



AGENDA

**City of Lucas
Planning and Zoning Commission
August 11, 2016
7:00 PM**

City Hall - 665 Country Club Road – Lucas, Texas – 75002

Notice is hereby given that a City of Lucas Planning and Zoning Meeting will be held on Thursday, August 11, 2016 at 7:00 pm at the Lucas City Hall, 665 Country Club Road, Lucas, Texas, 75002-7651 at which time the following agenda will be discussed. As authorized by Section 551.071 of the Texas Government Code, the Planning and Zoning Commission may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

Call to Order

- Roll Call
- Determination of Quorum
- Reminder to turn off or silence cell phones
- Pledge of Allegiance

Regular Agenda

1. Consider approval of the minutes of the July 14, 2016 Planning and Zoning Commission meeting. (City Secretary Stacy Henderson)
2. Consider the request by BlueSky Development for final plat approval for Five Oaks Estates, a parcel of land situated along Orr Road and Winningkoff Road proposing 17 lots on 63.686 acres located in the Calvin Boles Survey, Abstract No. 28. (Development Services Director Joe Hilbourn)
3. Consider amendments to the Code of Ordinances, Chapter 14, Article 14.04, Division 8 - Accessory Buildings, Structures and Uses regarding square footage requirements for habitable space and accessory buildings; and amendments to the Code of Ordinances, Schedule Use Chart related to guest/servant quarters and accessory buildings with habitual space. (Development Services Director Joe Hilbourn)
4. Discuss and give staff direction regarding updates to the Comprehensive Plan, Chapter 6 Parks and Open Space, including maps for trails and parks. (Development Services Director Joe Hilbourn)

5. Discuss and give direction to staff regarding proposed amendments to the Code of Ordinances, Chapter 10, Section 10.03.123 (i) Streets and Drainage for changes to street lighting requirements. **(Development Services Director Joe Hilbourn)**

Executive Session

The Planning and Zoning Commission may convene in a closed Executive Session pursuant to Chapter 551.071 of the Texas Government Code.

An Executive Session is not scheduled for this meeting.

6. Adjournment.

Certification

I hereby certify that the above notice was posted in accordance with the Texas Open Meetings Act on the bulletin board at Lucas City Hall, 665 Country Club Road, Lucas, TX 75002-7651 and on the City's website at www.lucastexas.us on or before August 5, 2016.

Stacy Henderson
City Secretary

In compliance with the American with Disabilities Act, the City of Lucas will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services should be directed to Stacy Henderson at 972-912-1211 or by email at shenderson@lucastexas.us at least 48 hours prior to the meeting.



City of Lucas

Planning and Zoning Agenda Request

August 11, 2016

Requester: City Secretary Stacy Henderson

Agenda Item:

Consider approval of the minutes of the July 14, 2016 Planning and Zoning Commission meeting.

Background Information:

NA

Attachments/Supporting Documentation:

1. Minutes of the July 14, 2016 Planning and Zoning Commission meeting.

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

I make a motion to approve the minutes of the July 14, 2016 Planning and Zoning Commission meeting.



City of Lucas
Planning and Zoning Commission
Regular Meeting
July 14, 2016
7:00 PM
City Hall – 665 Country Club Road

MINUTES

Call to Order

Vice Chairman Keer called the meeting to order at 7:00 p.m.

Commissioners Present:

Vice Chairman David Keer
Commissioner Andre Guillemaud
Commissioner Brian Blythe
Commissioner Joe Williams
Alternate Commissioner Scott Sperling

Commissioners Absent:

Chairman Peggy Rusterholtz

Staff:

City Manager Joni Clarke
Development Services Director Joe Hilbourn
City Secretary Stacy Henderson
City Attorney Joe Gorfida

City Council Liaison

Mayor Jim Olk

It was determined that a quorum was present. Everyone was reminded to turn off or silence cell phones and Vice Chairman Keer announced that Alternate Member Scott Sperling would be seated as a voting member.

Public Hearing

1. **Consider the request by BlueSky Development for a zoning change from AO to R-2 for a parcel of land situated along Orr Road and Winningkoff Road proposing 17 lots on 63.686 acres in the Calvin Boles Survey, Abstract No. 28.**
 - A. Presentation by Development Services Director Joe Hilbourn
 - B. Conduct Public Hearing
 - C. Take Action

Development Services Director Joe Hilbourn gave a presentation stating the request proposed to change zoning from AO agriculture to residential R-2. The applicant was proposing 17 lots averaging three-plus acres in size. Mr. Hilbourn stated that a development agreement had been approved for this site that stipulates Lots 1, 6 and 7 would have their frontage reduced from 200 feet to 25 feet and the applicant would make improvements to Orr Road once 75 percent of the lots had been sold.

Vice Chairman Keer opened the public hearing at 7:03 pm and called the following individuals to speak that had filled out comments cards.

Debra Gulickson, 200 Doris Drive, stated that she did not feel this was the best use for the property and was not in favor of the zoning change request.

Donna Yearsley, 1980 N. Winningkoff, stated that the change in zoning would cause increased traffic, lack of privacy and more trash and debris in the area. Ms. Yearsley stated that the applicant had placed for sale signs on the property before the zoning case had been decided and she was opposed to the request.

Justin Lamothe, BlueSky Development, stated that they increased the lot size to over 3 acres to keep the country feel for the area and he apologized for placing for sale signs out too early.

Vice Chairman Keer noted that two emails had been received in opposition to the request from Donna Yearsley and Rebecca Moore.

There being no one else wanting to speak, the public hearing was closed at 7:10 pm.

Commissioner Blythe noted that the request meets the guidelines of the Comprehensive Plan, proposed larger than the 2-acre minimum lot size, and was in favor of the rezoning request.

MOTION: *A motion was made by Commissioner Blythe, seconded by Commissioner Williams to approve the zoning change request from AO to R-2 for a parcel of land situated along Orr Road and Winningkoff Road proposing 17 lots on 63.686 acres. The motion passed unanimously by a 5 to 0 vote.*

2. Consider the request by Robert Kubicek for a zoning change request from R-2 to C, Commercial Business for a parcel of land located at 2205 Estates Parkway, situated in the Jas M Snider Survey, Abstract A0824 Tract 34, being all of 2.333 acres.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct Public Hearing
- C. Take Action

Development Services Director Joe Hilbourn gave presentation stating the request proposes to change current zoning of R-2 to Commercial Business. The property currently has a section of legal non-conforming self-storage units and another section of illegal non-conforming self-storage units that were constructed without a permit. The zoning change request would allow the illegal non-conforming self-storage units placed on site without a permit to remain. Mr. Hilbourn stated that should the zoning request be approved, a specific use permit would still be required for the property where conditions could be placed between the residential and commercial properties.

City Attorney Joe Gorfida stated that should the Planning and Zoning Commission approve the request, the applicant must still obtain City Council approval. If the request was denied by the Planning and Zoning Commission, the applicant has 30 days to appeal his request to the City Council. Mr. Gorfida stated that if the zoning was approved, screening would be required between the residential and commercial properties; however, should the request be denied, no screening was required, but the illegal non-conforming self-storage units would have to be removed.

Vice Chairman Keer opened the public hearing at 7:22 pm and called the following individuals to speak that had filled out comments cards.

Bob Jarvis, representing Robert Kubicek, 2205 Estates Parkway, stated that the self-storage buildings were used as a business on site for income. He noted that when Mr. Kubicek was annexed into the City, it was assumed that the entire property and its contents could remain and operate as he had been. Mr. Jarvis noted that the property had been cleaned up and improvements made and showed pictures of improvements made to the Commission. Mr. Jarvis noted that Collin County has the property zoned commercial.

Richard Scanlan, 2085 Claremont Drive, Lucas, stated changing the zoning to Commercial allows for other commercial business to move into the property should it ever be sold. Mr. Scanlan stated he was opposed to the zoning change request.

Mike Oliver, 2080 Claremont Drive, Lucas, stated the new buildings placed on the property were considerably higher, the use creates noise and the use creates an industrial feel in a residential neighborhood. Mr. Oliver stated he was opposed to the request.

Susan Oliver, 2080 Claremont Drive, stated she too was opposed to the request and the buildings were high enough, that a privacy fence would not block the view of the structures.

Nancy Scanlan, 2085 Claremont Drive, stated she was opposed to the commercial use within a residential neighborhood.

Diane Dercks, 820 Maplewood Lane, Lucas, stated she had concerns related to adequate fencing that would block the view of the storage units, the potential for other commercial uses for the property should it ever be sold, and she was opposed to the zoning change request.

David Hooper, 821 Maplewood Lane, Lucas, stated that the commercial use creates constant noise, fire hazards with various chemicals on site, unsightly trash and debris and he was opposed to the request.

Aninuddha Sant, 2115 Claremont Drive, Lucas, stated that she was opposed to the request.

Suvesh Tripathi, 815 Serenity Court, Lucas, stated that she was also opposed to the request.

There being no one else wanting to speak, Vice Chairman Keer closed the public hearing at 7:45 pm.

The Commission discussed various options available if the property were zoned commercial or residential, the fact that the request did not meet the guidelines of the Comprehensive Plan, and the potential for other commercial uses to be used on the property should it ever be sold.

MOTION: *A motion was made by Commissioner Guillemaud, seconded by Commissioner Williams to deny the request by Robert Kubicek for a zoning change from R-2 to C, Commercial Business for a parcel of land located at 2205 Estates Parkway. The motion to deny passed by a 4 to 1 vote with Commissioner Blythe voting in opposition.*

3. Consider amendments to the Code of Ordinances, Division 8 - Accessory Buildings, Structures and Uses regarding requirements for habitable space and accessory buildings.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct Public Hearing
- C. Take Action

Development Services Director Joe Hilbourn gave a brief presentation discussing the amendments proposed to Division 8 related to replacing the term guest/servants quarters with the term habitable space and adding requirements requiring accessory buildings with habitable space to meet minimum standards required by the International Residential Code and providing for permitted uses. Mr. Hilbourn also noted that requirements related to deed restrictions had been placed in the section

The Commission discussed with the City Attorney the deed restriction requirements proposed in Division 8 related to habitable space. The Commission agreed that this requirement should remain in place to notify homeowners that accessory buildings cannot be used as habitable space and can be enforced through the Code of Ordinances.

Vice Chairman Keer opened the public hearing at 8:02 pm, there being no one wishing to speak, the public hearing was closed.

***MOTION:** A motion was made by Commissioner Williams, seconded by Commissioner Sperling to recommend approval of the amendments to the Code of Ordinances, Division 8 - Accessory Buildings, Structures and Uses by replacing the term guest/servants quarters with the term habitable space and adding requirements requiring accessory buildings with habitable space to meet minimum standards required by the International Residential Code and providing for permitted uses. The motion passed unanimously by a 5 to 0 vote.*

4. Consider amendments to the Code of Ordinances, Schedule Use Chart related to guest/servant quarters and accessory buildings with habitual space.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct Public Hearing
- C. Take Action

Development Services Director Joe Hilbourn gave a brief presentation stating that the use chart would be updated to reflect the new language and permitted uses within the allowable zoning districts.

Vice Chairman Keer opened the public hearing at 8:04 pm, there being no one wishing to speak, the public hearing was closed.

***MOTION:** A motion was made by Commissioner Sperling, seconded by Commissioner Blythe to recommend approval of the amendments to the Schedule Use Chart to change guest/servant quarters to accessory buildings with habitable space. The motion passed by a 5 to 0 vote.*

Regular Agenda

5. Consider approval of the minutes of the June 9, 2016 Planning and Zoning Commission meeting.

MOTION: A motion was made by Commissioner Williams, seconded by Commissioner Guillemaud to approve the minutes of the June 9, 2016 Planning and Zoning Commission meeting as presented. The motion passed unanimously by a 5 to 0 vote.

6. Consider a request by Roome Land Surveying, Inc., on behalf of Nancy Hoke for approval of a minor plat subdividing a 5.092 acre tract of land from the 25 acre parcel, leaving a remainder of 19 +/- acres situated in the Witsaul Fisher Survey, Abstract A0323, Tract 11, more commonly known as 1590 Rock Ridge Road.

Development Services Director Joe Hilbourn gave a brief presentation discussing the subdivision of the property and the code requirements related to properties greater than five acres, with no public improvements and have access to the property, do not require platting.

MOTION: A motion was made by Commissioner Blythe, seconded by Vice Chairman Keer to approve a minor plat subdividing 5.092 acres of land from the 25 acre parcel located at 1590 Rock Ridge Road. The motion passed by a 5 to 0 vote.

7. Consider the request by Todd Winters on behalf of Cleve Adamson Custom Homes for approval of a final plat for a parcel of land situated in the John W. Kerby Survey, Abstract No. 506, being part of Tract 1 and Tract 2 of Tokalaun Equestrian Addition, containing 25.492 acres of land more commonly known as a tract of land adjacent to Mary Lee Lane, north of the intersection of Mary Lee Lane and Blondy Jhune Road.

Development Services Director Joe Hilbourn gave a brief presentation discussing details of the final plat stating 12 lots were proposed with a minimum lot size of two acres.

MOTION: A motion was made by Commissioner Williams, seconded by Commissioner Blythe to approve the final plat of Cleve Adamson Custom Homes for a parcel of land situated in the John W. Kerby Survey, Abstract No. 506, being part of Tract 1 and 2 of the Tokalaun Equestrian Addition. The motion passed by a 5 to 0 vote.

8. Discuss and provide direction to staff regarding updates to the Comprehensive Plan, Chapter 5 Economic Development.

Development Services Director Joe Hilbourn discussed and reviewed with the Commission amendments to Chapter 5, Economic Development.

Vice Chairman Keer submitted and reviewed his recommended changes to Mr. Hilbourn.

9. Adjournment.

***MOTION:** A motion was made by Commissioner Guillemaud, seconded by Commissioner Williams to adjourn the meeting at 8:24 p.m. The motion passed with a 5 to 0 vote.*

Peggy Rusterholtz, Chairman

Stacy Henderson, City Secretary



City of Lucas

Planning and Zoning Agenda Request

August 11, 2016

Requester: Development Services Director Joe Hilbourn

Agenda Item:

Consider the request by BlueSky Development for final plat approval for Five Oaks Estates, a parcel of land situated along Orr Road and Winningkoff Road proposing 17 lots on 63.686 acres located in the Calvin Boles Survey, Abstract No. 28.

Background Information:

This site has an approved development agreement proposing 17 lots with no additional improvements. The approved development agreement gives consideration to frontage for three lots reducing the required frontage from 200 feet to 25 feet. The developer will repave Orr Road adjacent to the development with consideration of impact fees in the amount not to exceed the amount collected when 75% of the permits have been issued. All lots will face existing roadways and the request meets the City's approved Comprehensive Plan and all City requirements.

Attachments/Supporting Documentation:

1. Location Map
2. Plat

Budget/Financial Impact:

NA

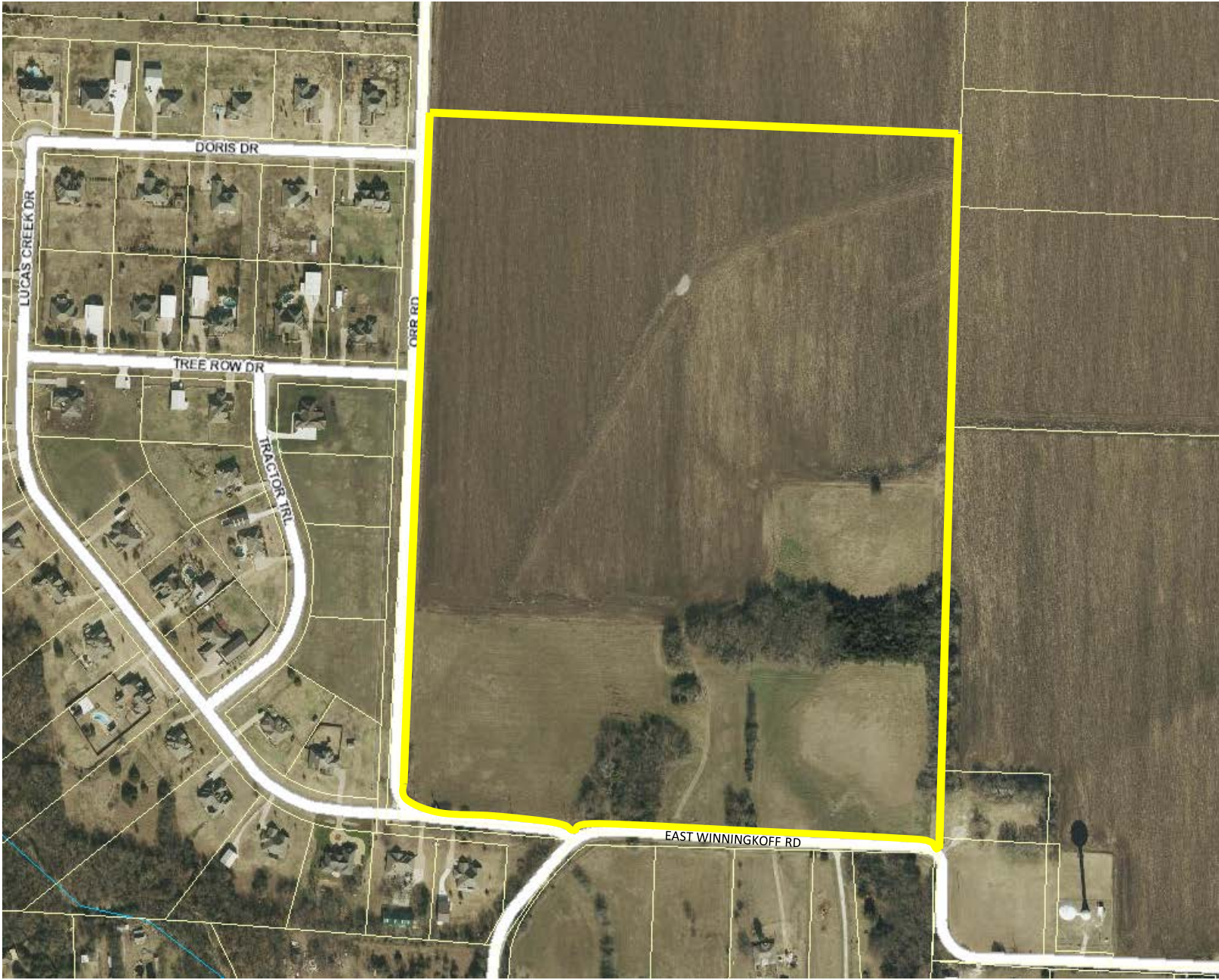
Recommendation:

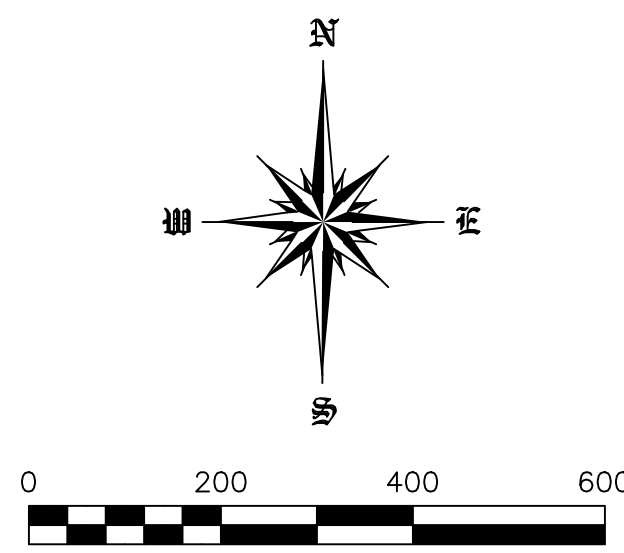
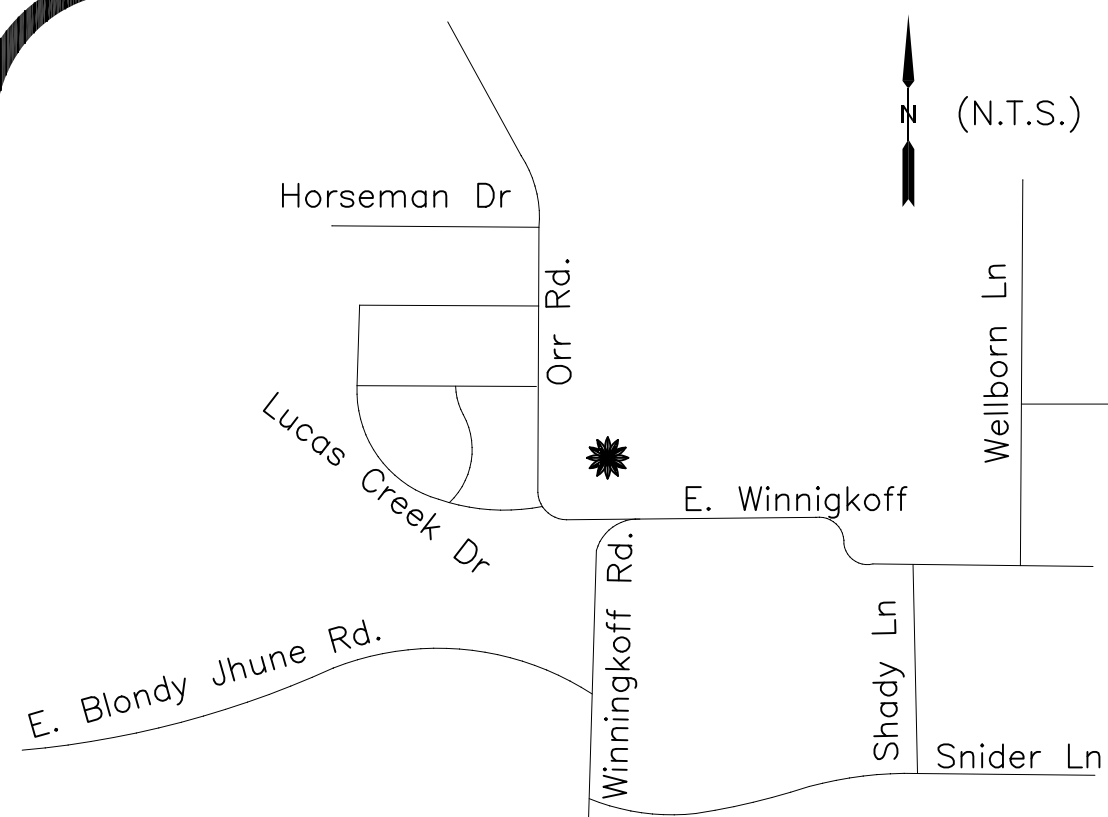
City staff recommends approval of the final plat.

Motion:

I make a motion to approve/deny the request by BlueSky Development for final plat for Five Oaks Estates a parcel of land situated along Orr Road and Winningkoff Road proposing 17 lots on 63.686 acres located in the Calvin Boles Survey, Abstract No. 28.

BlueSky Development, LLC
63.6930 acres





SURVEYOR'S CERTIFICATE

STATE OF TEXAS)
 COUNTY OF _____)

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

Joel Wilhite, RPLS #5190

Date: _____

NOTARY CERTIFICATE

STATE OF TEXAS)
 COUNTY OF _____)

BEFORE ME, the undersigned authority, on this day personally appeared Joel Wilhite, known to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated.

Given under my hand and seal of office this _____ day of _____, 20____.

Notary Public _____

WHEREAS Lucas Park, LLC is the owner of a 63.693 acre tract of land in the Calvin Boles Survey, Abstract No. 28 and being all of a 63.693 acre tract as recorded under Document Number 20150205000130290, of the Official Public Records of Collin County, Texas, and being more particularly described as follows:

- BEGINNING at a mag nail found in Orr Road marking the northeast corner of said premises;
- THENCE departing said road and with the north line of said premises, South 87°59'55" East, 1446.37 feet to a capped iron rod found marking the northwest corner of said premises;
- THENCE with the east line of said premises, South 02°30'33" West, 790.42 feet to a capped iron rod found marking an angle point in the east line of said premises;
- THENCE with the east line of said premises, South 01°02'08" West, 966.20 feet to a 3/4" iron rod found marking an angle point in the east line of said premises;
- THENCE with the east line of said premises, South 03°08'19" West, 149.90 feet to a 1/2" iron rod found marking an angle point in the east line of said premises;
- THENCE with the east line of said premises, South 02°59'11" West, 23.56 feet to a 3/8" iron rod found in E. Winnigkoff Road marking the southeast corner of said premises;
- THENCE with said road and the south line of said premises, North 87°08'13" West, 713.27 feet to a capped iron rod set marking an angle on the south line of said premises;
- THENCE departing E. Winnigkoff Road, with Orr Road and the south line of said premises, North 85°35'19" West, 751.01 feet to a P.K. Nail found marking the southwest corner of said premises;
- THENCE with said road and with the west line of said premises, North 02°32'23" East, 1158.45 feet to a mag nail set marking an angle on the west line of said premises;
- THENCE with said road and the west line of said premises, North 02°00'40" East, 702.17 feet to the point of beginning and containing 63.693 acres of land.

*** OWNER'S DEDICATION ***

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, LUCAS PARK, LLC does hereby adopt this plat as PRELIMINARY-FINAL PLAT OF FIVE OAKS ESTATES, an Addition to the City of Lucas, Collin County, Texas, and do hereby dedicate to the public use and benefit forever the streets and alleys shown thereon for all public purposes including but not limited to all street purposes and the right of the City of Lucas and its assigns to lay, install, operate, repair, replace and remove and reconstruct any and all public utilities including but not limited to water lines, sanitary sewer lines, drainage and storm sewer lines and canals, gas lines, telephone poles and lines, electrical power lines and appurtenances. The right to establish grades on said dedicated streets and alleys is hereby granted to the City of Lucas and all claims for damages which may arise by reason of changing the present surface of said streets to conform to said grades are hereby waived.

The easements shown on the plat are hereby granted and dedicated and reserved for the mutual use and accommodation of the City of Lucas and all public utilities desiring to use or using the same public sewer lines, drainage and storm sewer canals and lines, gas lines, telephone poles and lines, electrical power lines and appurtenances. All and any public utility and the City of Lucas shall have the right to remove and keep removed all or part of any residence, building, fences, trees, shrubs or other improvements, growths or obstructions which may in any way endanger or interfere with the construction, maintenance, operation or efficiency of the respective utility in, on or under said easement strips. The City of Lucas and all public utilities shall at all times have the full right of ingress and egress to and from and upon said easement strips for the purpose of constructing, inspecting, patrolling, maintaining and adding to or removing all or part of the respective systems without the necessity at any time of procuring the permission of anyone. We do further dedicate to the public use forever all parks, squares, parkways, and all other public uses and dedication shown on the face of this plat.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Lucas, Texas.

WITNESS MY HAND, this the _____ day of _____, 20____.

By: _____
 Name
 Lucas Park, LLC

NOTARY CERTIFICATE

STATE OF TEXAS)
 COUNTY OF _____)

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated.

Given under my hand and seal of office this _____ day of _____, 20____.

Notary Public _____

Recommended for Approval by Planning and Zoning Commission:

Chairman: _____

Approved by Public Works:

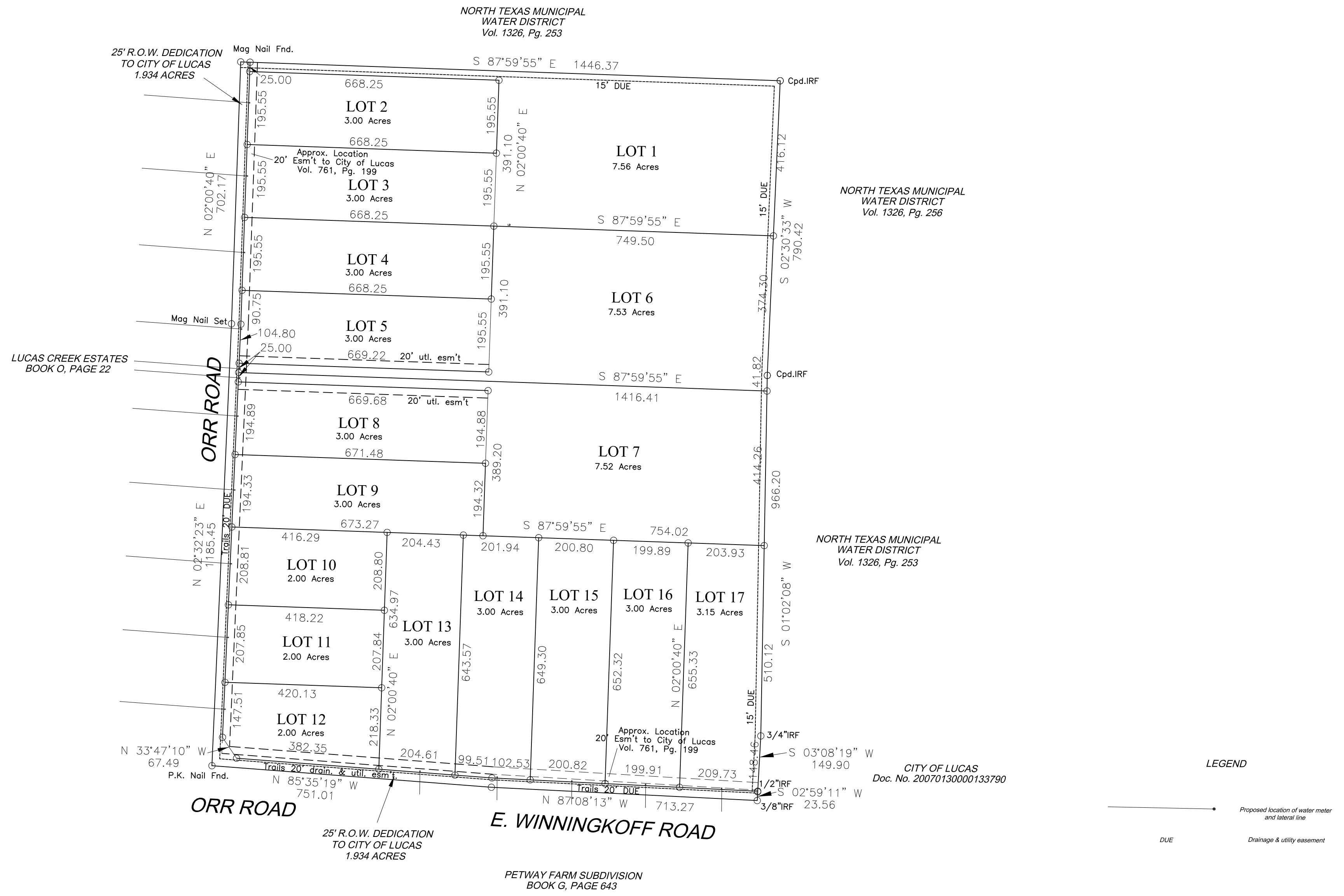
Director: _____

Approved by Development Services:

Director: _____

Attested by: _____

LOT	BLOCK	LOT SIZE
1	A	7.56 acres
2	A	3.00 acres
3	A	3.00 acres
4	A	3.00 acres
5	A	3.00 acres
6	A	7.53 acres
7	A	7.52 acres
8	A	3.00 acres
9	A	3.00 acres
10	A	2.00 acres
11	A	2.00 acres
12	A	2.00 acres
13	A	3.00 acres
14	A	3.00 acres
15	A	3.00 acres
16	A	3.00 acres
17	A	3.15 acres



NOTES

- 1) Basis of bearing per GPS Coordinates
- 2) All property corners are 1/2" capped iron rods stamped RPLS 5190 unless otherwise noted.
- 3) Final Replat: For Review Purposes Only
- 4) Property owners to maintain R.O.W. and easements up to the edge of pavement.
- 5) Property is not shown to lie within 100-year flood plain as indicated by F.E.M.A. map number 48085C0405J, dated June 2, 2009 (Zone X).
- 6) Average lot size - 3.46 acres

**FINAL PLAT
 FIVE OAKS ESTATES
 LOTS 1-17 OF BLOCK A**

**AN ADDITION TO
 CITY OF LUCAS, COLLIN COUNTY, TEXAS**

**BEING 63.693 ACRES IN THE CALVIN BOLES SURVEY
 ABSTRACT NO. 28
 CITY OF LUCAS, COLLIN COUNTY, TEXAS
 CURRENT ZONING - R-2**

JULY 28, 2016

Surveyor:
 Wilhite Land Surveying, Inc.
 P.O. Box 407
 Valley View, TX 76272

Owner:
 LUCAS PARK L.L.C.
 1919 Cottonwood Valley Cir S
 Irving, TX 75038

P. O. Box 407
 Valley View, Texas 76272
 940-726-6150
 940-726-6151
WILHITE LAND SURVEYING, INC.
 JOB NO. 97188



City of Lucas Planning and Zoning Agenda Request August 11, 2016

Requester: Development Services Director Joe Hilbourn

Agenda Item:

Consider amendments to the Code of Ordinances, Chapter 14, Article 14.04, Division 8 - Accessory Buildings, Structures and Uses regarding square footage requirements for habitable space and accessory buildings; and amendments to the Code of Ordinances, Schedule Use Chart related to guest/servant quarters and accessory buildings with habitual space.

Background Information:

Proposed amendments to accessory buildings, structures and uses was brought before the Planning and Zoning Commission at their June 9, 2016 meeting for consideration. The item was then brought forward to the City Council on July 21, 2016. Council recommended sending the item back to the Planning and Zoning Commission for consideration of accessory buildings with habitable space regarding square footage, and giving relief to property owners for the use of storage containers for agricultural use in residentially zoned areas.

Supporting Documentation:

1. Redlined changes to proposed Ordinance 2016-07-00840 to be approved by City Council.

Budget/Financial Impact:

NA

Recommendation for Planning and Zoning Commission:

The City Council recommended additional amendments to Code of Ordinances, Chapter 14, Article 14.04, Division 8, Accessory Buildings, Structures and Uses to reduce the square footage for accessory buildings with habitable space, and giving relief from storage container requirements to agriculture properties.

Motion:

I make a motion to approve/deny amending the Code of Ordinances, Chapter 14, Article 14.04, Division 8 - Accessory Buildings, Structures and Uses allowing square footage requirements for habitable space and accessory buildings to be upto _____ square feet; and amendments to the Code of Ordinances, Schedule Use Chart related to guest/servant quarters and accessory buildings with habitual space.



ORDINANCE 2016-07-00840
[ORDINANCE AMENDING CODE OF ORDINANCE
CHAPTER 14 “ZONING”]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, AMENDING THE LUCAS CODE OF ORDINANCES BY AMENDING CHAPTER 14 TITLED “ZONING” BY AMENDING ARTICLE 14.03 TITLED “DISTRICTS” BY AMENDING DIVISION 15 TITLED “SCHEDULE OF USES” BY AMENDING SECTION 14.03.801 TITLED “USE DESIGNATIONS” BY AMENDING SUBSECTION (e) TITLED “SCHEDULE OF USES CHART” TO INCLUDE “ACCESSORY BUILDINGS WITH HABITABLE SPACE”; BY AMENDING ARTICLE 14.04 TITLED “SUPPLEMENTARY REGULATIONS” BY AMENDING DIVISION 8 TITLED “ACCESSORY BUILDINGS, STRUCTURES AND USES” BY AMENDING SECTION 14.04.302 TITLED “ACCESSORY STRUCTURES, BUILDINGS AND USES PERMITTED” TO EXCLUDE TRAILERS, CONTAINERS, COMMERCIAL BOXES OR OTHER SIMILAR STRUCTURES; BY AMENDING SECTION 14.04.304 TITLED “GENERAL ACCESSORY BUILDINGS AND STRUCTURES REGULATIONS” TO INCLUDE REQUIREMENTS FOR ACCESSORY BUILDINGS WITH HABITABLE SPACE AND THEIR SIZE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Lucas, Texas and the City Council of the City of Lucas, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Lucas, Texas is of the opinion and finds that said zoning change should be granted and that the Comprehensive Zoning Ordinance and Map should be amended;

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

Section 1. The Code of Ordinances of the City of Lucas, Texas, is hereby amended by amending Chapter 14 titled “Zoning” by amending Article 14.03 titled “Districts” by amending Division 15 titled “Schedule of Uses” by amending Section 14.03.801 titled “Use designations” by amending Subsection (e) titled “Schedule of uses chart”; and, by amending Article 14.04 titled “Supplementary Regulations” by amending Division 8 titled “Accessory Buildings, Structures and Uses” by amending Section 14.04.302 titled “Accessory structures, buildings and uses permitted” and by amending Section 14.04.304 titled “General accessory buildings and structures regulations”, to read as follows:

**“CHAPTER 14
ZONING**

...

ARTICLE 14.03 DISTRICTS

...

Division 15. Schedule of Uses

Sec. 14.03.801 Use designations

...

(e) Schedule of uses chart.

Use	AO	R2	R1.5	R1	VC	CB	OS	MH	LI	ED
Residential uses										
Accessory buildings	X	X	X	X	S		X	X		X
...										
Registered family home	S	S	S	S						
Accessory buildings with Habitable Space	X	X	X	X						
Single-family dwelling (detached)	X	X	X	X		X	X			X
Temporary field construction office	X	X	X	X	X	X			X	X
Educational, institutional, public and special uses										
...										

ARTICLE 14.04 SUPPLEMENTARY REGULATIONS

...

DIVISION 8. Accessory Buildings, Structures and Uses

...

Sec. 14.04.302 Accessory structures, buildings and uses permitted

(a) Accessory structures or buildings may be erected, maintained, and used for purposes which are clearly accessory to the principal or main structure, building or use permitted on the premises. Except in the agriculture district accessory buildings shall be built after the main building or structure.

...

(d) No trailers, containers, commercial boxes or other similar structures shall be used as accessory structures or buildings.

Exception: Agriculture, industrial, and commercial properties may use trailers, containers, or commercial boxes for temporary storage for a period not to exceed 45 days.

Commented [JH1]: New section

...

Sec. 14.04.304 General accessory buildings and structures regulations

In all residential districts, accessory structures shall comply with the following standards except as may be otherwise specifically provided for in this code:

...

(4) Accessory buildings that contain Habitable Space as defined by the International Residential Code adopted by the City shall be permitted in compliance with the following:

(A) One accessory building containing Habitable Space not exceeding 600 square feet in area may be permitted as an accessory use to a single-family residence in R-1 zoning district.

Commented [JH2]: Reduced from 1,000 ft to 600 feet

(B) One accessory building containing Habitable Space not exceeding 600 square feet in area may be permitted as an accessory use to a single-family residence in R-1.5 zoning district.

Commented [JH3]: Reduced from 1,250 ft to 600

(C) One accessory building containing Habitable Space not exceeding 1,000 square feet in area may be permitted as an accessory use to a single-family residence in R-2 or AO zoning district.

Commented [JH4]: Reduced from 1,500 to 1,000 ft

- (D) Detached accessory buildings containing Habitable Space shall be limited to a maximum height of 25 feet measured to the peak of the roof of the structure.
- (E) Accessory buildings containing Habitable Space shall only be occupied by an immediate member of the family that resides in the main building or, if occupied by domestic staff, all adults occupying the quarters shall be full-time domestic servants providing support to the property, health care providers for the residents of the main building or care takers of the property.
- (F) Accessory buildings containing Habitable Space shall meet the requirements of the International Residential Code as adopted by the City from time to time.
- (G) Accessory buildings containing Habitable Space may not be rented out separate and apart from the main structure.
- (H) Any accessory building where a kitchen or food preparation area is provided shall only be permitted on property that is located within an R-2 or AO zoning districts and only with a specific use permit. The specific use permit may only be granted provided the owners of the property enact a deed restriction with the city as party to the deed restriction that prohibits the use of the Habitable Space to be used for lease/barter agreement other than that of the full-time domestic staff providing support to the property, health-care providers for the residents of the main building or care takers of the property.
- (I) Guest servant quarters shall be designed to be architecturally compatible with the main building and constructed of similar materials as the main building.

Secs. 14.04.305-14.04.340 Reserved.”

Section 2. That all ordinances of the City of Lucas in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

Section 3. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance of the City of Lucas Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinances or the City of Lucas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

Section 4. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances, as amended,

and upon conviction in the municipal court shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 5. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lucas, and it is accordingly so ordained

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS 1st DAY OF SEPTEMBER, 2016.

APPROVED:

Jim Olk, Mayor

APPROVED AS TO FORM:

ATTEST:

Joseph J. Gorfida, Jr., City Attorney
(07-06-2016/77177)

Stacy Henderson, City Secretary



City of Lucas Planning & Zoning Agenda Request August 11, 2016

Requester: Development Services Director Joe Hilbourn

Agenda Item:

Discuss and give staff direction regarding updates to the Comprehensive Plan, Chapter 6 Parks and Open Space, including maps for trails and parks.

Background Information:

The Comprehensive Plan should be updated periodically to reflect changes in the community. The last update to the Comprehensive Plan was conducted in 2006. The City had its Comprehensive Plan kick off meeting that included the Planning and Zoning Commission, City Council and the Parks and Open Space Board on June 7, 2015 and the Planning and Zoning Commission has begun their review and update of components of the Comprehensive Plan. The items to be considered for update include Chapter 6 related to parks, trail maps, and park maps.

This is a technical review only, formatting will follow once the content is established and approved.

Attachments/Supporting Documentation:

1. Chapter 6 of the City's Comprehensive Plan.
2. Parks map
3. Trails map

Budget/Financial Impact:

NA

Recommendation:

N/A

Motion:

N/A



DRAFT 04/12/2016

CHAPTER 6

PARKS, RECREATION AND OPEN SPACE

INTRODUCTION PARKS, OPEN SPACE, AND TRAILS

The amount and quality of parks and open space within a community are often cited as important elements of local quality of life. Lucas has recognized this fact through an adopted Park Plan and a park dedication ordinance. Lucas is a unique community with large lots and open spaces naturally throughout the city. The cities entire Eastern boundary is located on the shores of Lake Lavon, with natural waterways through the city for storm water run-off.

Due to the unique features of Lucas and the large lots and natural open spaces, parks are not as important to the city as they are to surrounding communities. With input from the community, Boards, council, and staff it was decided that existing parks with the exception of the future potential to expand existing facilities especially at the community park located next to city hall, that we have adequate parks facilities. The city should concentrate on expanding existing trails equestrian and hiking trails adjacent to the city on US Army Corps of Engineering property throughout the city.

COMMUNITY COMPOSITION

The City of Lucas contains a total land area of approximately 9,856 acres. Approximately 74 percent (about 7,285 acres) of the land within the existing City is developed, while the remaining acreage is vacant or being used for some agricultural related purpose. Lucas currently has six parks (153 acres) utilized as parkland and has no planned or designated open space system. In addition the City of Lucas is located immediately adjacent to Lake Lavon, which provides opportunities for water based recreational activities, trails and open spaces.

PREVIOUS PARKS AND OPEN SPACE STUDIES

The City of Lucas historically has had common visions for development of Parks & Open Space. Previous studies performed date back to 2001 when community planning involved City officials interacting with the citizens in the form of Town Hall meetings and questionnaires intended to gather preferences and opinions about parks and open space in the City. Preferences and opinions came from a sample of the population voicing a variety of choices. A 2001 study entitled "Lucas Parks and Open Space Master Plan" presented a detailed analysis of the park system, open spaces, possible programs and recreational opportunities available, and the detailed history of lands in the City. The study also painted an overall picture of the City's situation regarding these issues, described a strategy in which to develop a parks and open space master plan, and established goals and objectives outlining means to implement the proposed plan. Additional study was performed as a part of the 2004 City of Lucas Comprehensive plan which included an evaluation of the parks and recreational opportunities in the City and the current opportunities available and existing facilities available.

In 2015, the City hosted several Town Hall meetings to provide forum to receive feedback from citizens and to address the parks, recreation, and open space needs. The town hall meetings, previous study, and ongoing changes to parks and recreation in the region will serve as a backdrop in describing the current opportunities as they exist today.

EXISTING PARKS AND OPEN SPACE

Over the years, the City of Lucas has developed 4 parks and preserved open space in accordance with community planning efforts. The existing parks and open space include Brockdale and Highland Park currently operated by the Army Corps of engineers, and one private park located in the Stonegate sub-division are described and evaluated as follows.

BROCKDALE PARK

Brockdale Park was established in 2005 and is located at east edge of City of Lucas immediately next to Lake Lavon. Brockdale Park is 127 acres and has several amenities that have been developed and includes The Blackland Prairie Raptor Center that is

located in the middle section of the park. This center is a nonprofit, rehabilitation and conservation education organization. The mission of this organization is to preserve the environment through public education and conservation of birds of prey and wildlife in their natural habitat.

KENNETH R. LEWIS PARK

Kenneth R. Lewis Park is located adjacent to FM 1378 (Southview Dr.), near the southern side of the City. The park is approximately 5 acres and offers baseball/softball field and soccer field. About two thirds of the park is open space and undeveloped for use with other activities.

LUCAS COMMUNITY PARK AT CITY HALL

The Lucas Community Park at City Hall is directly adjacent to the southern side of City Hall Parking Lot. The park is approximately 3 acres and offers a 5-foot wide concrete sidewalk that circulates the park and a pavilion for picnics and barbeques for the City residents of Lucas. A large playground including multiple slides and climbing areas. The park also boasts a community center with rooms available to residents at no cost. The parking area provided for the City Hall can be also utilized for the community park.

HIGHLAND PARK

Highland Park is located at Northeast edge of the city just off Snider Lane. This park is approximately 59 acres and has a minimal of services developed at the park.

Highland Park Provides a boat ramp at the north end of the park for boating and fishing activities on Lake Lavon. The ramp is concrete with ample parking for trailers and vehicles. Entrance to the boat ramp area is via Highland Park Road. Available facilities at this park include the following, a parking area, boat ramp, and restrooms.

As with Brockdale Park, the Trinity Trail passes through the Highland Park. There is a trailhead existing at this park that serves as a point for riders to unload and load their horses with an entrance area on Highland Park Road. The Trinity trail continues north

past the limit of Highland Park to the north end of City of Lucas Limit near the North Texas Municipal Water District Treatment Plant as previously discussed. Available facilities at the trailhead existing in Highland Park include the followings. Loading/unloading area, restroom facility with ADA considerations, one pavilion, and a watering place for horses

FOREST CREEK NEIGHBORHOOD PARK

Forest Creek Neighborhood Park is located at North of City of Lucas next to Orchard Gap Lane. The Forest Creek Neighborhood Park is a small 2 acre park with several playgrounds and a soccer field. Access to the park from Country Club Road is via Orchard Gap Lane off Norfolk Lane. Facilities available at this park includes a traditional neighborhood playground and open space.

STONE GATE PARK

Stone Gate Park is a private park located on north side of the city in the Stone Gate Neighborhood and is only accessible to residents of that neighborhood. This park is a very small neighborhood park occupying less than 1 acre next to one of the tributaries of White Rock Creek. This park offers a traditional multiuse playground, a small gazebo, picnic tables and a 2-foot wide concrete sidewalk that passes through the park. The sidewalk connects to a concrete trail that continues alongside the tributary of the White Rock Creek.

OPEN SPACES AND NATURAL FEATURES

Open space represents the natural and agricultural through fields, pastures, prairies and woodlands. Public and private objectives may differ in regard to preservation of open spaces. The City's desire to preserve open spaces will depend on achieving common goals with private land owners and the public. The goal of maintaining open space should be continued with continued interaction between the City and land owners to determine common means to achieve these goals.

Other open spaces in Lucas are in the form of:

- Lake Lavon existing flood plain areas;
- Creeks and waterways;
- Vacant lands, farm lands, pastures and rights-of-way;

All these open spaces can potentially allow for trails and trail connections.

The most important natural feature in Lucas is Lake Lavon and its tributary creeks. Constructed in 1954, the lake is owned and controlled by the U.S. Army Corp of Engineers. There are twenty areas along the lake designated for park use, including Highland Park and Brockdale Park which reside in Lucas. These parks provide water-based recreational opportunities that would otherwise not generally be available in the county.

EXISTING TRAILS

Currently Trinity Trail along Lake Lavon is the only trail in-use that exists in City of Lucas. The Trinity Trail is situated along Lake Lavon with scenic views of the lake and surrounding landscape. The trail extends to the southeastern City limit of Lucas, and north to a limit shared with North Texas Municipal Water District and the City limit boundary. This unpaved trail is 25.5 miles long and placed on the US Army Corps of Engineers land along the Lake Lavon from East Fork Trail Head in Wylie in the South to the Giant Sycamore Loop to the North. Approximately 11 miles of the Trinity Trail passes through the City of Lucas. This trail enters City of Lucas in the south from Collin Park in St. Paul, and stretches north along the edge of the lake passing through Brockdale Park and Highland Park. This trail is only open to horseback riders and hikers, and the trail is maintained and operated by a group of volunteers named Trinity Trail Preservation Association (TTPA).

PROPOSED FUTURE TRAILS

Based on input from the citizens, boards, city council, and staff that the future needs of the city are to add additional equestrian/hiking trails. Specifically a trail system linking The Trinity trails on the north side of the city with a trail through the city to reconnect with the trinity trails on the southern end of the city. The trail as proposed would start at a proposed new trail head on E Winingkoff road and end at the Hunt property on the southern end of the city at a proposed future trail head location. The trail should utilize wet lands and natural tree lines whenever possible to create a secluded, shaded trail area.

GOALS AND OBJECTIVES

The City has continued to work toward achieving the goals and objectives established with previous comprehensive and community planning. By setting the goals and objectives, some results are evident and progress has been made. Recognizing the current achievements and a changed environment and surroundings, a revised set of goals have been outlined that share common themes that resonate with Collin County Open Space Strategic Plan:

GOAL 1. Preserve natural environment and native ecosystems.

Objectives:

- Conserve and protect ecologically sensitive and naturally beautiful areas, e.g. flood plains along creeks, high points with scenic views toward Lavon Lake, etc.
- Establish and/or enhance green space and natural areas along flood plains, and promote public access to green belt areas with trail systems, e.g. equestrian/hiking trails, etc.
- Encourage and promote water conservation through the use of native plant materials, xeriscape techniques, and other methods.
- Maintain high standards for groundwater quality due to the proximity of Lake Lavon.
- Encourage development types, which minimize impacts upon the community's natural resources and visual appeal.

GOAL 2. Provide a comprehensive Trail System Plan to include green belt and open space that is compatible with the environment and compatible with residential neighborhoods.

Objectives:

- Continue to revise and adopt comprehensive Parks and Open Space Plan that meets current preferences and reflection of changing environment in the region in 2016.
- Promote trail connections, and ensure greenbelt and open space dedication during the development review process.

- Create pedestrian, and equestrian trails between residential neighborhoods, linear greenbelts, schools, public administrative facilities, and other activity centers, whenever physically and financially possible.
- Continue to adopt and finalize a detailed plan for necessary open space/trail easements to connect existing and future parks, schools, and neighborhoods into an integrated, low maintenance park and recreation system.
- Formulate and adopt policies and ordinances that protect the acquired/donated park land and open space easements.
- Utilize trails, wherever possible, to locally and regionally connect schools, parks and residential areas.
- Design a parks and open space system that is interconnected and multifunctional, which protects important natural, cultural and visual resources while providing appropriate opportunities for recreation.
- Integrate locally planned trails with the "Collin County Regional Master Trail Plan".
- Coordinate planning efforts with those of adjacent cities.

GOAL 3. Develop and maintain the new Lucas parks and open space system.

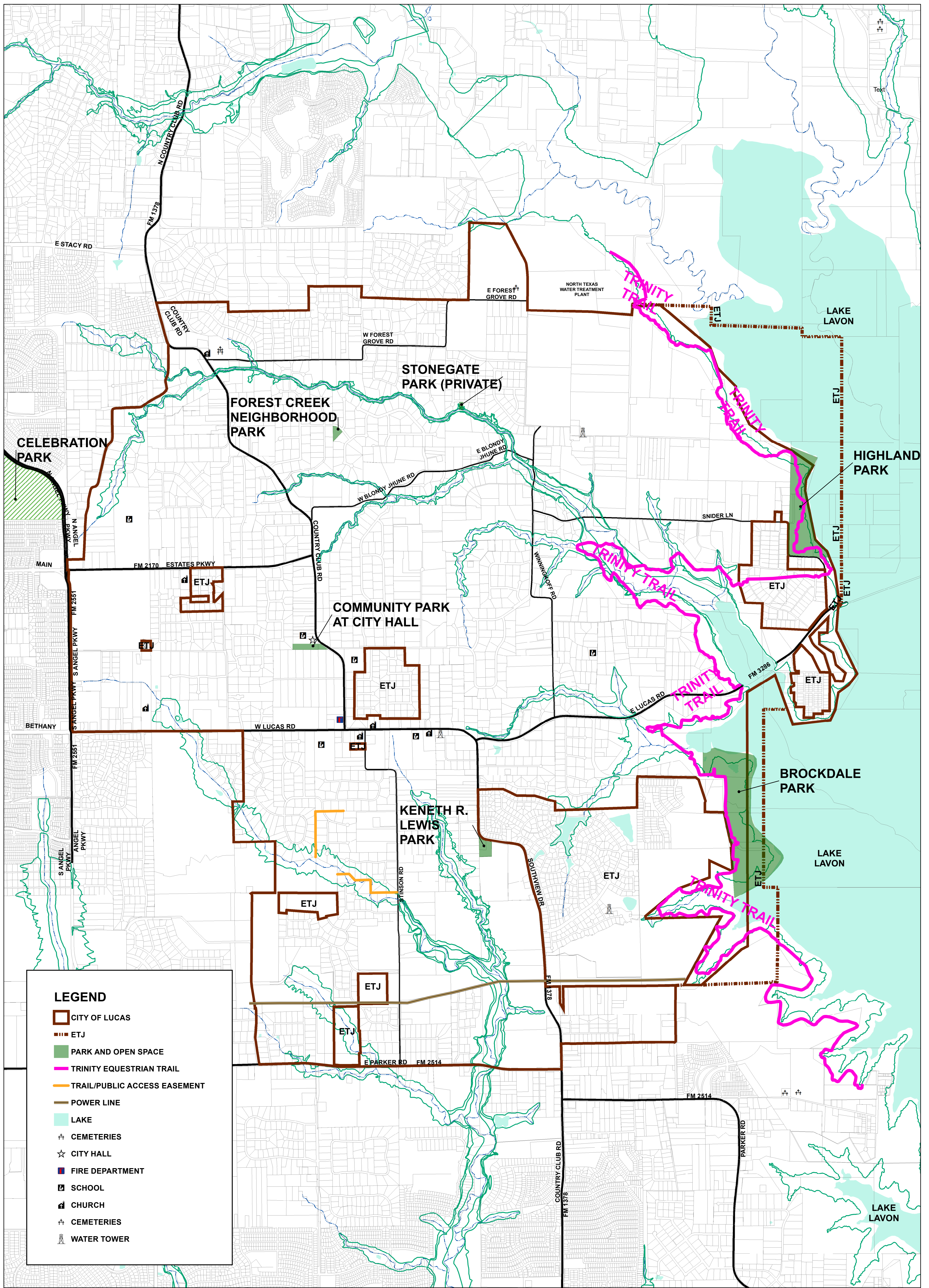
Objectives:

- Determine actual maintenance cost currently needed to maintain existing parks.
- Undertake the necessary effort to determine maintenance costs and capital investment costs associated with acquiring and/or developing new parks and open space.
- Allocate sufficient funding to maintain existing parks, open space and trails.
- Formulate and adopt policies and ordinances that protect existing park facilities, open spaces, and trails.
- Explore cost sharing options such as Federal, TxDOT grants, or "Keep Lucas Beautiful" for fund raising.

PLAN AND RECOMMENDATIONS

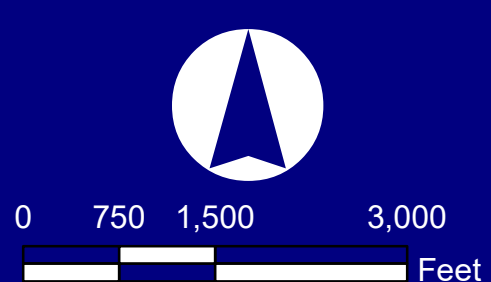
The purpose of the plan and recommendations is to provide community direction in a constantly changing environment. Under existing and currently projected conditions and circumstances, the City of Lucas parks, open space and recreational needs will be well satisfied. Few things have so positive an effect on the quality of life in a community as a well-executed plan for a community's parks, open space, trails, and recreational facilities. These recommendations should be helpful to future decision-making as each plan component is gradually considered for implementation or revision.

- Equestrian, hike, and bike trails, greenbelts, parkways or paths should be provided to connect large recreational areas, providing access, scenic views and recreational opportunities.
- Combined municipal and school recreational facilities should be used to serve the community and prevent the construction of redundant facilities. If possible, school recreational areas should include parking, drinking fountains and restrooms and should remain open on weekends and during the summer months.

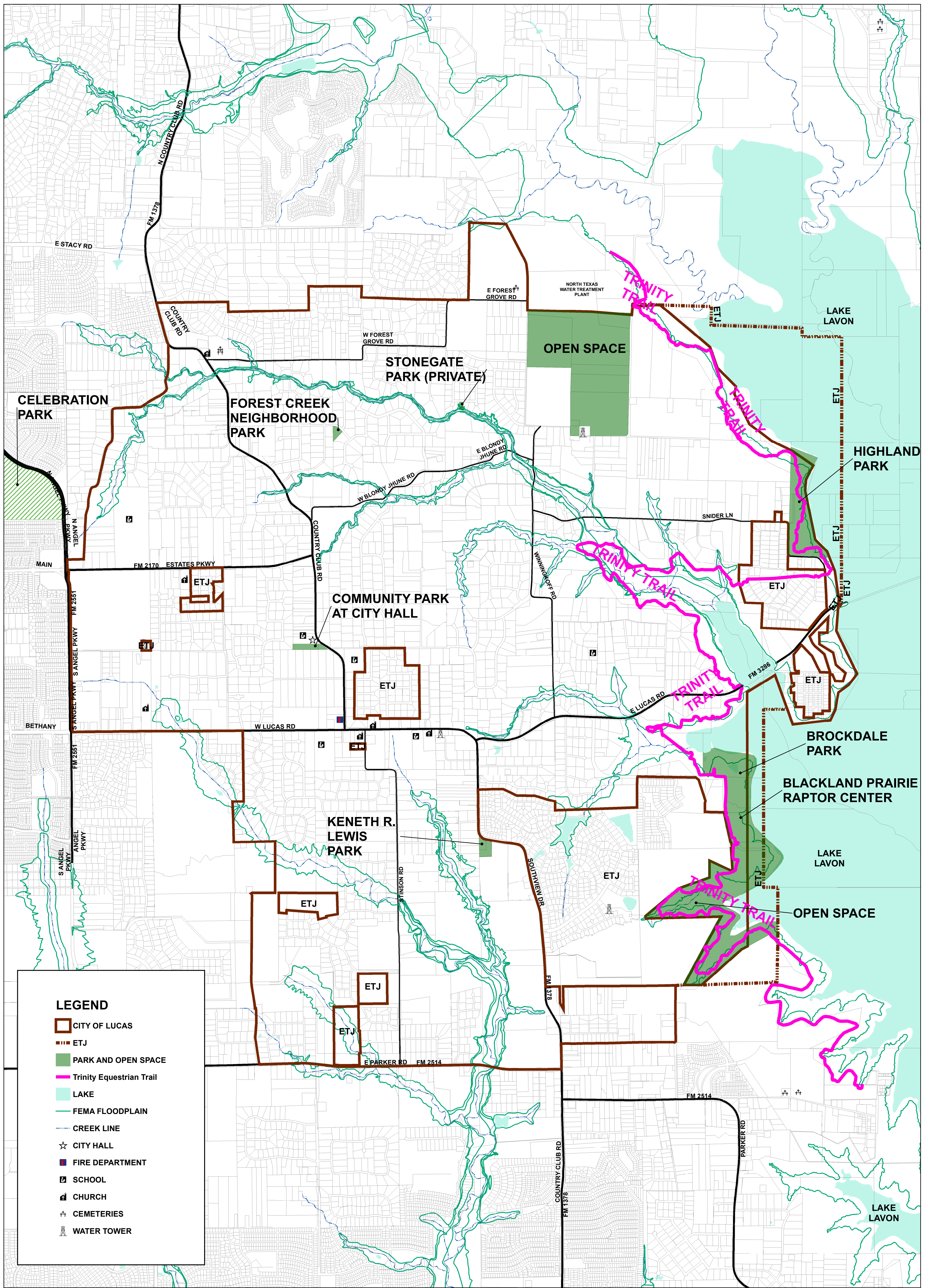


Draft 04/14/2016

**FIGURE 6.1
PARKS AND OPEN SPACE
CIT OF LUCAS, TEXAS**

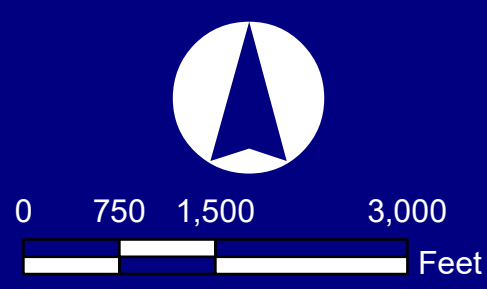


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**FIGURE 6.19
FUTURE PARKS
AND OPEN SPACE
CITY OF LUCAS, TEXAS**



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City of Lucas

Planning and Zoning Agenda Request

August 11, 2016

Requester: Development Services Director Joe Hilbourn

Agenda Item:

Discuss and give direction to staff regarding proposed amendments to the Code of Ordinances, Chapter 10, Section 10.03.123 (i) Streets and Drainage for changes to street lighting requirements.

Background Information:

The existing Code of Ordinances states that street lighting shall be provided at street intersections within new subdivisions, at streets connecting to new subdivisions and shall conform to the latest edition of the Illuminating Engineering Society Handbook and the City's Code of Ordinances. The use of sodium vapor lights for street and parking lot illumination shall not be allowed in the City. Cost of installation of street lighting shall be borne by the subdivider. Cost of ongoing service and utilities shall be borne by the subdivider and included in a maintenance agreement as part of the Homeowner's Association (HOAs) documents.

The proposed changes would only require street lighting in new subdivisions when deemed necessary by the Public Works Director/City Engineer for safety. The same change is proposed for existing intersections and gives guidelines on the type of lights that are permitted.

The Public Works Director/City Engineer has been correcting discrepancies regarding the ongoing cost of maintenance and electrical service for street lights throughout the City. As part of that process and review of complaints about the discontinuance of the City paying for the upkeep of street lights that were the responsibility of HOAs throughout the City, the Council directed staff to bring this code section to the Planning and Zoning commission for review.

Currently street lights are located at signalized intersections by TxDOT, neighborhood entrances by HOAs, and the City Engineer is reviewing various locations along the FM roadways for illumination needs.

Questions to consider:

- Height of source
- Purpose of illumination
- Illumination intensity and reach

Attachments/Supporting Documentation:

1. Existing code and proposed code change



City of Lucas

Planning and Zoning Agenda Request

August 11, 2016

Requester: Development Services Director Joe Hilbourn

Budget/Financial Impact:

N/A

Recommendation:

Give staff direction and feedback on the proposed code changes.

Motion:

N/A

Existing ordinance language:

- (i) The existing Code of Ordinances states that street lighting shall be provided at street intersections within new subdivisions, at streets connecting to new subdivisions and shall conform to the latest edition of the Illuminating Engineering Society Handbook and the City's Code of Ordinances. The use of sodium vapor lights for street and parking lot illumination shall not be allowed in the city. Cost of installation of street lighting shall be borne by the subdivider. Cost of ongoing service and utilities shall be borne by the subdivider and included in a maintenance agreement as part of the Homeowner's Association (HOAs) documents.
- (j) The city engineer may, based on field conditions, modify the requirements of this section.

Proposed amendments:

- (i) Street lighting shall be provided at street intersections at the request of the city engineer within a new subdivisions and at streets connecting to new subdivisions.
- (ii) Street lighting shall conform to the latest edition of the Illuminating Engineering Society Handbook and the city's lighting ordinances. The use of sodium vapor lights for street and parking lot illumination shall not be allowed in the city.
- (iii) Cost of installation of street lighting shall be borne by the subdivider. Cost of ongoing service and utilities shall be borne by the subdivider and included in a maintenance agreement as part of the homeowners' association documents.
- (iv) The city may at the request of the city engineer install lights at existing intersections the city engineer deems necessary.
- (v) The city engineer may, based on field conditions, modify the requirements of this section.
- (vi) All street lights shall conform to the city's lightening regulations and be the same or similar in nature to following examples of street lights.

