



City of Lucas
Planning and Zoning Commission
Regular Meeting
March 12, 2020
7:00 PM
City Hall – 665 Country Club Road – Lucas, Texas
MINUTES

Call to Order

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

It was determined that a quorum was present. Everyone was reminded to turn off or silence their cell phones and the Pledge of Allegiance was recited.

Commissioners Present:

Vice Chairman David Keer
Commissioner Peggy Rusterholtz
Commissioner Andre Guillemaud
Commissioner Joe Williams
Commissioner Tim Johnson
Alternate Commissioner Tommy Tolson
Alternate Commissioner Adam Sussman

Staff Present:

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

City Council Liaison:

Mayor Jim Olk

Regular Agenda

- 1. Consider approval of the minutes of the January 9, 2020 Planning and Zoning Commission meeting.**

MOTION: A motion was made by Commissioner Guillemaud, seconded by Vice Chairman Keer, to approve the minutes of the January 9, 2020 Planning and Zoning Commission meeting. The motion passed unanimously by a 5 to 0 vote.

- 2. Consider the appointment of a Chairman and Vice Chairman for the Planning and Zoning Commission with a term extending through December 31, 2020.**

MOTION: A motion was made Commissioner Guillemaud, seconded by Commissioner Williams to appoint David Keer as Chairman of the Planning and Zoning Commission through December 31, 2020. The motion passed unanimously by a 5 to 0 vote.

MOTION: A motion was made by Chairman Keer, seconded by Commissioner Williams to appoint Tim Johnson as Vice Chairman of the Planning and Zoning Commission through December 31, 2020. The motion passed unanimously by a 5 to 0 vote.

3. Consider amending the City’s Code of Ordinances, Chapter 10, Subdivisions, Article 10.04 Stormwater Runoff Regulations and Control, Section 10.04.005 relating to deleting specific requirements for stormwater detention: and amending Section 10.04.024 by adding Responsibilities of Owners.

Development Services Director Joe Hilbourn discussed existing requirements from Section 10.04.005 of the Subdivision Regulations that he proposed be deleted including items 1 through 4, and the addition of new regulations pertaining to Responsibilities of Owners.

Commissioner Rusterholtz questioned whether some of the items related to Responsibilities of Owners should be placed in Chapter 10 regarding development of Subdivision Regulations.

Commissioner Tolson noted that the additions proposed did not address existing concerns related to maintenance and property owner responsibility, and there was no definition related to owner versus developer.

Mr. Hilbourn explained that at the last Planning and Zoning meeting, the Commission asked that the Town of Fairview’s regulations be incorporated into Lucas regulations pertaining to property owner responsibility, which were the additions outlined in Section 10.04.024.

Commissioner Tolson noted that there was nothing in the new language that addressed items such as if a ditch were blocked, the action required to mitigate, and who’s responsible.

Mr. Hilbourn stated that the changes before the Commission were development related and did not pertain to individual drainage enforcement.

The Commission discussed enforcement items and where those additions or amendments should go within the Code of Ordinances. They also discussed the difference between owner responsibility and developer responsibility.

Mr. Hilbourn stated that enforcement items should be placed in Chapter 3 or Chapter 14 of the Code of Ordinances where it would be related to zoning enforcement.

Commissioners Tolson noted that the language was still too vague related to individual enforcement and responsibilities.

Chairman Keer summarized the following changes noted by the Commission to Section 10.04.005:

- Delete from Section 10.04.005 the following items:
The sentence “Notwithstanding the foregoing, exceptions to this requirement are as follows:”
 - 1) For stormwater detention, the development of any subdivision of five or less single-family lots.

- 2) For stormwater detention, the development of commercial or industrial property in which the increase in runoff is less than ten percent (10%) of the pre-development runoff rate and less than five (5) cubic feet per second.
- 3) A determination by the city that the excess runoff from the proposed construction, development, redevelopment, or land use change will be insufficient to adversely affect the carrying capacity of the receiving body or watercourse. In this connection and should the city's determination of insufficient adverse effect be sought; the developer shall make available to the city such hydraulic or hydrologic computations as will support the requested exception.
- 4) In the event it is determined to the city manager's satisfaction, after consultation with appropriate engineering consultants, that the goals of this article will be better met by the owner or developer of the site paying to the city an amount equal to the cost of the detention City of Lucas Item No. 03 Planning and Zoning Commission Agenda Request March 12, 2020 pond(s) required herein. Such cost shall be determined by the actual construction cost amount, if known, or as estimated by the design engineer and approved by the city. This agreement and payment will be completed before the city's approval of the development's construction plans.

The Commission asked that Section 10.04.024 be reviewed further, and recommended changes be brought back to the Commission regarding items discussed to individual responsibility and enforcement.

MOTION: A motion was made by Commissioner Williams, seconded by Vice Chairman Johnson to recommend amendments to the Code of Ordinances, Chapter 10.04.005 by deleting the following items: The motion passed unanimously by a 5 to 0 vote.

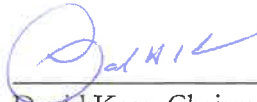
- The sentence “Notwithstanding the foregoing, exceptions to this requirement are as follows:”
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 - 4) In the event it is determined to the city manager's satisfaction, after consultation with appropriate engineering consultants, that the goals of this article will be better met by the owner or developer of the site paying to the city an amount equal to the cost of the detention City of Lucas Item No. 03 Planning and Zoning Commission Agenda Request March 12, 2020 pond(s) required herein. Such cost shall be determined by the actual construction cost amount, if known, or as estimated by the design engineer and approved by the city. This agreement and payment will be completed before the city's approval of the development's construction plans.

4. Executive Session.

An Executive Session was not held at this meeting.

5. Adjournment.

MOTION: A motion was made by Commissioner Williams, seconded by Commissioner Rusterholtz to adjourn the meeting at 7:44pm. The motion passed unanimously by a 5 to 0 vote.



David Keer, Chairman



Stacy Henderson, City Secretary