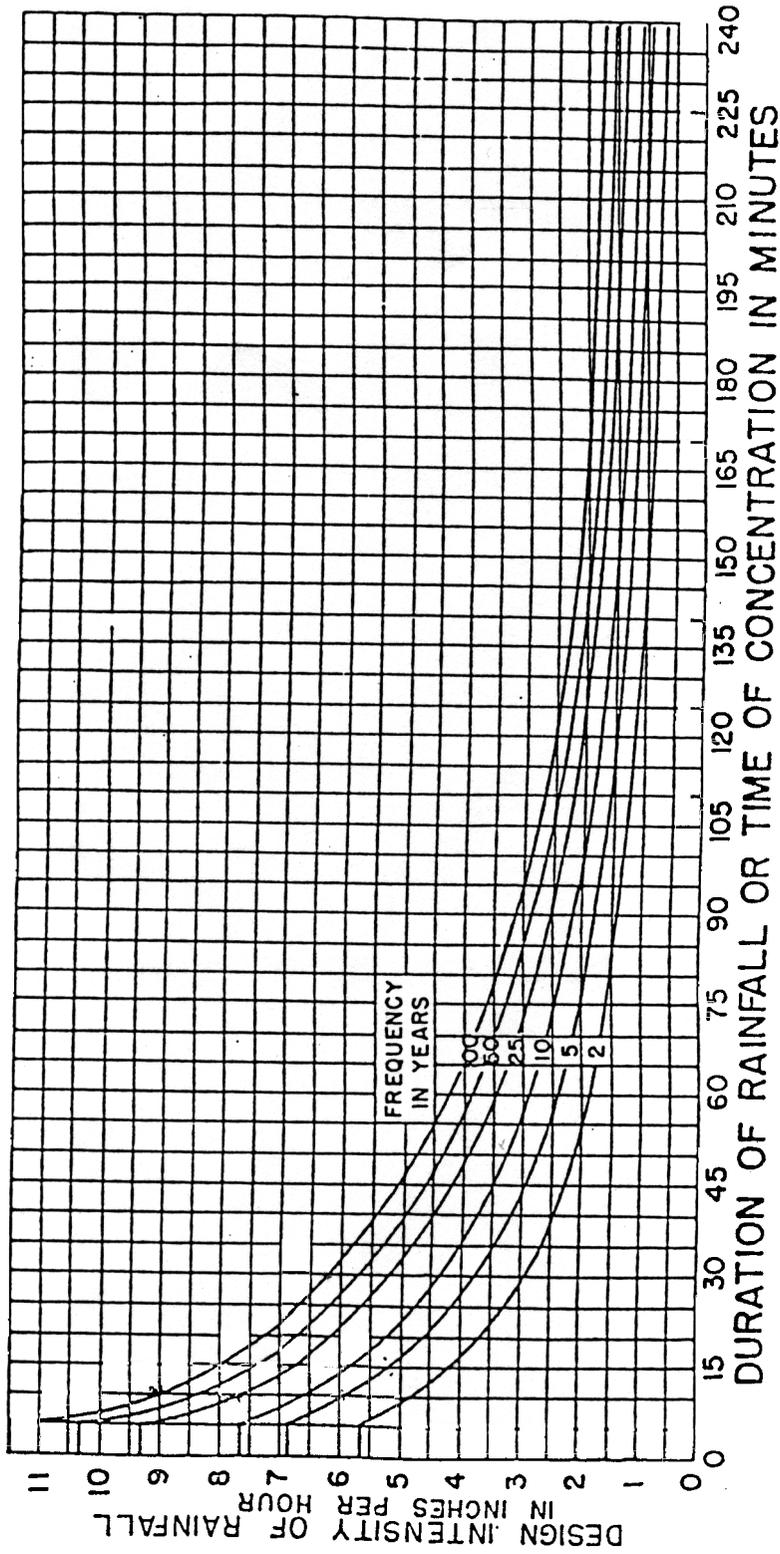
PASSED AND APPROVED by the City Council of the City of Rowlett, Texas, on this the 6th day of August A.D., 1985.

  
 \_\_\_\_\_  
 Mayor

ATTEST:

  
 \_\_\_\_\_  
 City Secretary

Approved as to Form:  
  
 \_\_\_\_\_  
 City Attorney



FREQUENCY CHART IN YEARS

FIGURE 1

CITY OF ROWLETT,  
TEXAS

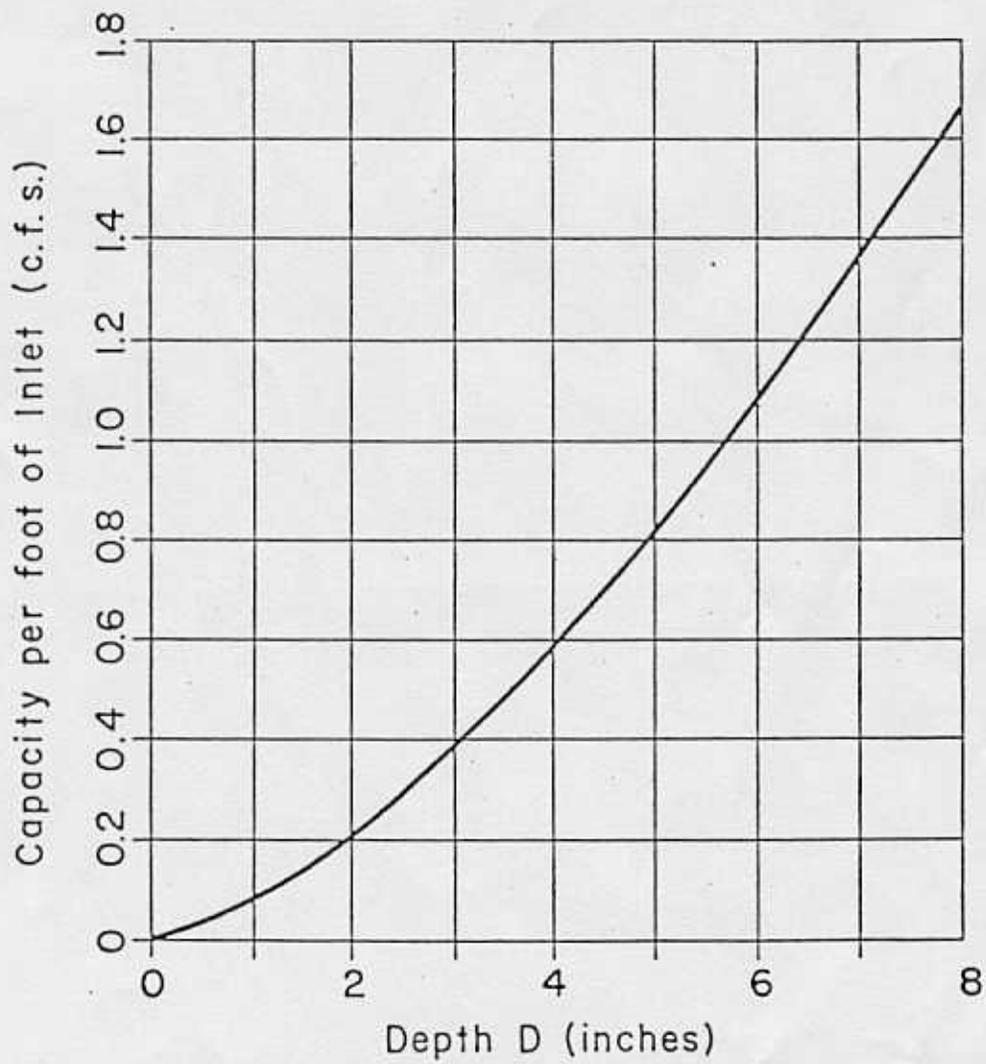
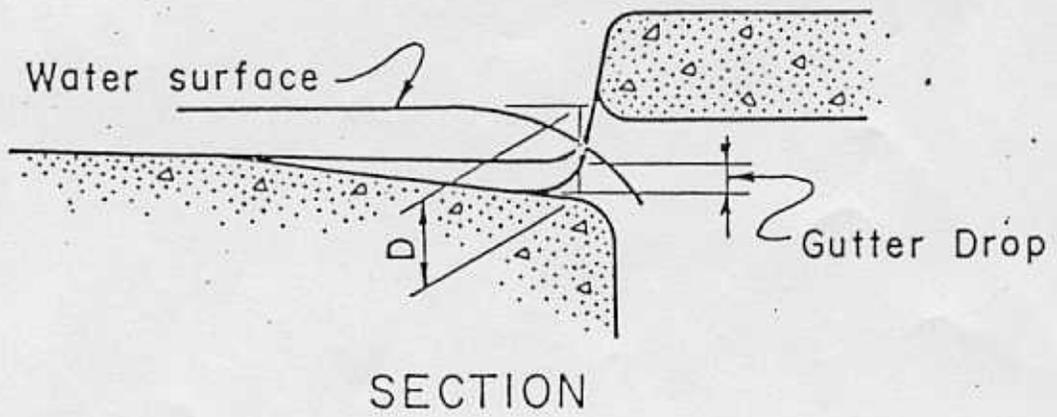


FIGURE 2

INLET CAPACITY  
FOR  
LOW POINT INLETS





City of Rowlett  
Staff Report

4000 Main Street  
P.O. Box 99  
Rowlett, TX 75080-0099  
www.rowlett.com

**AGENDA DATE:** 10/11/16

**AGENDA ITEM:** 4E

**TITLE**

Discuss proposed changes to Standard Construction Details and creation of new Roadway Design Manual. (20 minutes)

**STAFF REPRESENTATIVE**

Shawn Poe, P.E., Director of Public Works  
Tyson Thompson, P.E., Assistant City Engineer

**SUMMARY**

The purpose of this agenda item is to discuss the following:

- Potential updates and amendments to the Rowlett Standard Construction Details in common with standard construction practices around the Metroplex.
- The creation of a Street Design Criteria Manual.

**BACKGROUND INFORMATION**

The current Rowlett Standard Construction Details were last updated on January 7, 2014. Since this period, the City of Rowlett as well as the DFW area has experienced major growth in development. Additionally several products and services have since come to the market which provide for more efficient construction and construction methods.

This discussion item will leverage from both our staff's private sector experience as well as the informal feedback we have received from our colleagues in various professional organizations. The main goal is to provide a set of details that are customer-friendly, mainly through their clarity of presentation of the material, as well as fairness of the construction methods described.

**DISCUSSION**

The Rowlett Standard Construction Details provides designers and contractors with a list of the currently accepted construction practices to abide by as they design and construct their projects. Because of the constantly changing nature of the construction industry, it is imperative that this document is periodically updated. The last update performed on the Rowlett Standard Construction Details was done in October 2013 and accepted by City Council on January 7, 2014.

After careful review by both the Public Works and Development Services Departments, several changes to this document were proposed. These changes aim to protect the interests of the City of Rowlett while not adding undue burden and cost to the development community.

In 2011, the City of Rowlett adopted *Realize Rowlett 2020*, which incorporates Form-Based Code into the City's regulations. This regulation type adds additional street sections within our city which

have to be accounted for in the Standard Construction Details. This was one of the motivating factors behind the proposal to create the Street Design Criteria Manual. This practice falls in line with other municipalities within the Metroplex such as the City of McKinney, the City of Dallas, and the City of Fort Worth. For reference, below are links to the City of McKinney and City of Fort Worth guides:

*McKinney*

<https://www.mckinneytexas.org/DocumentCenter/View/422>

*Fort Worth*

[http://fortworthtexas.gov/uploadedFiles/Transportation\\_and\\_Public\\_Works/About\\_Us/Divisions/Transportation\\_Planning\\_and\\_Development/09\\_MTPStreetDevStds.pdf](http://fortworthtexas.gov/uploadedFiles/Transportation_and_Public_Works/About_Us/Divisions/Transportation_Planning_and_Development/09_MTPStreetDevStds.pdf)

The Street Design Criteria Manual would provide a level consistency within our requirements and enable engineering and planning to have better control over the quality of the streets being installed within the City of Rowlett.

#### **FINANCIAL IMPACT/BUDGET IMPLICATIONS**

No financial or budget impacts are anticipated as a result of these amendments.

#### **RECOMMENDED ACTION**

Provide direction to staff on the proposed changes, and whether or not to proceed with a formal Code amendment.

#### **ATTACHMENTS**

Attachment 1 – Existing Standard Construction Details