



AGENDA

City of Lucas City Council Meeting December 3, 2020

5:00 PM

City Hall, Council Chambers and Video Conference 665 Country Club Road – Lucas, Texas

Notice is hereby given that a meeting of the Lucas City Council will be held on Thursday, December 3, 2020 at 5:00 pm at Lucas City Hall, 665 Country Club Road, Lucas, Texas 75002-7651 and by video conference, at which time the following agenda will be discussed. As authorized by Section 551.071 of the Texas Government Code, the City Council 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.

On March 16, 2020 Governor Abbott suspended some provisions of the Open Meetings Act in response to the COVID-19 emergency. In order to practice safe distancing, Lucas City Council meetings will be open to on-site visitors in a limited capacity of 15 audience members. City Council meetings will also be available through Zoom Webinar from your computer or smartphone. To join the meeting, please click this URL

<https://zoom.us/j/95534828374?pwd=ZkJ5cTZkVWNEEL3o0WFNCQXBjQ0RvZz09>

and enter your name and email address. To join by phone: 1-346-248-7799 Webinar ID: 955 3482 8374 Passcode: 712285

If you would like to watch the meeting live, and not participate via Zoom, you may go to the City's live streaming link at <https://www.lucastexas.us/live-streaming-videos/>.

If the public desires to speak during a specific agenda item, they must email shenderson@lucastexas.us by 4:00 pm on the day of the meeting. The email must contain the person's name, address, phone number, and the agenda item(s) for which comments will be made. You may also communicate and send your comments to the City Councilmembers directly by emailing citycouncil@lucastexas.us.

Call to Order

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

Executive Session Agenda

1. Executive Session:

The City Council will convene into Executive Session as permitted under the Texas Government Code, Section 551.074, Personnel Matters, to conduct interviews of Board of Adjustment and Planning and Zoning Commission applicants and discuss appointments.

2. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

Parks Board Interviews

3. Conduct board applicant interviews for the Parks and Open Space Board and consider appointments. **(City Council)**

Citizen Input

4. Citizen Input

Community Interest

Pursuant to Section 5510415 of the Texas Government Code, the City Council may report on the following items: 1) expression of thanks, congratulations or condolences; 2) information about holiday schedules; 3) recognition of individuals; 4) reminders about upcoming City Council events; 5) information about community events; and 6) announcements involving imminent threat to public health and safety.

5. Items of Community Interest

Consent Agenda

All items listed under the consent agenda are considered routine and are recommended to the City Council for a single vote approval. If discussion is desired, an item may be removed from the consent agenda for a separate vote.

6. Consent Agenda:

- A. Approval of the minutes of the November 19, 2020 City Council meeting. **(City Secretary Stacy Henderson)**
- B. Approval of Ordinance 2020-12-00926 amending the Code of Ordinances by amending Appendix C Fee Schedule, Article 21.000 Parks and Recreation, Paragraph (d) Farmers Market participation fees, that vendors shall pay a participation fee of \$20.00 for each farmers market, except for vendors who reside in the City of Lucas shall be exempt from participation fees. **(City Manager Joni Clarke)**
- C. Approval of Resolution R 2020-12-00503 designating the Allen American as the official newspaper of the City of Lucas for 2021 beginning January 1, 2021 through December 31, 2021. **(City Secretary Stacy Henderson)**

Public Hearing Agenda

7. Public hearing to consider adopting Ordinance 2020-12-00927 amending the City's Code of Ordinances, Chapter 14 Zoning, Article 14.04 Supplementary Regulations, by adding Division 12 Personal Broadband Antenna and Support Structures. **(Development Services Director Joe Hilbourn)**
 - A. Presentation by Development Services Director Joe Hilbourn
 - B. Open Public Hearing
 - C. Continue public hearing and take no action, consider tabling the request to a date all Councilmembers can be present for discussion

8. Public hearing to consider adopting Ordinance 2020-12-00924 amending the City's Code of Ordinances, Chapter 14 Zoning, Article 14.04 Supplementary Regulations, Section 14.04.038 Driveways, to address driveway culvert installation and design criteria. **(Development Services Director Joe Hilbourn)**
 - A. Presentation by Development Services Director Joe Hilbourn
 - B. Conduct Public Hearing
 - C. Take action on the proposed amendments

Regular Agenda

9. Consider a request by Gouri R. Joshi on behalf of Our Haven Investment Property LLC, to vacate the existing plat of Cameron Estates creating 14 single family lots being all of a 32.80 tract of land situated in the J. Thompson Survey, ABS # 893, located at the northeast corner of the intersection of Snider Lane and Shady Lane. **(Development Services Director Joe Hilbourn)**

10. Consider adopting Ordinance 2020-12-00925 amending the City's Code of Ordinances, Chapter 10 Stormwater Design Manual, Section J to amend driveway culvert installation and design criteria. **(Development Services Director Joe Hilbourn)**

11. Consider the 2021 Community Special Events Calendar. **(City Manager Joni Clarke)**

12. Adjournment.

Certification

I do 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 and on the City's website at www.lucastexas.us on or before 5:00 p.m. on November 24, 2020.

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 City Secretary Stacy Henderson at 972.912.1211 or by email at shenderson@lucastexas.us at least 48 hours prior to the meeting.



City of Lucas City Council Agenda Request December 3, 2020

Item No. 1

Requestor: Mayor Jim Olk

Agenda Item Request

Executive Session.

The City Council will convene into Executive Session as permitted under the Texas Government Code, Section 551.074, Personnel Matters, to conduct interviews of Board of Adjustment and Planning and Zoning Commission applicants and discuss appointments.

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



City of Lucas

City Council Agenda Request

December 3, 2020

Item No. 2

Requester: Mayor Jim Olk

Agenda Item Request

Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



City of Lucas City Council Agenda Request December 3, 2020

Item No. 3

Requester: City Council

Agenda Item Request

Conduct board applicant interviews for the Parks and Open Space Board and consider appointments.

Background Information

The City Council will conduct interviews of prospective board applicants for the Parks and Open Space Board. Currently, there are two vacant alternate positions available.

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

I make a motion to appoint the following individuals to the Parks and Open Space Board:



City of Lucas

City Council Agenda Request

December 3, 2020

Requester: Mayor Jim Olk

Agenda Item Request

Citizen Input

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



City of Lucas
City Council Agenda Request
December 3, 2020

Requester: Mayor Jim Olk

Agenda Item Request

Items of Community Interest.

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



City of Lucas

City Council Agenda Request

December 3, 2020

Item No. 06

Requester: City Secretary Stacy Henderson, City Manager Joni Clarke

Agenda Item Request

Consent Agenda:

- A. Approval of the minutes of the November 19, 2020 City Council meeting.
- B. Approval of Ordinance 2020-12-00926 amending the Code of Ordinances by amending Appendix C Fee Schedule, Article 21.000 Parks and Recreation, Paragraph (d) Farmers Market participation fees, that vendors shall pay a participation fee of \$20.00 for each farmers market, except for vendors who reside in the City of Lucas shall be exempt from participation fees.
- C. Approval of Resolution R 2020-12-00503 designating the Allen American as the official newspaper of the City of Lucas for 2021 beginning January 1, 2021 through December 31, 2021.

Background Information

NA

Attachments/Supporting Documentation

1. Minutes of the November 19, 2020 City Council meeting.
2. Ordinance 2020-12-00926 adopting Farmers Market Fees
3. Resolution R 2020-12-00503 designating official newspaper

Budget/Financial Impact

NA

Recommendation

City Staff recommends approval of the Consent Agenda.

Motion

I make a motion to approve the Consent Agenda as presented.



City of Lucas
City Council Meeting
November 19, 2020
City Hall Council Chambers
and by Video Conference Meeting
7:00 P.M.

City Hall, 665 Country Club Road, Lucas, Texas

MINUTES

Call to Order

City Councilmembers Present:

Mayor Jim Olk
Mayor Pro Tem Kathleen Peele
Councilmember Tim Johnson
Councilmember Steve Duke
Councilmember Phil Lawrence
Councilmember Debbie Fisher

City Staff Present:

City Manager Joni Clarke
City Secretary Stacy Henderson
Finance Director Liz Exum
Division Chief Aaron Alderdice

City Councilmembers Absent:

Councilmember Tim Baney

This meeting was conducted in person and by video conference.

Mayor Olk called the meeting to order at 7:00 p.m., determined that a quorum was present, and the Pledge of Allegiance was recited.

Citizen Input

1. Citizen Input

Chris Koerner, Lucas resident, asked that an item be placed on a future agenda regarding adding term limits to City Council positions.

Community Interest

2. Items of Community Interest

- A. Presentation of the Government Financial Officers Association (GFOA) 10-Year Award to Finance Director Liz Exum.

Mayor Olk presented the GFOA award to Finance Director Liz Exum, and then announced items of community interest.

Councilmember Comments

3. Receive comments from outgoing City Councilmember Wayne Millsap.

Outgoing Councilmember Wayne Millsap thanked the Council and staff for their assistance while he served on City Council.

Oath of Office

4. Administer the Oath of Office, Statement of Officer and Certificate of Election to City Council candidate, Tim Johnson, City Council Seat 1 and receive comments from the new Councilmember.

City Secretary administered the Oath of Office to incoming Councilmember Tim Johnson.

The City Council convened at 7:15 pm for a reception welcoming incoming Councilmember Tim Johnson.

The City Council reconvened at 7:30 pm.

Consent Agenda

5. Consent Agenda:

- A. Approval of the minutes of the November 5, 2020 City Council meeting.
- B. Approval of the minutes of the November 11, 2020 special City Council meeting.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Duke to approve the consent agenda as presented. The motion passed unanimously by a 6 to 0 vote.

Regular Agenda

6. Consider board/commission applications to be interviewed by the City Council to fill board vacancies or prospective board positions.

The City Council determined candidates that received more than one Councilmember vote on the tally sheet would be interviewed. The City Council meeting on December 3 would begin at 5:00 pm, with interviews for the Planning and Zoning Commission and Board of Adjustment taking place in Executive Session and interviews for Parks Board candidates conducted in open session beginning at 6:30 pm. Candidates would have the option to interview via Zoom or in person.

7. Discuss how public information requests are processed by City Staff and how it is determined all requested material is delivered.

City Secretary Stacy Henderson explained procedures for processing public information requests and answered questions from the Council.

No formal action was taken on this item, it was for review purposes only.

8. **Discuss and provide direction to staff regarding new/updated City Council photographs as well as a group photograph to be taken on Thursday, December 3, 2020 at 5:30pm.**

City Council was in agreement to have updated photographs taken on January 7, 2021 at 5:30 pm.

9. **Consider the impact of the current situation involving COVID-19 on City of Lucas Community Events, Operations and the provision of city services including:**

- A. **Country Christmas scheduled for Friday, December 4;**

City Manager Joni Clarke discussed proposed plans for Country Christmas.

Bill Esposito, Lucas resident, 13 North Star, was in favor of finding a solution for the event.

Amye Mercer, Lucas resident spoke in favor of having Country Christmas.

The City Council agreed to move forward with a drive through event from 6 – 8 pm and installing a temporary mailbox where letters to Santa can be dropped off at City Hall before the event.

- B. **Public Attendance at City of Lucas Official Meetings and requirements for face coverings and safe distancing practices;**

Amye Mercer, Lucas resident, spoke regarding her views on wearing masks.

The City Council agreed to leave public meetings open to the public with current restrictions in place for social distancing and requiring face coverings.

- C. **Use of Public Facilities (Community Park Pavilion, Community Center, Kenneth R Lewis Pavilion, etc.);**

The City Council agreed to keep the Community Center closed and limit park rentals to Lucas residents only.

- D. **Public Access to City Hall; and**

The City Council agreed to have City Hall operations and public access determined by the City Manager.

- E. **Other matters as it relates to public health and the provision of city services.**

The City Council addressed no other matters on this item.

Executive Session Agenda

10. Executive Session.

An Executive Session was not held at this meeting.

11. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

An Executive Session was not held at this meeting.

12. Adjournment.

MOTION: A motion was made by Councilmember Johnson, seconded by Mayor Olk to adjourn the meeting at 8:54 p.m. The motion passed unanimously by a 6 to 0 vote.

APPROVED:

ATTEST:

Jim Olk, Mayor

Stacy Henderson, City Secretary



ORDINANCE 2020-12-00926
[AMENDING FARMER MARKET VENDOR
PARTICIPATION FEE OPTIONS]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING APPENDIX C TITLED “FEE SCHEDULE” BY AMENDING ARTICLE 21.000 TITLED “PARKS AND RECREATION” BY AMENDING PARAGRAPH (d) BY AMENDING FEES FOR NON-RESIDENT AND RESIDENT VENDORS PARTICIPATING IN THE FARMERS MARKET SEASON; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That Appendix C titled “Fee Schedule” of the City of Lucas Code of Ordinances is hereby amended by amending Article 21.000 titled “Parks and Recreation” by amending paragraph (d), to read as follows:

“APPENDIX C

FEE SCHEDULE

ARTICLE 21.000 PARKS AND RECREATION

AMENDING (d)

- (a) Pavilion fee (nonresident): \$25.00/hour.
- (b) Pavilion rental (resident): \$25.00/4 hours; \$50.00/all day.
- (c) Baseball fields B, C or D (nonresident): \$25.00/hour.
- (d) Farmers Market Vendor Participation Fee Options:

Vendors shall pay a participation fee of \$20.00 for each farmers market. Vendors who reside in the City of Lucas shall be exempt from participation fees.

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 or 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 an offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Lucas Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

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 COUNSEL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS _____ DAY OF NOVEMBER, 2020.

APPROVED:

Jim Olk, Mayor

APPROVED AS TO FORM:

ATTEST:

Joseph J. Gorfida, Jr., City Attorney
(11-19-2020:TM 119209)

Stacy Henderson, City Secretary



RESOLUTION R 2020-12-00503

[Designating Official Newspaper]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, DESIGNATING THE *ALLEN AMERICAN* AS THE OFFICIAL NEWSPAPER OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, FOR 2021 BEGINNING JANUARY 1, 2021 THROUGH DECEMBER 31, 2021; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 3.17 of the City Charter states that the City Council pursuant to state law shall designate by resolution a newspaper of general circulation in the City as the official newspaper of the City as provided by State law; and

WHEREAS, the City Council of the City of Lucas, Texas, therefore, designates the Allen American as the official newspaper of the City;

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

SECTION 1. That the City Council of Lucas, Texas, hereby designates the *Allen American*, a public newspaper in and for the City of Lucas, Collin County, Texas, as the official newspaper of the City, the same to continue as such until another is selected, and shall cause to be published therein all ordinances, notices and other matters required by law or by ordinance to be published.

SECTION 2. This Resolution shall become effective from and after its passage.

DULY PASSED by the City Council of the City of Lucas, Texas, on this the 3rd day of December 2020.

CITY OF LUCAS, TEXAS:

ATTEST:

Jim Olk, Mayor

Stacy Henderson, City Secretary



City of Lucas

City Council Agenda Request

December 3, 2020

Item No. 07

Requester: Development Services Director Joe Hilbourn

Agenda Item Request

Public hearing to consider adopting Ordinance 2020-12-00927 amending the City's Code of Ordinances, Chapter 14 Zoning, Article 14.04 Supplementary Regulations, by adding Division 12 Personal Broadband Antenna and Support Structures.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Open Public Hearing
- C. Continue public hearing and take no action, consider tabling the request to a date all Councilmembers can be present for discussion

Background Information

The Planning and Zoning Commission discussed and reviewed the proposed amendments to the Code of Ordinances related to personal broadband communication antennas at their September 10 and October 8, 2020 meetings.

Amendments came before the Planning and Zoning Commission due to Staff receiving two requests for personal broadband communication antennas and support structures. The most similar use the City has is amateur radio communication antennas and support structures. Wireless services require line of site and with the topography and natural trees in the City, line of site can be difficult if not impossible to obtain without the installation of antenna support structures (towers). The FCC has adopted Section 332(c)(7) of the Communications Act that preserves state and local authority over zoning and land use decisions for personal wireless service facilities but sets forth specific limitations on that authority. Specifically, a state or local government may not unreasonably discriminate among providers of functionally equivalent services, may not regulate in a manner that prohibits or has the effect of prohibiting the provision of personal wireless services, must act on applications within a reasonable period of time, and must make any denial of an application in writing supported by substantial evidence in a written record.

All amendments discussed and proposed by the Planning and Zoning Commission have been incorporated into Attachment No. 1, Division 12 Personal Broadband Antenna and Support Structure amendments.

Attachments/Supporting Documentation

1. Division 12 Personal Broadband Antenna and Support Structures amendments
2. Notice of Public Hearing
3. Ordinance 2020-12-00927



City of Lucas

City Council Agenda Request

December 3, 2020

Item No. 07

Budget/Financial Impact

NA

Recommendation

Staff recommends approving the proposed code changes. The Planning and Zoning Commission approved the amendments unanimously by a 5 to 0 vote.

Motion

I hereby make a motion to adopt Ordinance 2020-12-00927 amending the City's Code of Ordinances, Chapter 14 Zoning, Article 14.04 Supplementary Regulations, by adding Division 12 Personal Broadband Antenna and Support Structures;

or

I make a motion to continue the public hearing to consider amendments to the City's Code of Ordinances, Chapter 14 Zoning, Article 14.04 Supplementary Regulations, by adding Division 12 Personal Broadband Antenna and Support Structures to the _____ City Council meeting.

Chapter 14.04 Supplemental Regulations

Add new section-

Division 12 Residential Broadband Antenna Support Structures

Sec. 14.04.441 Purpose

The provisions of this division apply only to broadband antenna support structures in residential and agricultural districts. These regulations are adopted for the following purposes:

- (1) To protect and provide for the public health, safety and general welfare of the city.
- (2) To enhance the ability of the providers of wireless broadband services to provide such services to the community safely, effectively, and efficiently.
- (3) To provide regulations for the safe and secure installation of broadband antenna support structures.
- (4) To minimize the number of broadband antenna support structures in a neighborhood and adjacent area:
 - (a) Broadband antenna support structure owners are encouraged and authorized to allow their Wireless Internet Service Provider (WISP) to use their broadband antenna support structure as a relay, hub, transmitter or micro pop location.
 - (b) Regarding other sections of the municipal code, the use described above shall not be considered a commercial usage.

Section 14.04.442 Definitions

For the purpose of this division and notwithstanding any conflicting definition contained in this chapter:

Broadband Antenna. Any exterior transmitting or receiving device mounted on or within a support structure, building, or structure and used exclusively for transmitting, receiving or repeating broadband wireless signals.

Broadband antenna support structures. A freestanding structure such as a tower or pole, built and designed to support the antenna and other equipment used to receive wireless broadband services.

Compelling communication needs. A need for relief based on the inability of the applicant to obtain line of sight due to engineering, technical, or physical characteristics, such as trees, buildings, or structures located on the subject and adjacent properties that obstruct or significantly impede communications to and from the subject property.

Design Review Committee. Group comprised of three (3) staff members including the City Manager, City Engineer and Development Services Director responsible for review and approval for relief of certain regulations in this chapter. An alternate staff member may be appointed in the absence of one of the committee members to facilitate the review process.

Section 14.04.443 General requirements

- (a) Broadband antennas and support structures shall be considered accessory uses.
- (b) Broadband antenna and broadband support structure installations shall comply with all other requirements of city ordinances and the zoning ordinance with the exception of those specified within this division.
- (c) All broadband antennas and broadband antenna support structures must meet or exceed current standards and regulations, and registration requirements of the Federal Aviation administration (FAA), the Federal Communications Commission (FCC), and any other state and federal agency with regulatory authority over support structures and antennas. If standards change, owners must comply as required by the regulating authority.

(d) A building permit is required for all broadband antenna support structures. All broadband antenna support structure installations must comply with applicable state and local building codes and the standards published by the Electronic Industries Association as may be amended from time to time. Review of the building permit and any subsequent review by the Design Review Committee must be conducted within reasonable time frame to prevent or delay installation, maintenance or use of broadband antennas in accordance with FCC regulations.

(e) All broadband support structures and broadband antennas must be constructed and operated in a manner that does not create electromagnetic or other interference with the city's radio frequencies and public safety operations as required by the FCC.

Sec. 14.04.444 Height

The maximum height for a broadband antenna support structure in any district shall be eighty (80) feet. Upon showing of a compelling communications need, the design review committee may administratively approve a height greater than eighty (80) feet.

Sec. 14.04.445 Broadband Antennas and broadband antenna support structure standards

- (a) Number and size. The number and size of broadband antennas placed upon a broadband antenna support structure used for broadband communications shall be limited by the wind load requirements contained in the current version of the city's building codes or by the manufacturer's specifications for wind loading, whichever is more restrictive.
- (b) Location. To the extent possible, broadband antenna support systems should be in areas to provide minimal impact on the community. Alternative or stealth designs are encouraged for all broadband antenna support structures.
- (c) Setbacks.

(1) Front yards. Broadband antenna support structures (including guy wires, foundations, anchors, and other components of the structure) shall not be permitted in required front yards.

(A) Exception:

Upon showing of a compelling communications need, the design review committee may administratively approve a broadband antenna and broadband support structure placement in front yards.

(2) Rear yards. Guy wires and broadband antenna and broadband support structures shall not be permitted in required rear yard setbacks. Minimum setbacks for broadband antenna support structures shall be the same as those required for accessory buildings in the applicable residential or agricultural district.

(A) Exception:

Upon showing of a compelling communications need, the design review committee may administratively approve guy wires, broadband antenna and broadband support structures in rear yard setbacks.

(3) Side yards. Guy wires and broadband antenna and broadband support structures shall not be permitted in required side yard setbacks. Minimum setbacks for broadband antenna support structures shall be the same as those required for accessory buildings in the applicable residential or agricultural district.

(A) Exception:

Upon showing of a compelling communications need, the design review committee may administratively approve guy wires, broadband antennas and broadband support structures in side yard setbacks.

(d) Separation. There shall be no minimum or maximum separation requirements for broadband antenna support structures from other structures on the same lot of record.

(e) Lights. Lights other than lights required or recommended by the FAA mounted on antenna support structures shall comply with the city's dark sky ordinance.

(f) Construction standards. Broadband antenna support structures shall be installed in accordance with the manufacturer's specifications. Modifications to the manufacturer's installation specifications shall bear the seal and signature of a Texas licensed professional engineer.

(g) Maintenance. Broadband antennas and broadband antenna support structures that have, due to damage, lack of repair, or other circumstances, become unstable, lean significantly out-of-plumb, or pose a danger of collapse shall be removed or brought into repair within 90 days following notice given by the building official; provided that the building official may order immediate action to prevent an imminent threat to public safety or property.

(h) Removal. If the broadband antenna support structure and broadband antennas are no longer being utilized, the owner of the property on which an antenna structure is located shall remove the structure from the property within 90 days.



NOTICE OF PUBLIC HEARING

Notice is hereby given, that the Planning & Zoning Commission of the City of Lucas, Texas will hold a public hearing on Thursday, November 12, 2020 at 7:00 p.m. and City Council will conduct a second public hearing on Thursday, December 3, 2020 at 7:00 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider changes to the City's Code of Ordinances more particularly described as follows:

Consider adding a new section to Chapter 14.04 Supplemental Regulations, Division 12 Residential Broadband Antenna Support Structures to regulate broadband antenna support structures in residential and agricultural zoning districts to protect and provide for public health, safety and general welfare of the City; enhance the ability of wireless broadband service providers to provide such services to the community in a safe, effective and efficient manner; and to provide height, placement, and construction standards.

Those wishing to speak FOR or AGAINST the above item are invited to attend. If you are unable to attend and have comments you may send them to City of Lucas, City Secretary, 665 Country Club Road, Lucas, Texas 75002, email shenderson@lucastexas.us, and it will be presented at the Hearing. If you have any questions about the above hearing you may contact jhilbourn@lucastexas.us



ORDINANCE 2020-12-00927
[AMENDING CHAPTER 14, ZONING, SCHEDULE OF USE CHART AND ADDING
ARTICLE 14.04, DIVISION 12, RESIDENTIAL BROADBAND ANTENNA SUPPORT
STRUCTURE TO THE CODE OF ORDINANCES]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, AMENDING THE LUCAS CODE OF ORDINANCES BY AMENDING CHAPTER 14 “ZONING”, ARTICLE 14.03 “DISTRICTS”, DIVISION 15 “SCHEDULE OF USES”, SECTION 14.03.801 (e) “SCHEDULE OF USES CHART”, AND ADDING DIVISION 12, RESIDENTIAL BROADBAND ANTENNA SUPPORT STRUCTURES TO CHAPTER 14 “ZONING,” ARTICLE 14.04 “SUPPLEMENTARY REGULATIONS”; PROVIDING A CONFLICTS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. The Code of Ordinances of the City of Lucas, Texas, is hereby amended by amending Chapter 14 Zoning, Article 14.03 Districts, Division 15, Schedule of Uses, Section 14.03.801 (e) to add Residential Broadband Antenna Support Structures to Educational, institutional, public and special uses as follows:

Use	AO	R2	R1.5	R1	VC	CB	OS	MH	LI	ED
Educational, institutional, public and special uses										
Adult, child care or day care center	S					X		S		S
Amateur communications antenna	X	X	X	X				X		
Athletic stadium or field (not with public school)	S	S	S	S		S			S	
Church including church related activities	X	X	X	X	X	X	X	X	X	X
Community center (public)	X	X	X	X	X	X		X	X	
Equestrian facilities	X	S				X	X		X	
Equestrian boarding	X	X				X	X		X	
Farm, ranch, garden or orchard	X	X	X	X		X	X	X	X	
Fire or police station	X	X	X	X	X	X		X	X	
Government offices (federal, state, county, city)	X	X	X	X	X	X	X	X	X	

Halfway house									X	
Hospital						S			X	
Clinic					S	X			X	
Library (public)	X	X	X	X	X	X		X	X	
Movie theater						X			X	
Municipal uses operated by the city	X	X	X	X	X	X	X	X	X	
Museum	X	S	S	S	X	X		S	X	
Nursing home					S	S			S	
Pet boarding	S					S			S	
Pet day care						S			S	
Philanthropic institutions					S	X			X	
Public park or playground	X	X	X	X	X	X	X	X	X	
Radio, TV antenna or tower						S			S	
<u>Broadband Antenna Support Structure</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>						
Recreation area					S	X			X	
Retirement home/senior independent living facility					S	S			S	
School (private)	S	S	S	S	S	X		S	X	
School (public)	X	X	X	X	X	X	X	X	X	X
School, trade or commercial	S				S	S			X	
Trade days/periodic or seasonal open market	S					S			X	

Section 2. The Code of Ordinances of the City of Lucas, Texas is hereby amended by adding Division 14, Residential Broadband Antenna Support Structures to Chapter 14 titled “Zoning,” Article 14.04 titled “Supplementary Regulations,” to read as follows:

“CHAPTER 14

ZONING

ARTICLE 14.04 SUPPLEMENTARY REGULATIONS

DIVISION 12. RESIDENTIAL BROADBAND ANTENNA SUPPORT STRUCTURES

Sec. 14.04.441 Purpose

The provisions of this division apply only to broadband antenna support structures in residential and agricultural districts. These regulations are adopted for the following purposes:

- (1) To protect and provide for the public health, safety and general welfare of the city.
- (2) To enhance the ability of the providers of wireless broadband services to provide such services to the community safely, effectively, and efficiently.
- (3) To provide regulations for the safe and secure installation of broadband antenna support structures.
- (4) To minimize the number of broadband antenna support structures in a neighborhood and adjacent area:
 - (a) Broadband antenna support structure owners are encouraged and authorized to allow their Wireless Internet Service Provider (WISP) to use their broadband antenna support structure as a relay, hub, transmitter or micro pop location.
 - (b) Regarding other sections of the municipal code, the use described above shall not be considered a commercial usage.

Section 14.04.442 Definitions

For the purpose of this division and notwithstanding any conflicting definition contained in this chapter:

Broadband Antenna. Any exterior transmitting or receiving device mounted on or within a support structure, building, or structure and used exclusively for transmitting, receiving or repeating broadband wireless signals.

Broadband antenna support structures. A freestanding structure such as a tower or pole, built and designed to support the antenna and other equipment used to receive wireless broadband services.

Compelling communication needs. A need for relief based on the inability of the applicant to obtain line of sight due to engineering, technical, or physical characteristics, such as trees, buildings, or structures located on the subject and adjacent properties that obstruct or significantly impede communications to and from the subject property.

Design Review Committee. Group comprised of three (3) staff members including the City Manager, City Engineer and Development Services Director responsible for review and approval for relief of certain regulations in this chapter. An alternate staff member may be appointed in the absence of one of the committee members to facilitate the review process.

Section 14.04.443 General requirements

- (a) Broadband antennas and support structures shall be considered accessory uses.
- (b) Broadband antenna and broadband support structure installations shall comply with all other requirements of city ordinances and the zoning ordinance with the exception of those specified within this division.
- (c) All broadband antennas and broadband antenna support structures must meet or exceed current standards and regulations, and registration requirements of the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), and any other state and federal agency with regulatory authority over support structures and antennas. If standards change, owners must comply as required by the regulating authority.
- (d) A building permit is required for all broadband antenna support structures. All broadband antenna support structure installations must comply with applicable state and local building codes and the standards published by the Electronic Industries Association as may be amended from time to time. Review of the building permit and any subsequent review by the Design Review Committee must be conducted within reasonable time frame to prevent or delay installation, maintenance or use of broadband antennas in accordance with FCC regulations.
- (e) All broadband support structures and broadband antennas must be constructed and operated in a manner that does not create electromagnetic or other interference with the city's radio frequencies and public safety operations as required by the FCC.

Sec. 14.04.444 Height

The maximum height for a broadband antenna support structure in any district shall be eighty (80) feet. Upon showing of a compelling communications need, the design review committee may administratively approve a height greater than eighty (80) feet.

Sec. 14.04.445 Broadband Antennas and broadband antenna support structure standards

- (a) Number and size. The number and size of broadband antennas placed upon a broadband antenna support structure used for broadband communications shall be limited by the wind load requirements contained in the current version of the city's building codes or by the manufacturer's specifications for wind loading, whichever is more restrictive.
- (b) Location. To the extent possible, broadband antenna support systems should be in areas to provide minimal impact on the community. Alternative or stealth designs are encouraged for all broadband antenna support structures.
- (c) Setbacks.

- (1) Front yards. Broadband antenna support structures (including guy wires, foundations, anchors, and other components of the structure) shall not be permitted in required front yards.
 - (1) Exception: Upon showing of a compelling communications need, the design review committee may administratively approve a broadband antenna and broadband support structure placement in front yards.
- (2) Rear yards Guy wires and broadband antenna and broadband support structures shall not be permitted in required rear yard setbacks. Minimum setbacks for broadband antenna support structures shall be the same as those required for accessory buildings in the applicable residential or agricultural district.
 - (1) Exception: Upon showing of a compelling communications need, the design review committee may administratively approve guy wires, broadband antenna and broadband support structures in rear yard setbacks.
- (3) Side yards. Guy wires and broadband antenna and broadband support structures shall not be permitted in required side yard setbacks. Minimum setbacks for broadband antenna support structures shall be the same as those required for accessory buildings in the applicable residential or agricultural district.
 - (1) Exception: Upon showing of a compelling communications need, the design review committee may administratively approve guy wires, broadband antennas and broadband support structures in side yard setbacks.
- (d) Separation. There shall be no minimum or maximum separation requirements for broadband antenna support structures from other structures on the same lot of record.
- (e) Lights. Lights other than lights required or recommended by the FAA mounted on antenna support structures shall comply with the city's dark sky ordinance.
- (f) Construction standards. Broadband antenna support structures shall be installed in accordance with the manufacturer's specifications. Modifications to the manufacturer's installation specifications shall bear the seal and signature of a Texas licensed professional engineer.
- (g) Maintenance. Broadband antennas and broadband antenna support structures that have, due to damage, lack of repair, or other circumstances, become unstable, lean significantly out-of-plumb, or pose a danger of collapse shall be removed or brought into repair within 90 days following notice given by the building official; provided that the building official may order immediate action to prevent an imminent threat to public safety or property.

(h) Removal. If the broadband antenna support structure and broadband antennas are no longer being utilized, the owner of the property on which an antenna structure is located shall remove the structure from the property within 90 days.

Section 2. To the extent of any irreconcilable conflict with the provisions of this ordinance and other ordinances of the City of Lucas governing the use and development of the Property and which are not expressly amended by this ordinance, the provisions of this ordinance shall be controlling.

Section 3. 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 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or 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 5. An offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Lucas Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 6. 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 3rd DAY OF DECEMBER 2020.

APPROVED:

Jim Olk, Mayor

APPROVED AS TO FORM:

ATTEST:

Joseph J. Gorfida, Jr., City Attorney
(10-__-2020:TM 118798)

Stacy Henderson, City Secretary



City of Lucas

City Council Agenda Request

December 3, 2020

Item No. 08

Requester: Development Services Director Joe Hilbourn

Agenda Item Request

Public hearing to consider adopting Ordinance 2020-12-00924 amending the City's Code of Ordinances, Chapter 14 Zoning, Article 14.04 Supplementary Regulations, Section 14.04.038 Driveways, to address driveway culvert installation and design criteria.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct Public Hearing
- C. Take action on the proposed amendments

Background Information

At the May 14, 2020 and September 10, 2020 Planning and Zoning Commission meetings, the Commission discussed various options for culvert design standards. At the November 12, 2020 Planning and Zoning Commission meeting, the Commission approved the amendments proposed with minor corrections that have been incorporated into the Ordinance. Proposed amendments have been outlined separately in Attachment No. 2.

Attachments/Supporting Documentation

- 1. Public Hearing Notice
- 2. Proposed changes to Chapter 14 Zoning, Article 14.04 Supplementary Regulations, Section 14.04.038 Driveways
- 3. Ordinance 2020-12-00924

Budget/Financial Impact

NA

Recommendation

The Planning and Zoning Commission approved the amendments unanimously by a 5 to 0 vote.

Motion

I make a motion to adopt Ordinance 2020-12-00924 amending the City's Code of Ordinances, Chapter 14 Zoning, Article 14.04 Supplementary Regulations, Section 14.04.038 Driveways, to address driveway culvert installation and design criteria.

Proposed Changes:

Chapter 14 Zoning, Article 14.04 Supplementary Regulations, Section 14.04.038 Driveways

Section 14.04.038 Driveways

- (a) The driveway entry radius must not overlap the common property lines as projected to the street.
- (b) Driveway culverts must be sized for each specific application. For new development, culvert size and material will be specified on the civil construction plans for each lot. For all other applications, the culvert size and material will be specified by the city at the time of the building permit or at the time a drive entry is required by the property owner. Culvert pipe material shall be either of reinforced concrete or minimum 16 gauge galvanized corrugated steel.

Culvert Material ¹	Minimum Inside Diameter	Minimum Extension ²	Concrete Header Required
Reinforced concrete	18"	36"	No
Galvanized corrugated steel	18"	N/A	Yes ³

- 1. Embedment of Class B+ or better per NCTCOG design manual drawing 3020 dated October 2004 required for all permanent culvert installations.
- 2. Minimum extension beyond the edge of the driveway. If a header is used, no extension is required.
- 3. No header is required for temporary culverts

(c) All culverts shall be maintained by property owner to allow unimpeded flow through the culvert pipe at all times.



NOTICE OF PUBLIC HEARING

Notice is hereby given, that the Planning & Zoning Commission of the City of Lucas, Texas will hold a public hearing on Thursday, November 12, 2020 at 7:00 p.m. and City Council will conduct a second public hearing on Thursday, December 3, 2020 at 7:00 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider changes to the City's Code of Ordinances more particularly described as follows:

Section 14.04.038 Driveways

- (a) The driveway entry radius must not overlap the common property lines as projected to the street.
- (b) Driveway culverts must be sized for each specific application. For new development, culvert size and material will be specified on the civil construction plans for each lot. For all other applications, the culvert size and material will be specified by the city at the time of the building permit or at the time a drive entry is required by the property owner. Culvert pipe material shall be either of reinforced concrete or galvanized corrugated steel.

Culvert Material ¹	Minimum Inside Diameter	Minimum Extension ²	Concrete Header Required
Reinforced concrete	18"	36"	No
Galvanized/corrugated steel	18"	N/A	Yes ³

- 1. Embedment of Class B+ or better per NCTCOG design manual drawing 3020 dated October 2004 required for all permanent culvert installations.
- 2. Minimum extension beyond the edge of the driveway. If a header is used, no extension is required.
- 3. No culvert is required for temporary culverts

(c) All culverts shall be maintained by property owners to allow unimpeded flow through the culvert pipe at all times.

Those wishing to speak FOR or AGAINST the above item are invited to attend. If you are unable to attend and have comments you may send them to City of Lucas, City Secretary, 665 Country Club Road, Lucas, Texas 75002, email shenderson@lucastexas.us, and it will be presented at the Hearing. If you have any questions about the above hearing you may contact jhilbourn@lucastexas.us



ORDINANCE 2020-12-00924

**[AMENDING CODE OF ORDINANCES, AMENDING CHAPTER 14
“ZONING”, SUBSECTIONS 14.04.038**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, AMENDING THE LUCAS CODE OF ORDINANCES BY AMENDING CHAPTER 14 TITLED “ZONING” BY AMENDING ARTICLE 14.04 TITLED “SUPPLEMENTARY REGULATIONS” BY AMENDING DIVISION 2 TITLED “OFF-STREET PARKING AND LOADING” BY AMENDING SECTION 14.04.038 TITLED “DRIVEWAYS”; PROVIDING A CONFLICTS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. The Code of Ordinances of the City of Lucas, Texas, is hereby amended by amending Chapter 14 titled “Zoning” by amending Article 14.04 titled “Supplementary Regulations” by amending Section 14.04.038 titled “Driveways”, to read as follows:

“CHAPTER 14

ZONING

ARTICLE 14.04 SUPPLEMENTARY REGULATIONS

DIVISION 2. OFF-STREET PARKING AND LOADING

Sec. 14.04.038 Driveways.

Amend Subsection 14.04.038, to read as follows:

- (a) The driveway entry radius must not overlap the common property lines as projected to the street.
- (b) Driveway culverts must be sized for each specific application. For new development, culvert size and material will be specified on the ~~final plat drawings~~ civil construction plans for each lot. For all other applications, the culvert size and material will be specified by the city at the time of the building permit or at the time a drive entry is required by the property owner. Culvert pipe material ~~must~~ shall be either of reinforced concrete or minimum 16 gauge galvanized corrugated ~~metal~~ steel.

Culvert Material ¹	Minimum Inside Diameter	Minimum Extension* ²	Concrete Header Required
Reinforced concrete	18"	36"	No
Galvanized/corrugated metal steel	18"	N/A	Yes ³

1. Embedment of Class B+ or better per NCTCOG design manual drawing 3020 dated October 2004 required for all permanent culvert installations.
2. Minimum extension beyond the edge of the driveway. If a header is used, no extension is required.
3. No culvert header is required for temporary culverts.

~~Corrugated metal culverts may be used only in conjunction with concrete headers.~~

(c) All culverts shall be maintained by property owners to allow unimpeded flow through the culvert pipe at all times.

Section 2. To the extent of any irreconcilable conflict with the provisions of this ordinance and other ordinances of the City of Lucas governing the use and development of the Property and which are not expressly amended by this ordinance, the provisions of this ordinance shall be controlling.

Section 3. 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 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or 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 5. An offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Lucas Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 6. 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 3rd DAY OF DECEMBER 2020.**

APPROVED:

Jim Olk, Mayor

APPROVED AS TO FORM:

ATTEST:

Joseph J. Gorfida, Jr., City Attorney
(10-__-2020:TM 118797)

Stacy Henderson, City Secretary



City of Lucas

City Council Agenda Request

December 3, 2020

Item No. 09

Requester: Development Services Director Joe Hilbourn

Agenda Item Request

Consider a request by Gouri R. Joshi on behalf of Our Haven Investment Property LLC, to vacate the existing plat of Cameron Estates creating 14 single family lots being all of a 32.80 tract of land situated in the J. Thompson Survey, ABS # 893, located at the northeast corner of the intersection of Snider Lane and Shady Lane.

Background Information

The property at the northeast corner of Snider Lane and Shady Lane is currently zoned R-2 and has an approved final plat. The final plat was never recorded with Collin County records. The property was rezoned from AO to R-2 on May 1, 2006, and the final plat was approved at the August 14, 2006 City Council meeting. The vacating plat vacates the internal easements and rights of ways but leaves the right of way dedications intact for Snider Lane and Shady Lane.

At a future date the applicant intends to ask for a zoning change from R-2 to R-1, Staff has expressed a very low probability of approval for the future zoning change request.

Attachments/Supporting Documentation

1. Vacating plat

Budget/Financial Impact

NA

Recommendation

The Planning and Zoning Commission approved vacating the existing plat of Cameron Estates unanimously by a 5 to 0 vote.

Motion

I make a motion to approve/deny vacating the existing plat of Cameron Estates creating 14 single family lots being all of a 32.80 tract of land located in the J. Thompson Survey, ABS # 893 located at the northeast corner of the intersection of Snider Lane and Shady Lane.

REBA MOTSINGER
INST. NO. 20080602000656180
O.P.R.C.C.T.

RICHARD W. SCHERTZ &
STEPHANIE M. SCHERTZ
INST. NO. 20130816001163530
O.P.R.C.C.T.

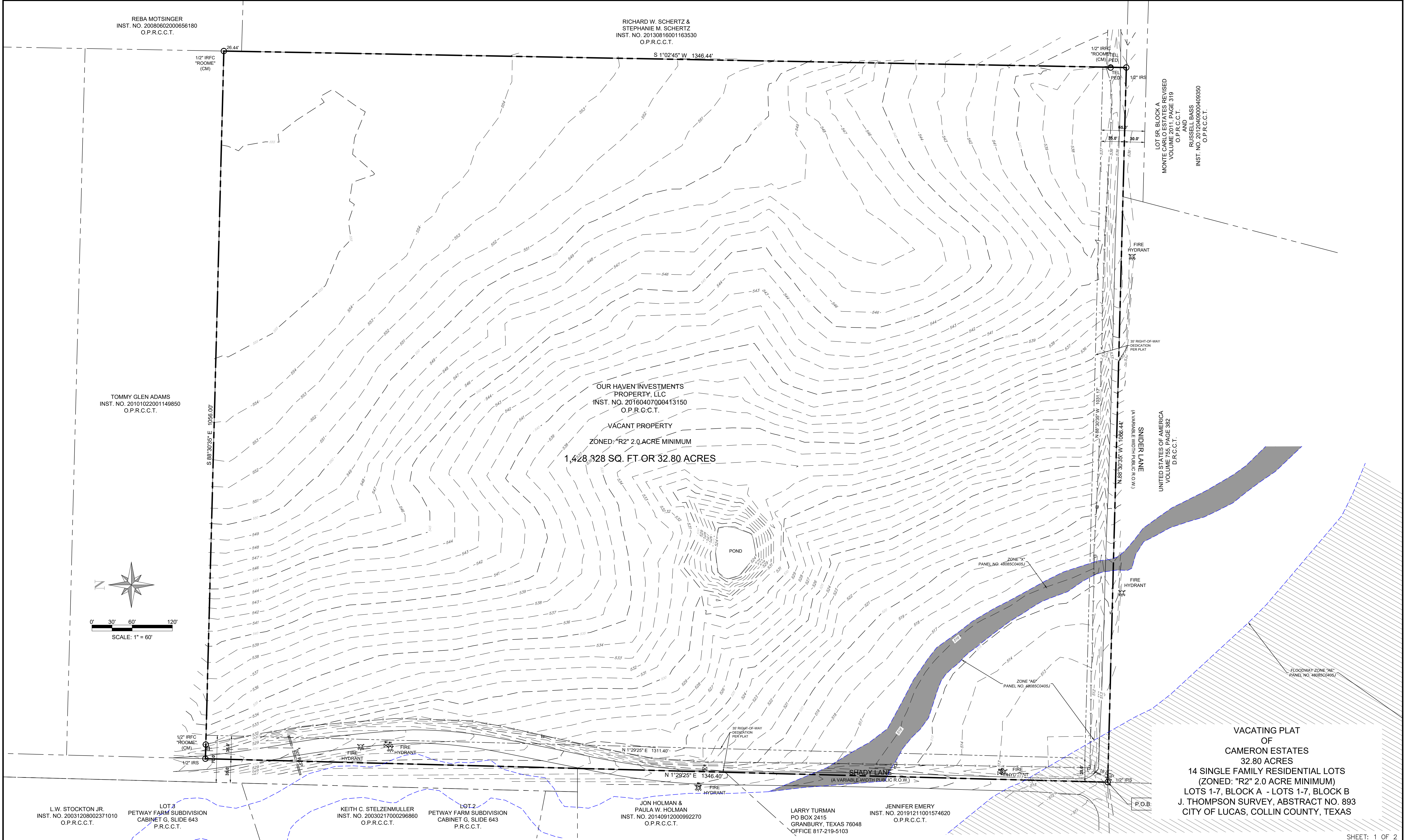
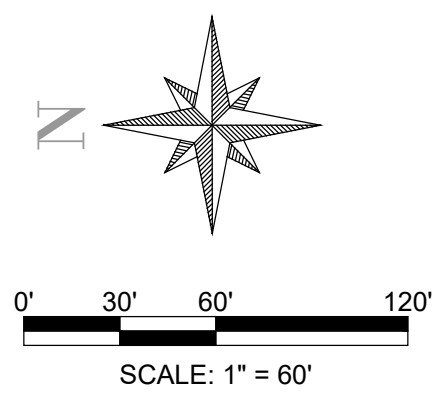
LOT 5R, BLOCK A
MONTE CARLO ESTATES REVISED
VOLUME 2011, PAGE 319
O.P.R.C.C.T.
AND
RUSSELL BASS
INST. NO. 20080604009350
O.P.R.C.C.T.

TOMMY GLEN ADAMS
INST. NO. 20101022001149850
O.P.R.C.C.T.

OUR HAVEN INVESTMENTS
PROPERTY, LLC
INST. NO. 20160407000413150
O.P.R.C.C.T.

VACANT PROPERTY
ZONED "R2" 2.0 ACRE MINIMUM
1,428,328 SQ. FT OR 32.80 ACRES

UNITED STATES OF AMERICA
VOLUME 2011, PAGE 382
O.P.R.C.C.T.



L.W. STOCKTON JR.
INST. NO. 20031208002371010
O.P.R.C.C.T.

LOT 3
PETWAY FARM SUBDIVISION
CABINET G, SLIDE 643
P.R.C.C.T.

KEITH C. STELZENMULLER
INST. NO. 20030217000296860
O.P.R.C.C.T.

LOT 2
PETWAY FARM SUBDIVISION
CABINET G, SLIDE 643
P.R.C.C.T.

JON HOLMAN &
PAULA W. HOLMAN
INST. NO. 20140912000992270
O.P.R.C.C.T.

LARRY TURMAN
PO BOX 2415
GRANBURY, TEXAS 76048
OFFICE 817-219-5103

JENNIFER EMERY
INST. NO. 20191211001574620
O.P.R.C.C.T.

VACATING PLAT
OF
CAMERON ESTATES
32.80 ACRES
14 SINGLE FAMILY RESIDENTIAL LOTS
(ZONED: "R2" 2.0 ACRE MINIMUM)
LOTS 1-7, BLOCK A - LOTS 1-7, BLOCK B
J. THOMPSON SURVEY, ABSTRACT NO. 893
CITY OF LUCAS, COLLIN COUNTY, TEXAS

LEGEND

	GAS METER		FIRE HYDRANT		MONITORING WELL		SIGN
	GAS VALVE		WATER METER		TRAFFIC SIGNAL POLE		LIGHT POLE
	TELEPHONE PEDESTAL		BOLLARD		TRAFFIC SIGNAL BOX		TYPICAL FENCE
	POWER POLE		WATER VALVE		SWB MAN HOLE		CONCRETE
	DOWN GULLY		TRANSFORMER PAD		GAS LINE MARKER		TREE
	S.S. MAN HOLE		ELECTRIC MANHOLE		VAULT		TELEPHONE MANHOLE
	CLEAN OUT		STORM DRAIN MAN HOLE		TELEPHONE MANHOLE		ELECTRIC BOX

NO.	DATE	REVISION
1.		
2.		
3.		

<p>LARRY TURMAN SURVEYING * CONSULTING * MANAGEMENT</p>		JOB NO.:	20-076
		DATE:	October 18, 2020
<p>1475 HERITAGE PKWY., STE 217 MANSFIELD, TEXAS 76063</p>		SCALE:	1" = 60'
		DRAWN BY:	RP

OWNER'S ACKNOWLEDGMENT AND DEDICATION

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS Our Haven Investments Property, LLC, is the owner of a 32.80 acre tract of land out of the J. Thompson Survey Abstract No. 893 in Collin County, Texas, being heirs of all of that certain tract of land conveyed to Our Haven Investments Property, LLC, by General Warranty Deed with Vendor's Lien as recorded in Instrument No. 20160407000413150, Official Public Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod set with cap for corner, said point being at the southwest corner of said Our Haven Investments Property, LLC tract, same point being in the southeast corner of that certain tract of land conveyed to Jennifer Emery by deed as recorded in Instrument No. 20191211001574620, Official Public Records, Collin County, Texas, said point being at the intersection of Snider Lane and Shady Lane, said point also being in the north line of that certain tract of land conveyed to United States of America by deed as recorded in Volume 755, Page 382, Deed Records, Collin County, Texas;

THENCE North 01 degrees 29 minutes 25 seconds East, along the west line of said Our Haven Investments Property, LLC tract and along the centerline of said Shady Lane, a distance of 1346.40 feet to an 1/2 inch iron rod set with cap for corner, said point being the northwest corner of said Our Haven Investments Property, LLC tract, same point being the southwest corner of that certain tract of land conveyed to Tommy Glen Adams by deed as recorded in Instrument No. 20101022001149850, Official Records, Collin County, Texas;

THENCE South 88 degrees 30 minutes 35 seconds East, departing the centerline of said Shady Lane and along the common line of said Adams tract and said Our Haven Investments Property, LLC tract, passing a 1/2 inch iron rod found with cap stamped "Roome" for corner at a distance of 21.09 feet, and continuing for a total distance of 1056.00 feet to a 1/2 inch iron rod found with cap stamped "Roome" for corner, said point being the northeast corner of said Our Haven Investments Property, LLC tract, same point being the southeast corner of said Adams tract, said point being in the west line of that certain tract of land conveyed to Reba Motsinger by deed as recorded in Instrument No. 20080602000656180, Official Public Records, Collin County, Texas;

THENCE South 01 degrees 02 minutes 45 seconds West, along the common line of said Motsinger tract and said Our Haven Investments Property, LLC tract, a distance of 1346.44 feet to 1/2 inch iron rod set for corner, said point being the southwest corner of that certain tract of land conveyed to Richard W. Schertz and Stephanie M. Schertz by deed as recorded in Instrument No. 20130816001163530, Official Public Records, Collin County, Texas, same point being the southeast corner of said Our Haven Investments Property, LLC tract, same point being in the centerline of said Snider Lane;

THENCE South 88 degrees 03 minutes 35 seconds West, along the south line of said Our Haven Investments Property, LLC tract and along the center line of said Snider Lane, a distance of 1066.44 feet to the POINT OF BEGINNING and containing 1,428,829 square feet or 32.80 acres of computed land.

OWNER'S DEDICATION

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS, THAT

The Our Haven Investments Property, LLC, Owner, acting by and through the undersigned, do hereby bind themselves and their heirs, assigns and successors of title this plat designating the hereinabove described property as Cameron Estates, an addition to the City of Lucas, and hereby dedicate to the public use forever the streets, alleys, and right-of-way easements shown thereon, and do hereby reserve the easements strips shown on this plat for mutual use and accommodations of garbage collecting agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any building, fences, trees, shrubs, or other improvements or growths that in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements strips, and any public utility shall shall at all times have the right of ingress and egress to and from and upon the said easements strips for the purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time of procuring the permission of anyone. Additionally, I/we certify that I/we (indicate correct options) are the sole owners of the dedicated property and that no others's interest are attached to this property unless otherwise indicated on the required Mortgage Holder Certification that is included on this plat. This plat subject to all platting ordinances, rules, regulations and resolutions of the City of Lucas.

Witness my hand this ____ day of _____, 2020.

By: _____
Prem Adhikari, Member

By: _____
Gouri R. Joshi, Member

By: _____
Numa K. Pandey, Member

By: _____
Uttam Lamichhane, Member

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared Prem Adhikari, Member known to be to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on the ____ day of _____, 2020.

Notary Public in and for the State of Texas
My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared Gouri R. Joshi, Member known to be to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on the ____ day of _____, 2020.

Notary Public in and for the State of Texas
My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared Numa K. Pandey, Member known to be to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on the ____ day of _____, 2020.

Notary Public in and for the State of Texas
My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared Uttam Lamichhane, Member known to be to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on the ____ day of _____, 2020.

Notary Public in and for the State of Texas
My Commission Expires: _____

NOTES:

- Cameron Estates is situated within the City Limits of Lucas, Texas.
- Based on scaling the surveyed lot shown hereon onto FEMA Flood Insurance Rate Map, No. 48085C0405J (Effective date 06-02-09), said lot lies within Zone X, Zone X shaded and Zone AE (base flood elevation determined). Surveying Company makes no statement as to the likelihood of the actual flooding of said surveyed lot.
- Blocking the flow of water or construction improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
- Blocking the flow of water or construction improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
- The existing creek or drainage channels traversing along or across the addition will remain as open channels and will be maintained by individual owners of the lot or lots that are traversed by or adjacent to the drainage course along or across said lots.
- Notice: Selling a portion of this addition by metes and bound is a violation of the County Ordinance and State law and is subject to fines and withholdings of utilities and building permits.
- Verify exact location of underground utilities prior to any digging or construction.
- Tree removal and lot grading may be required on individual lots for On-site Sewage Facility installation and/or operation.
- All private driveway tie-ins to a county maintained roadway must be even with the existing driving surface.

ON-SITE SEWAGE FACILITIES (OSSF) NOTES:

- Must maintain State-mandated setback of all on-site sewage facility components from any/all easements and drainage areas, sharp breaks and/or creeks/rivers/ponds, etc. (per State Regulations).
- There were no permitted/approved existing structures of OSSFs on the property at the time of approval. Any existing structures or OSSFs must be reviewed and permitted by Collin County Development prior to any use.
- Tree removal and lot grading may be required on individual lots for On-site Sewage Facility installation and/or operation.
- There are no water wells noted in this subdivision and no water wells allowed without prior approval from Collin County Development Services.
- Individual site evaluations and OSSF design plans (meeting all State and County requirements) must be submitted to and approved by Collin County for each lot prior to construction of any OSSF system.

HEALTH DEPARTMENT CERTIFICATION

I hereby certify that the on-site sewage facilities described on the plat conform to the applicable OSSF laws of the State of Texas, that site evaluations have been submitted representing the site conditions in the area in which on-site sewage facilities are planned to be used

Registered Sanitarian or Designated Representative
Collin County Development Services

SURVEYOR'S CERTIFICATE

THIS is to certify that I, Larry Turman, a Registered Professional Land Surveyor for the State of Texas, having platted the above subdivision from an actual survey on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

Larry Turman
R.P.L.S. NO. 1740

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared Larry Turman known to be to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on the ____ day of _____, 2020.

Notary Public in and for the State of Texas
My Commission Expires: _____

APPROVAL CERTIFICATE

This plat is hereby approved by the Planning and Zoning Commission of the City of Lucas, Texas.

Chairperson, Planning and Zoning Commission Date

ATTEST:

Signature Date

Name & Title

The Director of Public Works of the City of Lucas, Texas hereby certifies that the best of his/her knowledge or belief, this subdivision plat conforms to all requirements of the Code of Ordinances and with engineering construction standards and processes adopted by the City of Lucas, Texas as to which his/her approval is required.

Director of Public Works Date

The Director of Planning and Community Development of the City of Lucas, Texas hereby certifies that the best of his/her knowledge or belief, this subdivision plat conforms to all requirements of the Code of Ordinances or as may have been amended or modified, as allowed, by the Planning and Zoning Commission as to which his/her approval is required.

Director of Planning and Community Development Date

VACATING PLAT
OF
CAMERON ESTATES
32.80 ACRES
14 SINGLE FAMILY RESIDENTIAL LOTS
(ZONED: "R2" 2.0 ACRE MINIMUM)
LOTS 1-7, BLOCK A - LOTS 1-7, BLOCK B
J. THOMPSON SURVEY, ABSTRACT NO. 893
CITY OF LUCAS, COLLIN COUNTY, TEXAS

LARRY TURMAN
PO BOX 2415
GRANBURY, TEXAS 76048
OFFICE 817-219-5103

TBPS No. 101733-00

SHEET: 2 OF 2

LEGEND

	GAS METER		FIRE HYDRANT		MONITORING WELL		SIGN
	GAS VALVE		WATER METER		TRAFFIC SIGNAL POLE		LIGHT POLE
	TELEPHONE PEDESTAL		BOLLARD		TRAFFIC SIGNAL BOX		TYPICAL FENCE
	POWER POLE		WATER VALVE		SWB MAN HOLE		CONCRETE
	DOWN GULLY		TRANSFORMER PAD		GAS LINE MARKER		TREE
	S.S. MAN HOLE		ELECTRIC MANHOLE		VAULT		ELECTRIC BOX
	CLEAN OUT		STORM DRAIN MAN HOLE		TELEPHONE MANHOLE		

NO.	DATE	REVISION
1.		
2.		
3.		

LARRY TURMAN <i>SURVEYING * CONSULTING * MANAGEMENT</i>		JOB NO:	20-017
		DATE:	October 18, 2020
1475 HERITAGE PKWY., STE 217 MANSFIELD, TEXAS 76063		SCALE:	
		DRAWN BY:	RP



City of Lucas

City Council Agenda Request

December 3, 2020

Item No. 10

Requester: Development Services Director Joe Hilbourn

Agenda Item Request

Consider adopting Ordinance 2020-12-00925 amending the City's Code of Ordinances, Chapter 10 Stormwater Design Manual, Section J to amend driveway culvert installation and design criteria.

Background Information

At the May 14, 2020 and September 10, 2020 Planning and Zoning Commission meetings, the Commission discussed various options for culvert design standards. The amendments outlined in Section J below were proposed by the Commission to be incorporated into the Stormwater Design Manual related to culvert design and are being recommended for approval.

Storm Water Design Manual ~ Chapter 10

Section J. Culvert Design

At locations of stream or open channel crossings with proposed roadway improvements, it is sometimes necessary to receive and transport storm water under the roadway in culverts. The quantity of flow shall be determined by the appropriate method, and the friction loss through the culvert shall be calculated by Manning's Formula.

Design of culverts shall include the determination of upstream backwater conditions as well as downstream velocities and flooding conditions. Consideration shall be given to the discharge velocity from culverts, with the limitation that culvert pipe diameter shall be minimum 18". A headwall is required at exposed ends. Under private driveways, permanent culverts (those with reinforced concrete, asphalt, or AASHTO #3 gravel paving over the culvert) and temporary culverts (those without paving over the culvert) shall be constructed with reinforced concrete or minimum 16 gauge galvanized corrugated steel pipe. Temporary culverts and driveways must be removed within 18 months of permit issuance and the open channel reconstructed to its original design. Under public roads reinforced concrete culverts are required. Permanent culvert design shall include minimum embedment of Class B+ per the North Central Texas Council of Governments (NCTCOG) design manual drawing 3020 dated October 2004.

Attachments/Supporting Documentation

1. Ordinance 2020-12-00925



City of Lucas

City Council Agenda Request

December 3, 2020

Item No. 10

Budget/Financial Impact

NA

Recommendation

Staff recommends approval of the amendments as presented. The Planning and Zoning Commission approved the amendments unanimously by a 5 to 0 vote.

Motion

I make a motion to adopt Ordinance 2020-12-00925 approving/denying proposed amendments to the City's Code of Ordinances, Chapter 10 Stormwater Design Manual, Section J to amend driveway culvert installation and design criteria as outlined.



ORDINANCE 2020-12-00925
[AMENDING ORDINANCE 2009-04-00644, AMENDING
ARTICLE J “CULVERTS”

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, AMENDING CITY OF LUCAS ORDINANCE 2009-04-00644, PLANNING & DESIGN CRITERIA FOR STORMWATER RUN-OFF BY AMENDING ARTICLE J TITLED “CULVERTS”; PROVIDING A CONFLICTS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. City of Lucas, Texas, Ordinance 2009-04-00644 is hereby amended by amending Article J titled “Culverts”, to read as follows:

WATER RUN-OFF MANUAL

PLANNING AND DESIGN DRAINAGE CRITERIA

J. Culverts.

At locations of stream or open channel crossings with proposed roadway improvements, it is sometimes necessary to receive and transport storm water under the roadway in culverts. The quantity of flow shall be determined by the appropriate method, and the friction loss through of the culvert shall be calculated by Manning's Formula.

Design of culverts shall include the determination of upstream backwater conditions as well as downstream velocities and flooding conditions. Consideration shall be given to the discharge velocity from culverts, and the limitations specified culverts with the limitation that culvert pipe diameter shall not be a minimum less than 18". A headwall is required at exposed ends. Under private drives driveways, permanent culverts (those with reinforced concrete, asphalt, or AASHTO #3 gravel paving over the culvert) and temporary culverts (those without paving over the culvert) shall be constructed with reinforced concrete or minimum 16 gauge galvanized corrugated steel pipe. Temporary culverts and driveways must be removed within 18 months of permit issuance and the open channel reconstructed to its original design. Under public roads reinforced concrete culverts are required. Permanent culvert design shall include minimum embedment of Class B+ per the North Central Texas Council of Governments (NCTCOG) design manual drawing 3020 dated October 2004. ~~concrete or steel culverts, under public road concrete culverts are required.~~

Section 2. To the extent of any irreconcilable conflict with the provisions of this ordinance and other ordinances of the City of Lucas governing the use and development of the Property and which are not expressly amended by this ordinance, the provisions of this ordinance shall be controlling.

Section 3. 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 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of Ordinance 2009-04-00644, 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 Ordinance 2009-04-00644, as amended hereby, which shall remain in full force and effect.

Section 5. An offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Lucas Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 6. 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 3rd DAY OF DECEMBER 2020.

APPROVED:

Jim Olk, Mayor

APPROVED AS TO FORM:

ATTEST:

Joseph J. Gorfida, Jr., City Attorney
(10-__-2020:TM 118796)

Stacy Henderson, City Secretary



City of Lucas Council Agenda Request December 3, 2020

Requester: City Manager Joni Clarke

Agenda Item Request

Consider the 2021 Community Special Events Calendar.

Background Information

Annually, the City of Lucas organizes community events to sponsor social activities for citizens to enjoy and to create a sense of community. Some events focus on environmental issues such as litter abatement or to encourage tree conservation. Many events require preplanning to ensure vendors are secured, resources are allocated, and contracts are in place. The calendar is for planning purposes and future events could possibly be impacted due to COVID-19 public safety concerns and modification or cancellations may occur. The Farmers Market schedule for the 2021 season was approved by City Council on November 5, 2020 and holding Founders Day on the second Saturday in May was approved by City Council on May 3, 2018.

Attachments/Supporting Documentation

1. Proposed 2021 Community Special Events Calendar

Budget/Financial Impact

The City of Lucas parks budget for fiscal year 20/21 includes \$63,550 in special events category:

6211-444	Founders Day	\$30,000
6211-445	Service Tree Program	\$ 4,000
6211-446	Keep Lucas Beautiful	\$ 4,550
6211-447	Country Christmas	\$10,000
6211-448	Park Events	\$15,000 (\$5,000 for Lucas Farmers Market)

Recommendation

The proposed 2021 Community Special Events Calendar was approved by the Parks & Open Space Board on November 17, 2020.

Motion

I make a motion to approve/deny the proposed 2021 Community Special Events Calendar.

2021 Community Special Events Calendar

<i>Day</i>	<i>Date</i>	<i>Time</i>	<i>Description</i>	<i>Location</i>
Saturday	April 3, 2021	8:00 am - Noon	Don't Mess with Texas Trash-Off Cleanup Event & Electronic Recycling/Paper Shredding Event (tentative)	Community Park
Friday	April 16, 2021	7:00 pm	Movie in the Park	Community Park
Saturday	April 24, 2021	8:00 am – Noon	Lucas Farmers Market	Community Park
Saturday	May 8, 2021	9:00 am – 1:00 pm	Founders Day & Farmers Market	Community Park
Saturday	May 22, 2021	8:00 am – Noon	Lucas Farmers Market	Community Park
Saturday	June 12, 2021	8:00 am – Noon	Lucas Farmers Market	Community Park
Saturday	June 26, 2021	8:00 am – Noon	Lucas Farmers Market	Community Park
Saturday	July 10, 2021	8:00 am – Noon	Lucas Farmers Market	Community Park
Saturday	July 24, 2021	8:00 am – Noon	Lucas Farmers Market	Community Park
Saturday	August 14, 2021	8:00 am – Noon	Lucas Farmers Market	Community Park
Saturday	August 28, 2021	8:00 am – Noon	Lucas Farmers Market	Community Park
Saturday	September 11, 2021	8:00 am – Noon	Lucas Farmers Market	Community Park
Saturday	September 25, 2021	8:00 am – Noon	Lucas Farmers Market	Community Park
Saturday	September 25, 2021	9:00 am – 1:00 pm	Public Lands Trail Cleanup Event with TTPA & USACE	Brockdale/Highland Park Trailheads
Tuesday	October 5, 2021	Varies	National Night Out	Varies
Saturday	October 9, 2021	8:00 am – Noon	Lucas Farmers Market	Community Park
Sunday	October 10, 2021	TBD	Fire Prevention Week Open House	Fire Station
Saturday	October 16, 2021	7:00 pm	Movie in the Park	Community Park

Saturday	October 23, 2021	8:00 am – Noon	Lucas Farmers Market	Community Park
Saturday	November 6, 2021	TBD	Arbor Day	Community Park
Friday	December 3, 2021	6:00 pm - 9:00 pm	Country Christmas & Holiday Market	Community Park
Sunday	December 5, 2021	TBD	Appreciate Event for Volunteers/Awards	Fire Station