



## AGENDA

### Planning and Zoning Commission Meeting

April 14, 2022 | 7:00 PM

Council Chambers | Video Conference

City Hall | 665 Country Club Road, Lucas, Texas

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*Notice is hereby given that a meeting of the City of Lucas Planning and Zoning Commission will be held on Thursday, April 14, 2022, at 7:00 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 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.*

To join the meeting, please click this URL:

<https://us06web.zoom.us/j/92691972860?pwd=cWJxTnZGWVhZDhDVlFNSXJwZFpTQT09>

and enter your name and email address.

Join by phone: 1-346-248-7799

Webinar ID: 926 9197 2860

Passcode: 813188

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/>.

#### **How to Provide Input at a Meeting:**

**Speak In Person:** Request to Speak forms will be available at the meeting. Please fill out the form and give to the City Secretary prior to the start of the meeting. This form will also allow a place for comments.

**Speak Remotely Via Zoom:** If you would like to attend a meeting remotely and speak via Zoom, email the City Secretary at [shenderson@lucastexas.us](mailto:shenderson@lucastexas.us) by 4:00 pm noting the item you wish to speak on and noting your attendance will be remote. Please note, any requests received after 4:00 pm will not be included at the meeting.

**Submit Written Comments:** If you are unable to attend a meeting and would like to submit written comments regarding a specific agenda item, email the City Secretary at [shenderson@lucastexas.us](mailto:shenderson@lucastexas.us) by no later than 4:00 pm 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. Any requests received after 4:00 pm will not be included at the meeting.

#### **Call to Order**

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

## **Public Hearing Agenda**

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1. Public hearing to consider a request by Christopher Lang, property owner of 1350 Lynn Lane, Glenbrook Estates, Lot 20 for a specific use permit to allow a kitchen and food preparation area in an accessory building with habitable space. **(Development Services Director Joe Hilbourn)**
  - A. Presentation by Development Services Director Joe Hilbourn
  - B. Conduct public hearing
  - C. Take action regarding the proposed specific use permit request
  
2. Public hearing to consider the request by Preston Walhood on behalf of Young Dean Homestead, Ltd. for a zoning change from AO to R-1 on a parcel of land consisting of 44.185 acres, located on the east side of Stinson Road, approximately 55 feet south of the roundabout. **(Development Services Director Joe Hilbourn)**
  - A. Presentation by Development Services Director Joe Hilbourn
  - B. Conduct public hearing
  - C. Take action regarding proposed zoning change
  
3. Public hearing to consider approving amendments to the City’s Code of Ordinances, Chapter 14, Zoning, Division 4, Specific Use Permits. **(Development Services Director Joe Hilbourn)**
  - A. Presentation by Development Services Director Joe Hilbourn
  - B. Conduct Public Hearing
  - C. Take action on proposed amendments
  
4. Public hearing to consider approving amendments to the City’s Code of Ordinances, Chapter 14, Zoning, Section 14.01.004 Definitions, to amend the definition of home occupation and adding regulations for the operation of home occupations. **(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**

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5. Consider the request by Brian Umberger on behalf of Pankaj Srivastava for approval of a final plat for New Castle Estates, a 17.646-acre parcel of land being part of the Jas Grayum Survey, Abstract CO-354 located on the west side of Country Club Road and north of Graham Lane at 2115 and 2125 Country Club Road. **(Development Services Director Joe Hilbourn)**
  
6. Discuss and review Chapter 7, Streets and Drainage, of the City of Lucas Comprehensive Plan including the Master Thoroughfare Plan and recommend proposed amendments if needed. **(Planning and Zoning Commission)**
  
7. Discuss building setbacks, lot line definition, building line definition, and lot width requirements in all residential zoning districts. **(Development Services Director Joe Hilbourn)**

8. Consider changing the start time of Planning and Zoning Commission meetings from 7:00 pm to 6:30 pm and setting a date to begin the new schedule. **(Planning and Zoning Commission)**
9. Consider approval of the minutes of the March 10, 2022, Planning and Zoning Commission meeting. **(City Secretary Stacy Henderson)**

## **Executive Agenda**

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*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 regarding any item on the agenda at any time during the meeting. This meeting is closed to the public as provided in the Texas Government Code.*

10. Executive Session: An Executive Session is not scheduled for this meeting.
11. Adjournment.

## **Certification**

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*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, Texas 75002 and on the City's website at [www.lucastexas.us](http://www.lucastexas.us) on or before 5:00 p.m. on April 8, 2022.*

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*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](mailto:shenderson@lucastexas.us) at least 48 hours prior to the meeting.*



# City of Lucas

## Planning and Zoning Agenda Request

### April 14, 2022

Item No. 01

Requester: Development Services Director Joe Hilbourn

### Agenda Item Request

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Public hearing to consider a request by Christopher Lang, property owner of 1350 Lynn Lane, Glenbrook Estates, Lot 20 for a specific use permit to allow a kitchen and food preparation area in an accessory building with habitable space.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct public hearing
- C. Take action regarding the proposed specific use permit request

### Background Information

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This lot is currently zoned R-2, and the applicant is requesting to construct an accessory building with habitable space that meets the City's requirements. The specific use permit request is to allow a food preparation area within an accessory building.

Section 14.04.304 (a) of the City's Code of Ordinances requires that an addition of a kitchen/food preparation area require a specific use permit in R-2 or AO zoning districts that contain a single-family home and states the following:

*Kitchen, cooking or a food preparation area may be permitted on property 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.*

### Attachments/Supporting Documentation

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- 1. Location Map
- 2. Site plan and kitchen layout
- 3. Public Notice

### Budget/Financial Impact

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NA

### Recommendation

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Staff recommends approval of the specific use permit request as presented.



**City of Lucas**  
**Planning and Zoning Agenda Request**  
**April 14, 2022**

Item No. 01

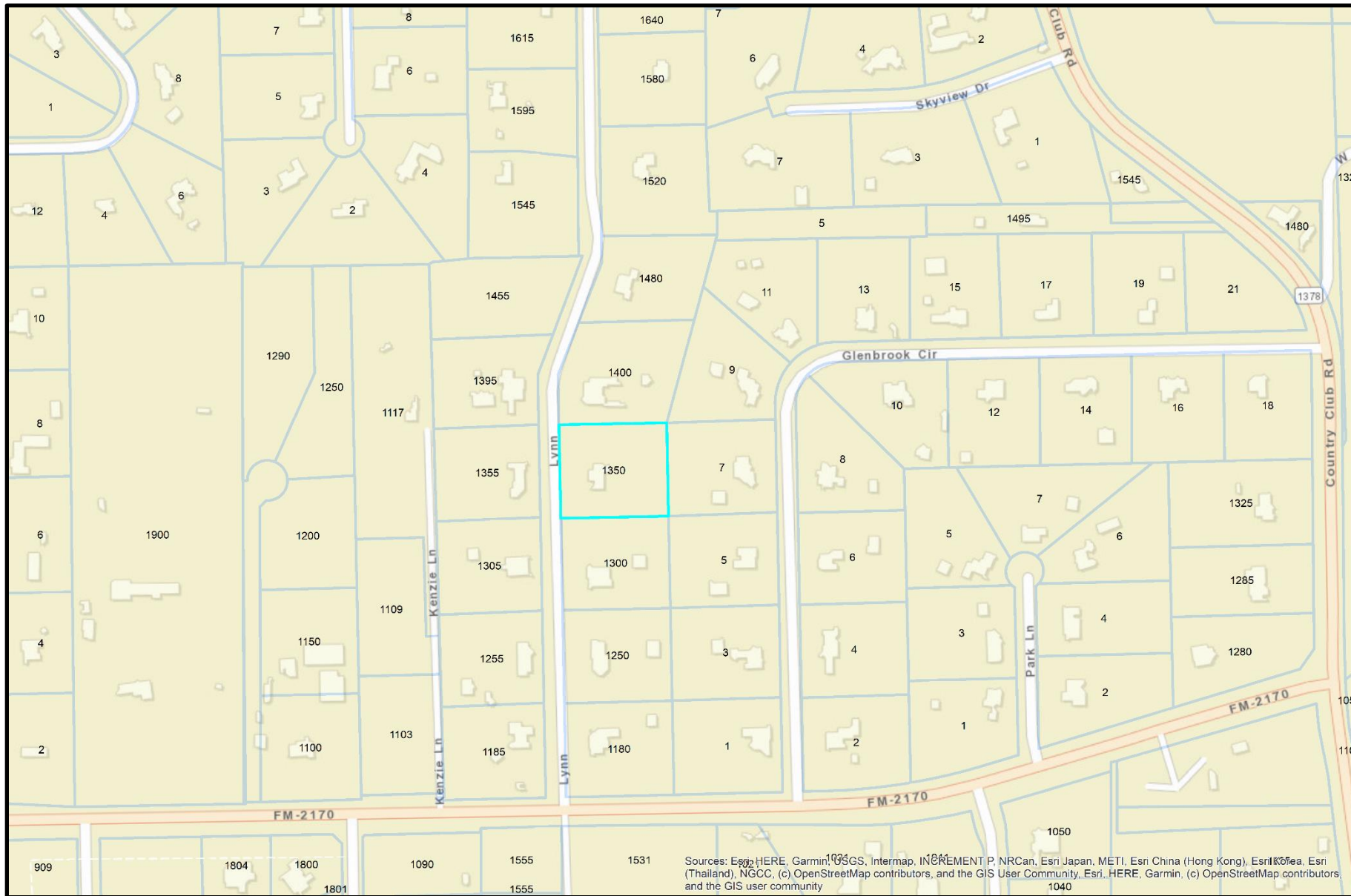
**Motion**

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I make a motion to recommend to the City Council to approve/deny the specific use permit request for 1350 Lynn Lane, Glenbrook Estates, Lot 20 for a specific use permit to allow a kitchen and food preparation area in an accessory building with habitable space.



# LOCATION MAP: 1350 LYNN LANE



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Swire, Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

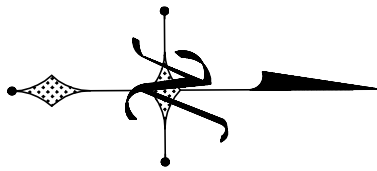
# SURVEY PLAT



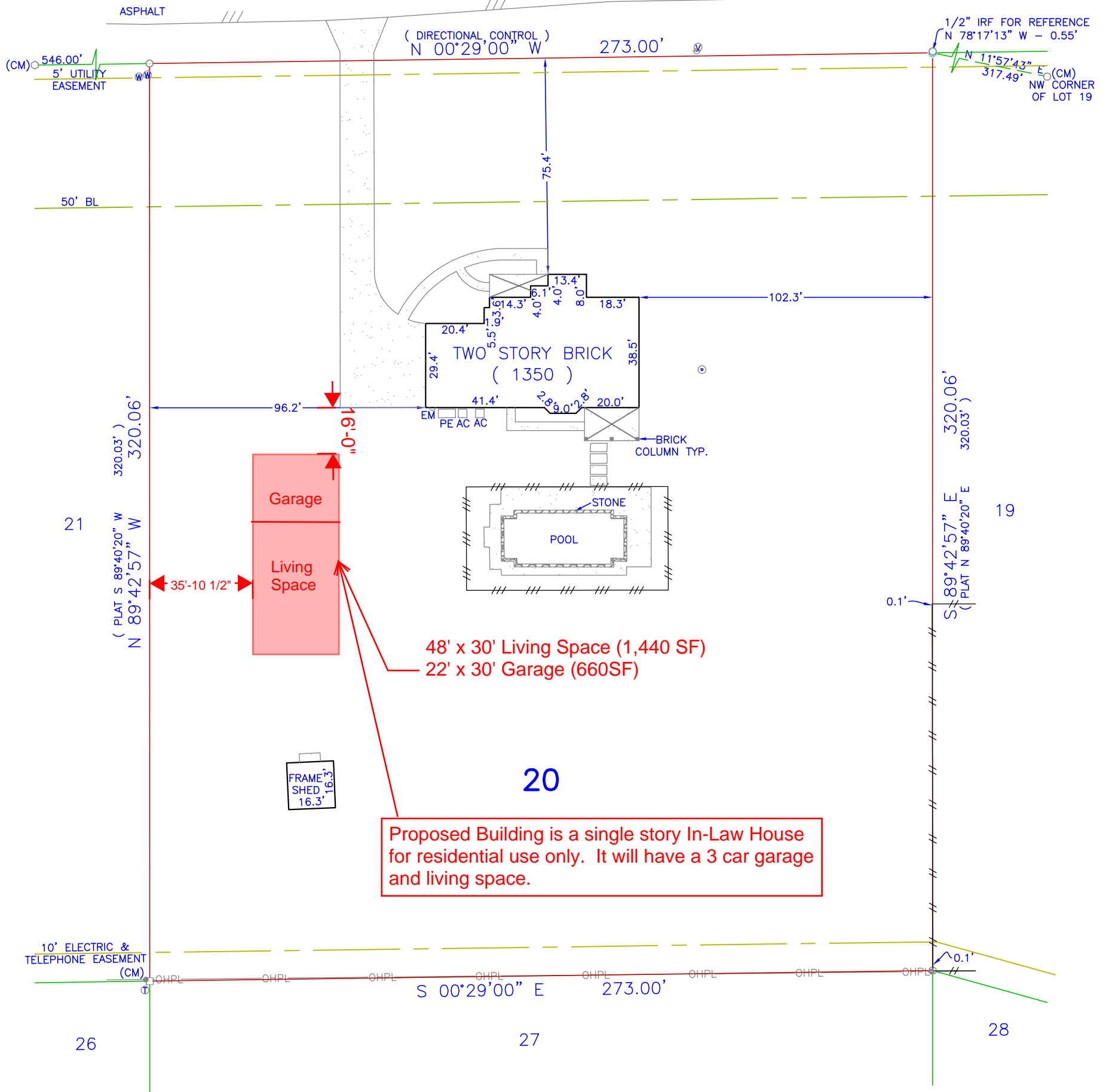
FIRM REGISTRATION NO. 10194366

BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 1350 LYNN LANE, in the city of LUCAS Texas. Lot 20, of GLENBROOK ESTATES, an addition to the City of Lucas, Collin County, Texas, according to the plat thereof recorded in Volume E, Page 87, Map Records, Collin County, Texas.



## LYNN LANE



Proposed Building is a single story In-Law House for residential use only. It will have a 3 car garage and living space.

**LOT SIZE: 2.0 Acres / 87,120SF**

PROPERTY SUBJECT TO EASEMENTS & RESTRICTIONS VOL. 2028, PG. 311; VOL. 3957, PG. 7; INSTR# 96-0019244; 20061011001467650; 20081121001355120; 20081121001355130

ACCEPTED BY: \_\_\_\_\_



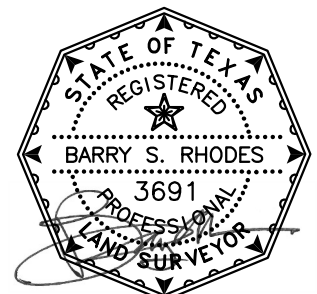
The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat: the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements. TITLE AND ABSTRACTING WORK FURNISHED BY Fair Texas Title THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 40'  
Date: 02/06/2020  
G. F. No.: AN202230  
Job no.: 202000804  
Drawn by: AEG

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR Fair Texas Title



LEGEND	
WOOD FENCE	TEXT
CHAIN LINK	IMPROVEMENTS
IRON FENCE	BOUNDARY LINE
WIRE FENCE	EASEMENT SETBACK
	RESIDENCE
CM - CONTROLLING MONUMENT	
MRD - MONUMENTS OF RECORD DIGNITY	
1/2" IRON ROD FOUND	
1/2" YELLOW-CAPPED IRON ROD SET	
SET 'X'	
3/8" IRON ROD FOUND	
5/8" IRON ROD FOUND	
POINT FOR CORNER	
C - CABLE	E - ELECTRIC
S - SEPTIC	PE - POOL EQUIP
G - GAS METER	P - POWER POLE
F - FIRE HYDRANT	T - TELEPHONE
L - LIGHT POLE	W - WATER METER
M - MANHOLE	WV - WATER VALVE
( UNLESS OTHERWISE NOTED )	





## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Planning & Zoning Commission of the City of Lucas, Texas will conduct a public hearing on Thursday, April 14, 2022 at 7:00 p.m. and City Council will conduct a second public hearing on Thursday, May 5, 2022 at 6:30 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider a Specific Use Permit (SUP) application to permit a kitchen and food preparation area more particularly described as follows:

*Christopher Lang, property owner at 1350 Lynn Lane, GLENBROOK ESTATES, LOT 20; Lucas, Texas 75002 has submitted an application for a SUP to permit a kitchen with a food preparation area(s) in an accessory building with habitable space.*

***Per Code of Ordinances Section 14.04.304 General accessory buildings and structures regulations.***

*i) In R-2 or AO zoning districts that contain a single-family home:*

*a. Kitchen, cooking or a food preparation area may be permitted on property 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.*

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, Attention: City Secretary, 665 Country Club Road, Lucas, Texas 75002, email [shenderson@lucastexas.us](mailto: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](mailto:jhilbourn@lucastexas.us).





# City of Lucas

## Planning and Zoning Agenda Request

### April 14, 2022

Item No. 02

Requester: Development Services Director Joe Hilbourn

#### **Agenda Item Request**

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Public hearing to consider the request by Preston Walhood on behalf of Young Dean Homestead, Ltd. for a zoning change from AO to R-1 on a parcel of land consisting of 44.185 acres, located on the east side of Stinson Road, approximately 55 feet south of the roundabout.

- A. Presentation by Development Services Director Joe Hilbourn
- B. Conduct public hearing
- C. Take action regarding proposed zoning change

#### **Background Information**

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This parcel of land is 44.185 acres of land and complies with the City's approved Comprehensive Plan for R-1 zoning.

#### **Attachments/Supporting Documentation**

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- 1. Legal Description
- 2. Concept Plan
- 3. Public Notice
- 4. Land Use Map
- 5. Location Map

#### **Budget/Financial Impact**

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NA

#### **Recommendation**

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Staff recommends approval of the zoning change request as presented.

#### **Motion**

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I make a motion to recommend to the City Council to approve/deny request by Preston Walhood on behalf of Young Dean Homestead, Ltd. for a zoning change from AO to R1 on a parcel of land consisting of 44.185 acres, located on the east side of Stinson Road, approximately 55 feet south of the roundabout.

The Homestead  
44.185 gross acres  
Meets & Bounds Description

SITUATED in the State of Texas, County of Collin and City of Lucas, being part of the John McKinney Survey, Abstract No. 596, being all of a 29.185 acre tract and all of a 15.00 acre tract as described and recorded in Volume 5167, Page 3443 of the Collin County Land Records with said premises being more particularly described as follows:

BEGINNING at a Railroad Spike set in the approximate middle of Stinson Road marking the northwest corner of said 29.185 acre tract, the northwest corner of the herein described premises, the southwest corner of a 15.961 acre tract as recorded in Volume 5878, Page 2019 of the Collin County Land Records, and being in the east line of called 143.35 acre tract as recorded in Volume 587, Page 38 of the Collin County Land Records;

THENCE with a north line of said 29.185 acre tract, said premises, and the south line of said 15.961 acre tract, North 89 22'16" East, 1180.51 feet to a " iron rod found marking the southeast corner of said 15.961 acre tract and the most westerly southwest corner of a 367.347 acre tract as recorded under County Clerk No. 20110222000191070 of the Collin County Land Records;

THENCE with a north line of said 29.185 acre tract, said premises, and a south line of said 367.347 acre tract, North 89 44'47" East, 481.70 feet to a Roome capped iron rod set marking the northeast corner of said 29.185 acre tract, said premises, and an interior corner of said 367.347 acre tract;

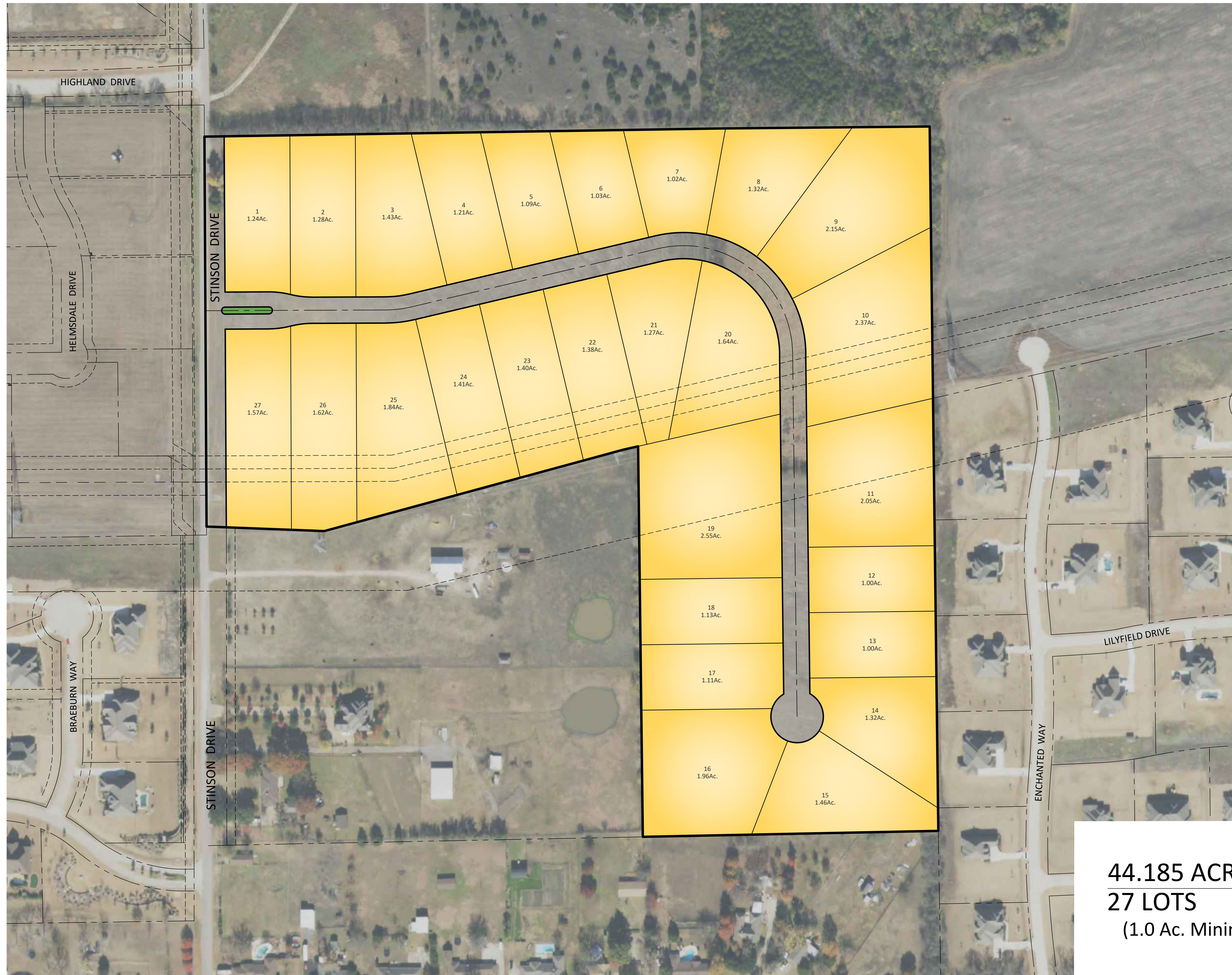
THENCE with the east line of said 29.185 acre tract, said premises, a west line of said 367.347 acre tract, and the east line of the aforementioned 15.00 acre tract South 00 25'13" East, 1614.58 feet to a " iron rod found marking the southeast corner of said 15.00 acre tract, said premises, and the northeast corner of Kirkland Estates as recorded in Volume 8, Page 24 of the Collin County Map Records;

THENCE with the south line of said 15.00 acre tract, said premises, and the north line of Kirkland Estates, South 89 07'30" West, 677.18 feet to a point marking the southwest corner of said 15.00 acre tract, said premises, and the southeast corner of Lozano Addition, an addition as recorded in Volume P, Page 10 of the Collin County Map Records;

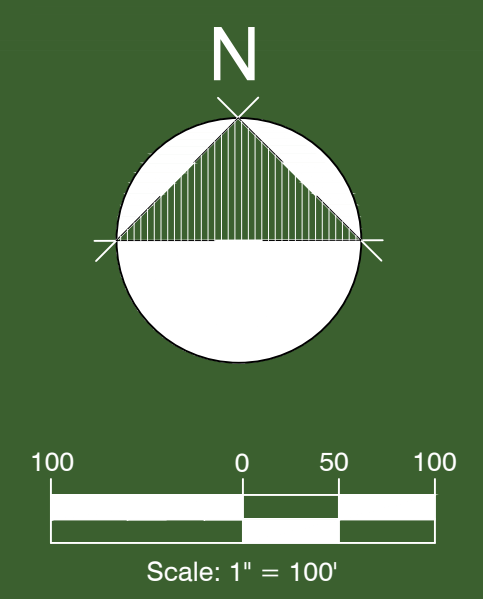
THENCE with the west line of said 15.00 acre tract, said premises, and the east line of said Lozano Addition, North 00 25'13" West, passing at 2.27 feet a " iron rod found on line and continuing for a total distance of 895.16 feet to an iron rod found marking the northwest corner of said 15.00 acre tract, an interior corner of said premises, the northeast corner of said Lozano Addition, and being in the south line of the aforementioned 29.185 acre tract

THENCE with the south line of said 29.185 acre tract, said premises, and the north line of said Lozano Addition as follows: South 77 30'08" West, 35.28 feet to a point for corner, South 75 02'50" West, 709.66 feet to a pipe fence post for corner, and North 87 32'00" West, 269.91 feet to a Railroad Spike set in the approximate middle of Stinson Road marking the southwest corner of said 29.185 acre tract, said premises, and the northwest corner of said Lozano Addition;

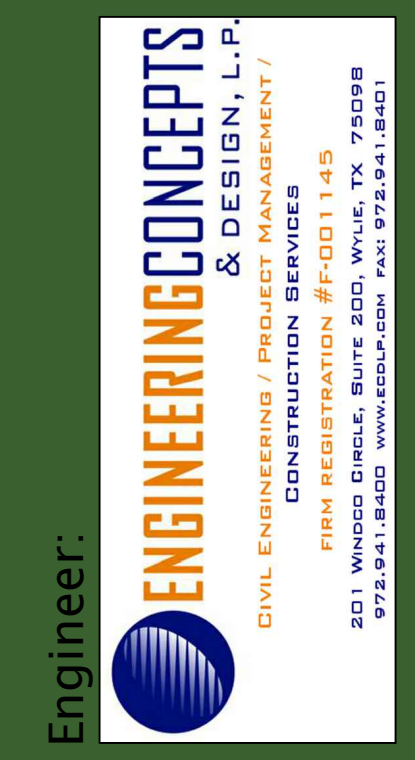
THENCE with the approximate middle of Stinson Road, the west line of said 29.185 acre tract, a west line of said premises, and the east line of called 143.35 acre tract, North 00 02'11" West, 893.78 feet to the point of beginning and containing 44.185 gross acres of land, of which 9.816 acres lies within easements leaving 34.369 net acres of land.



**44.185 ACRES**  
**27 LOTS**  
 (1.0 Ac. Minimum)



**CONCEPT PLAN**  
**THE HOMESTEAD**  
**CITY OF LUCAS, TEXAS**





## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Planning & Zoning Commission of the City of Lucas, Texas (the "City"), will conduct a Public Hearing on Thursday, April 14, 2022 at 7:00 p.m. and City Council will conduct a second Public Hearing on Thursday, May 5, 2022 at 6:30 p.m. at Lucas City Hall, 665 Country Club, Lucas, Texas to consider a request for a change in zoning from AO to R1 on a parcel of land consisting of 44.185 acres, located on the east side of Stinson Road, approximately 55 feet south of the roundabout and more particularly described as follows:

SITUATED in the State of Texas, County of Collin and City of Lucas, being part of the John McKinney Survey, Abstract No. 596, being all of a 29.185-acre tract and all of a 15.00-acre tract as described and recorded in Volume 5167, Page 3443 of the Collin County Land Records with said premises being more particularly described as follows:

BEGINNING at a Railroad Spike set in the approximate middle of Stinson Road marking the northwest corner of said 29.185-acre tract, the northwest corner of the herein described premises, the southwest corner of a 15.961-acre tract as recorded in Volume 5878, Page 2019 of the Collin County Land Records, and being in the east line of called 143.35-acre tract as recorded in Volume 587, Page 38 of the Collin County Land Records;

THENCE with a north line of said 29.185-acre tract, said premises, and the south line of said 15.961-acre tract, North 89 22'16" East, 1180.51 feet to a "iron rod found marking the southeast corner of said 15.961-acre tract and the most westerly southwest corner of a 367.347-acre tract as recorded under County Clerk No. 20110222000191070 of the Collin County Land Records;

THENCE with a north line of said 29.185-acre tract, said premises, and a south line of said 367.347-acre tract, North 89 44'47" East, 481.70 feet to a Roome capped iron rod set marking the northeast corner of said 29.185-acre tract, said premises, and an interior corner of said 367.347-acre tract;

THENCE with the east line of said 29.185-acre tract, said premises, a west line of said 367.347-acre tract, and the east line of the aforementioned 15.00-acre tract South 00 25'13" East, 1614.58 feet to a "iron rod found marking the southeast corner of said 15.00-acre tract, said premises, and the northeast corner of Kirkland Estates as recorded in Volume 8, Page 24 of the Collin County Map Records;

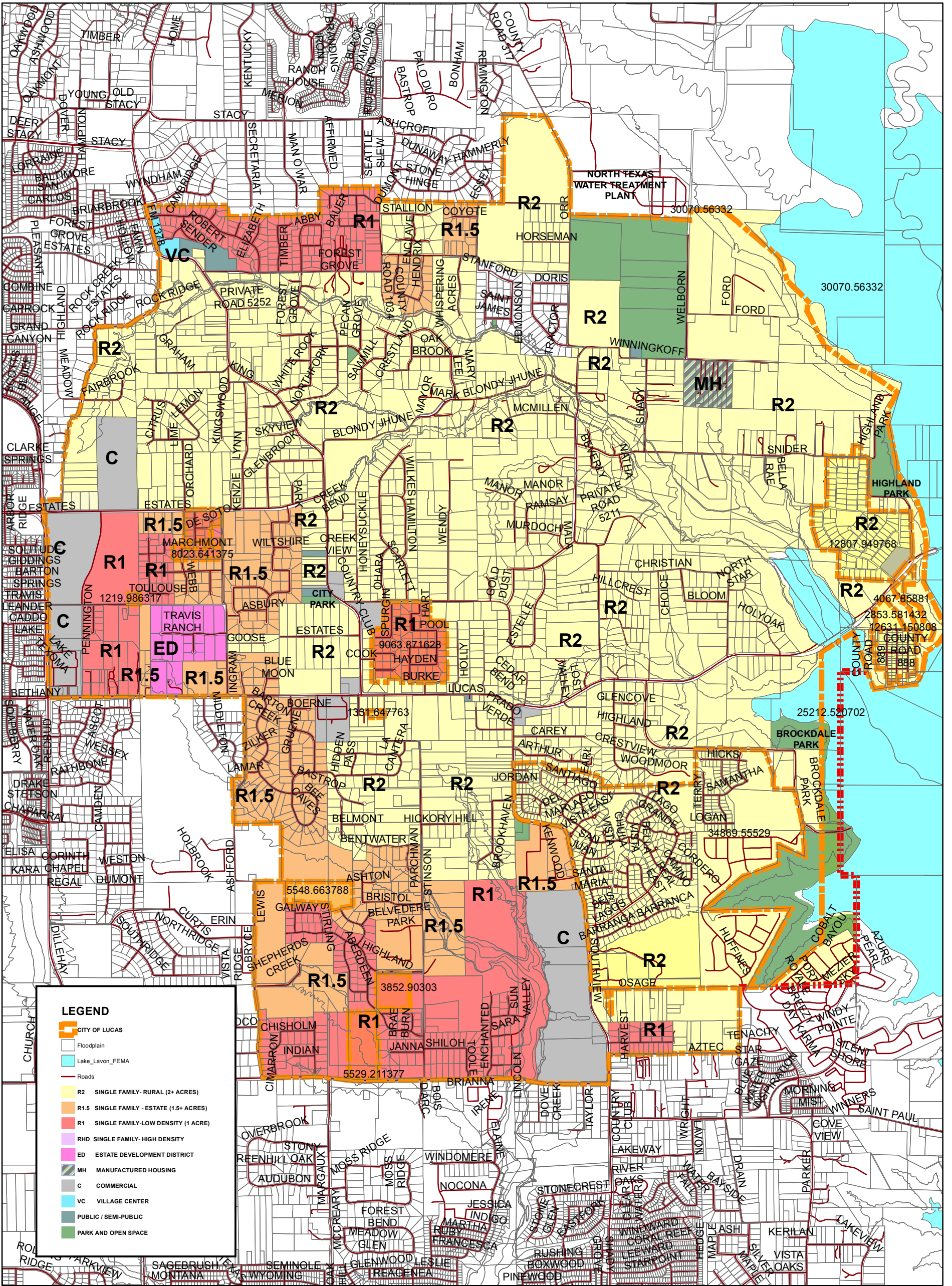
THENCE with the south line of said 15.00-acre tract, said premises, and the north line of Kirkland Estates, South 89 07'30" West, 677.18 feet to a point marking the southwest corner of said 15.00-acre tract, said premises, and the southeast corner of Lozano Addition, an addition as recorded in Volume P, Page 10 of the Collin County Map Records;

THENCE with the west line of said 15.00 acre tract, said premises, and the east line of said Lozano Addition, North 00 25'13" West, passing at 2.27 feet a " iron rod found on line and continuing for a total distance of 895.16 feet to an iron rod found marking the northwest corner of said 15.00 acre tract, an interior corner of said premises, the northeast corner of said Lozano Addition, and being in the south line of the aforementioned 29.185 acre tract

THENCE with the south line of said 29.185 acre tract, said premises, and the north line of said Lozano Addition as follows: South 77 30'08" West, 35.28 feet to a point for corner, South 75 02'50" West, 709.66 feet to a pipe fence post for corner, and North 87 32'00" West, 269.91 feet to a Railroad Spike set in the approximate middle of Stinson Road marking the southwest corner of said 29.185 acre tract, said premises, and the northwest corner of said Lozano Addition;

THENCE with the approximate middle of Stinson Road, the west line of said 29.185-acre tract, a west line of said premises, and the east line of called 143.35-acre tract, North 00 02'11" West, 893.78 feet to the point of beginning and containing 44.185 gross acres of land, of which 9.816 acres lies within easements leaving 34.369 net acres of land.

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, Attention: City Secretary, 665 Country Club Road, Lucas, Texas 75002, email [shenderson@lucastexas.us](mailto:shenderson@lucastexas.us) and it will be presented at the hearing. If you have any questions about the request, please contact Joe Hilbourn at [jhilbourn@lucastexas.us](mailto:jhilbourn@lucastexas.us).



March 16, 2017



# LAND USE MAP

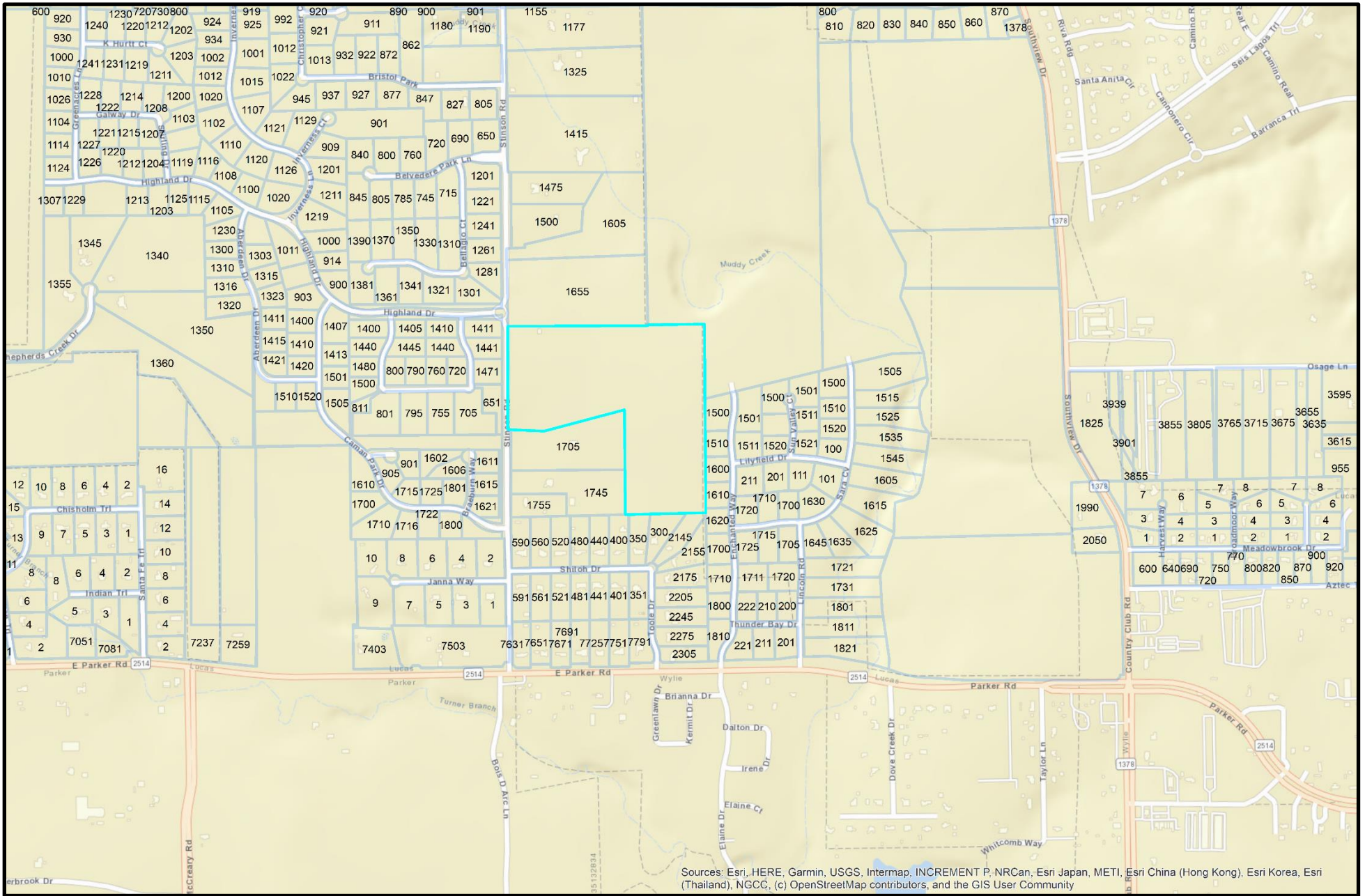
## CITY OF LUCAS



0 1,250 2,500 Feet



# LOCATION MAP: THE HOMESTEAD ZONING CHANGE



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



# City of Lucas

## Planning and Zoning Agenda Request

### April 14, 2022

Item No. 03

Requester: Development Services Director Joe Hilbourn

#### **Agenda Item Request**

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Public hearing to consider approving amendments to the City's Code of Ordinances, Chapter 14, Zoning, Division 4, Specific Use Permits.

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

#### **Background Information**

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Staff was directed to review the City's specific use permit requirements to ensure compliance with State law and proposed language was submitted to the Commission at their March 10, 2022, Planning and Zoning Commission meeting. The Commission discussed the proposed amendments and directed staff to prepare updated language for consideration.

Updated proposed language to Chapter 14 Zoning, Division 4, Specific Use Permits has been outlined and drafted by the City Attorney in the attached document to this agenda item.

#### **Attachments/Supporting Documentation**

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1. Proposed amendments to Chapter 14, Zoning, Division 4, Specific Use Permits.

#### **Budget/Financial Impact**

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NA

#### **Recommendation**

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Staff recommends approving the amended language as presented.

#### **Motion**

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I make a motion to recommend to the City Council approving/denying the amendments to the City's Code of Ordinances for Chapter 14, Zoning, Division 4, Specific Use Permits.



**CHAPTER 14, DIVISION 4 SPECIFIC USE PERMITS  
PROPOSED LANGUAGE**

**ADD THE FOLLOWING NEW SECTION:**

**Sec. 14.02.080            Specific Use Permits Generally**

- (a) A specific use permit allows uses compatible with other permitted uses, provided the uses meet the specific criteria established by the city under this section.
- (b) The city council may authorize the granting of a specific use permit, by an affirmative vote, after notice to all parties affected and a public hearing, in accordance with state law, and after recommendation from the planning and zoning commission that the use is in general conformance with the comprehensive plan of the city and containing such requirements and safeguards as are necessary to protect adjoining property.
- (c) Specific use permits shall not be used to legalize nonconforming structures or uses, and shall not be used when a variance, deviation, waiver or minor modification could be used to achieve the same result.
- (d) A development plan shall be submitted concurrently with the application for a specific use permit. However, development plans will not be approved until the specific use permit is approved by the city council. Approval of the specific use permit does not constitute approval of a development plan.
- (e) Uses permitted by a specific use permit shall not be enlarged or substantially modified, structurally altered, or otherwise significantly changed without an amendment to the specific use permit. Amendment to a specific use permit requires the same processes and procedures as an original specific use permit application, specifically, public notice and hearing. Minor changes or alterations are changes that do not alter the basic relationship of the proposed development to adjacent property and may be approved by the Development Services Director. Changes or alterations that change the uses permitted, increase the density, building height, coverage of the site, off-street parking ratio, or area regulations are not minor changes and must be considered through the amendment process.
- (f) All recommendations made by the city planning and zoning commission to the city council shall be considered advisory in nature and shall not be binding upon the governing body; the city council shall have the sole and final authority to grant or deny any request for specific use permits.
- (g) The Board of Adjustment does not have authority to hear an appeal or act on an application for a specific use permit.
- (h) A specific use permit may be granted for those uses indicated by “S” in the Schedule of Uses Chart in Section 14.03.801 (e).

## AMEND THE FOLLOWING EXISTING SECTIONS

### Sec. 14.02.081 Specific Use Permit Application and Processing

- (a) Any individual, partnership, corporation, or group of persons having a proprietary interest in any property, upon proof of such, may ~~petition~~ **file an application with** the planning and zoning commission for a specific use permit ~~for the tract of land that the petitioners have the proprietary interest.~~
- (b) ~~The planning and zoning commission shall have the proper public hearing notices appear in the area newspaper and be sent to the property owners within five hundred feet (500") of the property for which the specific use permit is required.~~

The application for a specific use permit shall be accompanied by a development plan and sign plan, as applicable. The city shall make available application forms specifying application requirements. The application shall include:

- 1) A site plan that includes the dimensions, bearings, and street frontage of the property;
  - 2) The location of buildings, structures, and uses;
  - 3) The method on ingress and egress;
  - 4) Off-street parking and loading requirements, as applicable;
  - 5) Screening, lighting, and landscaping, as applicable;
  - 6) A traffic impact analysis if the Development Services Director determines that the analysis is necessary;
  - 7) Any other information the Development Services Director, planning and zoning commission or city council determines necessary for a complete review of the proposed development which may include, but is not limited to additional information or drawings, operating data, expert evaluation, or testimony concerning the location, function, or characteristics of any building or proposed use.
- (c) ~~Following the public hearing by the planning and zoning commission, the commission shall make a recommendation for the city council at the properly noticed public hearing, where the council shall consider the granting or denial of the specific use permit.~~

The planning and zoning commission shall provide notice and hold a public hearing in accordance with Section 14.02.063.

- (d) ~~If the council grants the specific use permit, an ordinance amending the zoning ordinance shall be prepared for action by the council at its next regular meeting.~~

Following the public hearing by the planning and zoning commission, the commission shall make a recommendation for the city council at the properly noticed public hearing, where the council shall consider the granting or denial of the specific use permit.

- (e) ~~The conditions imposed by the council shall be agreed to in writing by the grantee before any building permit or occupancy permit may be issued.~~

In recommending that a specific use permit be granted, the planning and zoning commission and city council shall determine that such uses are compatible with the building structures and uses of abutting property and other property in the vicinity of the premises under consideration and shall make recommendations for conditions and requirements to be included in the specific use permit. In approving the requested specific use permit, the planning and zoning commission and city council may consider the following:

- 1) Whether the use is compatible with surrounding existing uses or proposed uses;
  - 2) Whether the use requests by the applicant are normally associated with the permitted uses in the base district;
  - 3) Whether the nature of the use is reasonable;
  - 4) Whether any negative impact on the surrounding are has been mitigated;
  - 5) Any additional conditions specified ensure that the intent of the district purposes is being upheld.
- (f) If the council grants the specific use permit, an ordinance amending the zoning ordinance shall be prepared for action by the council at its next regular meeting.
- (g) The conditions and requirements imposed by the council shall be agreed to in writing by the applicant, owner and grantee of the specific use permit. Such conditions and requirements shall be set forth in the ordinance granting the specific use permit, including, but not limited to, attached site plan drawings and other depictions of design and use elements.

#### **Section 14.02.082 Specific Use Permit - Zoning Amendment and Limitations**

- (a) Each specific use permit granted under the provisions of this chapter shall be considered as an amendment to the comprehensive zoning regulations applicable to such property. ~~In granting any special use permit, the city council may impose conditions as necessary and which shall be complied with by the grantee before any building permit or occupancy permit may be issued.~~ When the city council authorizes granting of a specific use permit, the zoning map shall be amended according to its legend to indicate that the affected area has conditional and limited uses, said amendment to indicate the specific use by an "S" designation.
- (b) ~~Specific use permits may be granted for any period of time.~~ In granting any specific use permit, the city council may impose conditions and requirements as necessary and which shall be complied with by the grantee before any building permit or certificate of occupancy may be issued.
- (c) ~~No specific use permit shall be transferred from one individual, corporation, partnership, or group of persons. No specific use permit shall be transferred from one tract, parcel, or lot in the city to another tract, parcel, or lot.~~

A building permit shall be obtained from the city not later than six (6) months after the effective date of the ordinance granting the specific use permit if new construction is required to comply with the specific use permit, provided however, the Director of Development Services may authorize one extension not to exceed twelve (12) months.

- (d) ~~A request for renewal of a specific use permit must be filed with the city secretary at least ninety (90) days prior to its termination or the specific use permit may be determined [terminated] on the final date of time period granted.~~

If the planning and zoning commission denies an application for a specific use permit, the application will not be considered by the city council unless the applicant requests the application be forwarded to the city council within ten (10) days of the planning and zoning commission denial of the application. If the applicant timely requests the application for specific use permit be forwarded to the city council, approval of the specific use permit by the city council shall require the affirmative vote of seventy-five percent (75%) of the city council.

- (e) Following the denial of a specific use permit, no new application for the same or a substantially similar request shall be accepted within one year of the date of denial unless it is determined by the Development Services Director there has been a substantial change in the area in which the specific use permit has been requested.

#### **Section 14.02.083 Specific Use Permit – Expiration, Termination, Revocation**

~~All recommendations made by the city planning and zoning commission to the city council shall be considered advisory in nature and shall not be binding upon the governing body; the city council shall have the sole and final authority to grant or deny any request for specific use permits.~~

- (a) A specific use permit shall expire if a required building permit has not been issued within the time required in this section, or if a building permit has been issued but has subsequently expired. If a building permit is not required, the specific use permit shall expire six (6) months after the effective date of the ordinance granting the specific use permit if a certificate of occupancy is not obtained. If the specific use permit expires in accordance with this section, the property shall conform to the regulations of the original zoning district of such property.
- (b) A specific use permit shall terminate if the property for which the specific use permit was issued is vacant, or the building or property, though still occupied, is not being used for the purpose for which the specific use permit was granted for a period of six (6) months. The Development Services Director may grant one six (6) month extension upon written request by the owner of the property. Such written request shall be filed with the Development Services Director no later than 150 days after the onset of the vacancy. If the specific use permit terminates in accordance with this section, the property shall conform to the regulations of the original zoning district of such property.

- (c) A specific use permit may be revoked if the owner fails to meet the conditions and requirements set out in the ordinance granting the specific use permit. Revocation of a specific use permit may be recommended by the planning and zoning commission to the city council after proper notice and public hearing. After proper notice and public hearing, the city council may consider the planning and zoning commission’s recommendation for revocation of a specific use permit. If the specific use permit is revoked in accordance with this section, the property shall conform to the regulations of the original zoning district of such property.

**~~Sec. 14.02.084—Zoning map to show place of specific use~~**

~~When the city council authorizes granting of a specific use permit, the zoning map shall be amended according to its legend to indicate that the affected area has conditional and limited uses, said amendment to indicate the specific use by an “S” designation.~~



# City of Lucas

## Planning and Zoning Agenda Request

### April 14, 2022

Item No. 04

Requester: Development Services Director Joe Hilbourn

### **Agenda Item Request**

---

Public hearing to consider approving amendments to the City's Code of Ordinances, Chapter 14, Zoning, Section 14.01.004 Definitions, to amend the definition of home occupation and adding regulations for the operation of home occupations.

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

### **Background Information**

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At the December 16, 2021, City Council meeting, the City Council discussed its current regulations pertaining to a home-based business and the need to provide additional clarity in regulating the activities associated with home-based businesses in Lucas.

At the February 17, 2022, City Council meeting, the Council requested the Planning and Zoning Commission review the regulations pertaining to home occupation as well as the inclusion of accessory buildings as part of the definition.

At the March 10, 2022, Planning and Zoning Commission meeting, the Commission directed staff to revise language related to home occupation and bring back for further consideration. The attachment included with this agenda item proposes amendments to the Code Ordinances updating the definition for home occupation as well as proposed new regulations.

### **Attachments/Supporting Documentation**

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- 1. Proposed changes to the Code of Ordinances

### **Budget/Financial Impact**

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NA

### **Recommendation**

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Staff recommends approving the amended language as presented.



**City of Lucas**  
**Planning and Zoning Agenda Request**  
**April 14, 2022**

Item No. 04

**Motion**

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I make a motion to recommend to the City Council approving/denying amendments to the City's Code of Ordinances, Chapter 14, Zoning, Section 14.01.004 Definitions, amending the definition of home occupation and adding the regulations proposed for the operation of home occupations.

## CHAPTER 14, ZONING PROPOSED LANGUAGE

### ARTICLE 14.01 GENERAL PROVISIONS

#### Section 14.01.004 Definitions

Home occupation. A business, occupation, or profession conducted wholly within a residential dwelling unit **or in an accessory building** by only the residents **and shall not create a nuisance to persons of ordinary sensibilities that occupy the surrounding property** thereof, and which shall have the following characteristics:

(1) The activity shall employ only members of the immediate family of the resident of the dwelling unit.

(2) There shall be no external evidence of the occupation detectable at any lot line, said evidence to include, advertising signs, or displays, smoke, dust, noise, fumes, glare, vibration, electrical disturbance, storage of materials or equipment, or traffic or parking of vehicles in a manner evidencing the conduct of a business.

**Items 1 through 11 below are proposed new regulations for home-based businesses that will be added to Chapter 14, Article 14.04 Supplementary Regulations, creating a new section called “Division 13”.**

- 1) The activity shall employ only members of the immediate family that reside at the dwelling unit.
- 2) The activity shall be conducted wholly within the principal dwelling or within an accessory building.
- 3) There shall be no external evidence of the home occupation detectable at any lot line.
- 4) There shall be no interior or exterior signage shall be used to advertise the home occupation.
- 5) Merchandise shall not be offered or displayed for sale on the premises.
- 6) There shall be no outdoor storage of materials, goods, supplies, vehicles, trailers, or equipment.
- 7) No building alterations shall be allowed that alter the residential character of the home.
- 8) No repair or servicing of vehicles, internal combustion engines, large equipment, or large appliances shall be allowed unless fully contained within an accessory building.
- 9) A home occupation shall produce no offensive noise, vibration, smoke, electrical interference, dirt, odors, or heat more than those normally found in residential areas.
- 10) No toxic, explosive, flammable, combustible, corrosive, radioactive, or other hazardous materials shall be used or stored on the site for business purposes.
- 11) No traffic shall be generated by a home occupation in greater volumes than normally expected in a residential neighborhood.





# City of Lucas

## Planning and Zoning Agenda Request

### April 14, 2022

Requester: Development Services Director Joe Hilbourn

#### **Agenda Item**

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Consider the request by Brian Umberger on behalf of Pankaj Srivastava for approval of a final plat for New Castle Estates, a 17.646-acre parcel of land being part of the Jas Grayum Survey, Abstract CO-354 located on the west side of Country Club Road and north of Graham Lane at 2115 and 2125 Country Club Road.

#### **Background Information**

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This parcel of land is currently zoned Residential 2-acre (R-2), containing 17.646 acres of land, and proposes eight new residential lots.

#### **Attachments/Supporting Documentation**

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1. Minimum Requirements Checklist
2. Final Plat
3. Location Map

#### **Budget/Financial Impact**

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NA

#### **Recommendation**

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Staff recommends approval of the plat as presented.

#### **Motion**

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I make a motion to approve/deny the final plat for New Castle Estates, a 17.646-acre parcel of land being part of the Jas Grayum Survey, Abstract CO-354 located on the west side of Country Club Road and north of Graham Lane at 2115 and 2125 Country Club Road.



## PRELIMINARY AND FINAL PLAT Minimum Requirements Checklist

Project Name New Castle Estates Preparer Jason Thompson

This checklist is provided to assist you in addressing the minimum requirements for Preliminary Plat submission. Confirm that all information is included on the submitted plans by checking the box next to the required information. Checking the box certifies to the City that you have completely and accurately addressed the issue. This completed form must be returned at the time of application submittal.

If an exception or modification to the regulations is requested, the reason and/or request for each shall be provided both directly on the plan and on a separate sheet on letterhead with sufficient details as to allow a determination by the appropriate approving body. Additional information may be required. Reference the specific requirement. Plans are to be submitted complete in all detail as shown by the checklist. Should plans be determined to be incomplete, they may either be returned to the applicant without further review or marked up with needed changes. If a preliminary plat is required, a Tree Survey/Preservation Plan is also required as part of the submittal requirements with and at the time of preliminary plat submittal. Refer to the Development Plan Application packet for the needed application and checklist.

- I have made the decision NOT to waive the statutory time limits (30 days) in accordance with section 212 of the Texas Local Government Code. I understand and acknowledge that the City may DENY my plat application if not complete as determined by staff within the 30-day time period.
- The required number of copies of the preliminary plat and the approved engineering and construction plans for all public infrastructure improvements in accordance with the design standards of the City, to include all streets, water mains and services, sewer system and services, and drainage systems required to develop the proposed subdivision.
- The name, address and telephone number of the owner, the surveyor, and engineer responsible for the preparation of the final plat.
- The name of the subdivision and location map showing adjacent subdivisions, street names (which shall conform, whenever possible, to existing street names and be approved by the Post Office) and lot and blocks numbers in accordance with a systematic arrangement.
- An accurate boundary survey description of the property, with bearings and distances, referenced to survey lines, existing property descriptions and established subdivisions, and showing the lines of adjacent tracts, the layout, dimensions and names of adjacent streets and alleys and lot lines shown in dashed lines.
- Existing boundary of adjacent street, and alley rights-of-way and boundaries of right-of-way (ROW) dedication are indicated, street names are labeled, and ROW widths are dimensioned.
- Scale, north point, date, lot and block numbers.
- The name and location of adjacent subdivisions or unplatted tracts drawn to scale shown in dotted lines and in sufficient detail to accurately show the existing streets, alleys and other features that may influence the layout and development of the propose subdivision. The abstract name and number, and name of the owner of the adjacent unplatted tracts should be shown.
- Exact location of lots, streets, public highways, alleys, parks and other features, with accurate dimensions in feet and decimal fractions of feet, with the length of radii and of arcs of all curves, internal angles, points of curvatures, length and bearings of the tangents, and with all other surveyor information necessary to reproduce the plat on the ground. Dimensions shall be shown from all angle points.
- All lots on building sites shall conform to the minimum standards for area, width and depth prescribed by the zoning district or districts in which the subdivision is located and state the area size of each lot. Internal lot lines are clearly indicated, shown to scale, and labeled with bearings and distances.
- Building setback lines and the location of utility easements.
- Topographic information showing contour lines with intervals up to one (1') foot indicating the terrain, drainage pattern of the area, and the drainage basin areas within the proposed subdivision. Topographic information showing contour lines with intervals up to two (2) feet indicating the terrain, the drainage pattern of the area, and the drainage basin areas outside the boundaries of the proposed subdivision.
- The layout and dimensions of proposed storm drainage areas, easements and rights-of-way necessary for drainage within and outside the boundaries of the proposed subdivision.
- The location and purpose of all proposed parks or other areas offered for dedication to public use.



## PRELIMINARY AND FINAL PLAT Minimum Requirements Checklist

- The location of all existing property lines, buildings, sewer or water mains, storm drainage areas, water and wastewater facilities, fire hydrants, gas mains or other underground structures, easements of record or other existing features.
- The location, size and identification of any physical features of the property, including water courses, ravines, bridges, culverts, existing structures, drainage or other significant topographic features located on the property or within one hundred fifty feet (150') of the proposed subdivision.
- Copy of any deed restrictions, restrictive covenants, special use permit or planned development district ordinance regulating the property.
- The angle of intersection of the centerlines of all intersecting streets which are intended to be less than ninety (90°) degrees.
- In accordance with the city floodplain management regulations, of the Code of Ordinances, as amended, the floodplain and floodway lines and base flood elevations as shown on the current effective flood insurance rate maps for the city shall be shown, where applicable. A notation shall be shown on the face of the preliminary plat stating: "Lots or portions of lots within the floodplain or areas of special flood hazard require a development permit prior to issuance of a building permit or commencement of construction including site grading, on all or part of those lots".
- Floodplain and floodway lines and base flood elevations as shown on the current effective flood insurance rate maps for the City should be shown, where applicable.
- For a preliminary plat of land located outside the city limits where sanitary sewer does not exist or where street improvement standards vary from those specified by the city, such differences shall be noted.
- A certificate of ownership and dedication of all streets, alleys, easements, parks and other land intended for public use, signed and acknowledged before a Notary Public by the owner and lien holders of the property, along with complete and accurate metes and bounds description of the land subdivided and the property dedicated to public use.
- Receipt showing all taxes on the subject property are paid.
- Certification by a surveyor, to the effect that the preliminary plat represents a survey made by the Surveyor, and that all the necessary survey monuments are correctly shown thereon.
- A preliminary plat provided in multiple sheets shall include a key map showing the entire subdivision at smaller scale with lot and block numbers and street names on one (1) of the sheets or on a separate sheet of the same size.
- Copy of any proposed property owner or homeowners' association agreements, covenants and restrictions.
- Front and exterior side or corner setback lines are shown and labeled.
- Abstract lines, survey lines, county lines, school ISD boundary and corporate boundaries are shown and clearly labeled.
- A title block is provided in the lower right corner that includes large, boldly printed:

(Subdivision Name)

Preliminary Plat

Lot(s) \_\_\_\_\_, Block(s) \_\_\_\_\_ (survey, abstract and tract number)

If a replat, include:

Replat of Lot(s) \_\_\_\_\_, Block(s) \_\_\_\_\_

- A log of submittal/revision dates since submitted to the City.
- The purpose of a replat or amending plat is stated on the face of the plat document.
- If the proposal is a replat or amending plat, the existing lot numbers and block numbers or letters are shown as light dotted lines, with lot number designation followed by R for replats or an A for amending plats.
- Location of property lines, owner or subdivision name(s) and recording information of abutting properties is indicated. Unplatted property or any streets or alleys within a 500-foot radius of subject property are shown and identified/labeled as appropriate.



## PRELIMINARY AND FINAL PLAT Minimum Requirements Checklist

- Medians, median openings; turn lanes, deceleration/acceleration lanes and stacking distance is indicated within 200 feet of the property. The entire median, left-turn lane and/or deceleration lane and median opening serving a site is shown.
- Each lot is dimensioned, and the square footage of each lot is indicated.
- Each lot is numbered, and block groups are assigned a letter. Homeowner's association and other open space areas are identified with tract number.
- The location of existing underground and above ground utilities, flood plain boundaries and state or federally protected areas, such as wetlands, are indicated.
- The location of existing structures or other features proposed to remain and those proposed for removal.
- Existing easements are indicated by a light, dashed line and labeled indicating dimension, purpose and County recording information.
- Location, dimension, and purpose of proposed easements are indicated by a medium-weight, dashed line. Required and proposed ingress/egress or access easements are shown, clearly labeled and tied down, as appropriate.
- Existing zoning is shown.
- Location and area of parks, drainage ways, creeks and open space is indicated and labeled.
- Legal description/metes and bounds description is included.
- Include any notes required by the various affected agencies/utilities.
- Residential minor streets shall be designed and platted so that no street segment shall have a straight line for more than 1,000 feet before altering its course by at least 20 degrees.
- Sites to be reserved or dedicated for parks, playgrounds and/or other public uses are indicated and labeled.
- Preliminary water plans are included with this submittal.
- Contours are indicated with intervals of two (2) feet for property five acres or less and five (5) feet for property more than five acres.
- A note is included that states whether or not the property is in the 100-year flood plain, with the FIRM Community Panel reference number and map date.
- A note shall be added to the plat stating: **"Preliminary Plat - For Inspection Purposes Only."**



# FINAL PLAT

## Minimum Requirements Checklist

**Project Name** New Castle Estates

**Preparer** Jason Thompson

This checklist is provided to assist you in addressing the minimum requirements for final plat submission. An application is incomplete unless all applicable information noted below is submitted to the Development Services Department. Confirm that all information is included on the submitted plans by checking the box next to the required information. **Checking the box certifies to the City that you have completely and accurately addressed the issue.**

This completed form must be returned at the time of application submittal. If an exception or modification to the regulations is requested, the reason and/or request for each shall be provided on a separate sheet on letterhead with sufficient details as to allow a determination by the appropriate approving body. Additional information may be required. Reference the specific requirement. All exception/modification requests must also be specifically listed on the plans.

Plans are expected to be submitted complete in all detail as included by the checklist. Should plans be determined to be incomplete, they may either be returned to the applicant without further review or marked up with needed changes. **If a preliminary plat was not required, a Tree Survey/Preservation Plan is required as part of the submittal requirements with and at the time of submittal of the final plat. Refer to the Development Plan Application for the needed application and checklist.**

### Items to be Included:

- All information required for a Preliminary Plat.
- Record drawings, construction plans including one set of mylars and a digital copy in DWG or DGN format, and two sets of bluelines, where applicable.
- All information required for a preliminary plat.
- The improvement agreement and security if required, in a form satisfactory to the city attorney and in an amount established by the city council upon recommendation of the city engineer and shall include a provision that the owner shall comply with all the terms of the final plat approval as determined by the commission.
- Formal irrevocable offers of dedication to the public of all streets, alleys, utilities, easements and parks in a form approved by the city attorney.
- An owner may, at the discretion of the commission, obtain approval of a phase of a subdivision for which a preliminary plat was approved provided such phase meets all the requirements of this article in the same manner as is required for a complete subdivision.
- If applicable, copy of agreements, covenants and restrictions establishing and creating the homeowners' association approved by the commission based on recommendation of the city attorney.
- I have made the decision NOT to waive the statutory time limits (30 days) in accordance with section 212 of the Texas Local Government Code. I understand and acknowledge that the City may DENY my Plat Application if not complete as determined by staff within the 30-day time period.
- Location map clearly showing the location of the proposed final Plat with cross streets is included. Indicate scale or not to scale (NTS) and provide north arrow.
- Written and bar graph scale and north arrow are indicated. North shall be oriented to the top or left side of the sheet.
- Abstract lines, survey lines, corporate boundaries are shown and clearly labeled.
- A title block is provided in the lower right corner that includes large, boldly printed  
(SUBDIVISION NAME)  
FINAL PLAT (or REPLAT, AMENDING PLAT, MINOR PLAT as applicable)  
LOT(S) \_\_\_\_\_, BLOCK(S) \_\_\_\_\_  
(survey, abstract and tract number)  
If a replat, include:  
REPLAT OF LOT(S) \_\_\_\_\_, BLOCK(S) \_\_\_\_\_
- The owner and surveyor's name, address and phone number, gross and net areas as applicable, submission date, and a log of submittal/revision dates since submitted to the City.



## FINAL PLAT Minimum Requirements Checklist

- Location of property lines, owner or subdivision name(s) and recording information of abutting properties is shown.
- Abutting properties are indicated by a light solid line.
- Existing boundary of street rights-of-way adjacent to the property and boundaries of right-of-way dedication are indicated by a medium weight solid line, intermittent with two dashed lines, and widths are dimensioned.
- Existing and proposed internal alleys and streets ROW are indicated by a medium weight solid line, intermittent with two dashed lines.
- Streets are named and ROW dimensioned.
- Streets and alleys ROW within 200 feet of the subject property boundary are accurately located, dimensioned, and named/labeled.
- Residential minor streets shall be designed and platted so that no street segment shall have a straight line for more than 1,000 feet before altering its course by at least 20 degrees.
- The length and bearing of all straight lines, radii, arc lengths, tangent length and central angles of all curves are indicated along the lines of each lot. The curve data pertaining to block or lot boundary may be placed in a curve table at the base of the plat and prepared in a tabular form with the following information:
  - Curve number
  - Delta
  - Radius
  - Tangent length
  - Tangent offset
  - Arc length
  - Chord
- The description and location of all survey monuments placed in the subdivision or immediately adjacent to it are shown.
- In all subdivisions, corners are established at the corner of each block in the subdivision consisting of an iron rod or pipe not less than three-quarter inches (3/4") in diameter and twenty-four inches (24") deep, flush with the top of the sidewalk or other paving, surface, etc. All lot corners shall be installed prior to the final inspection of the subdivision.
- Lot corner monuments are placed at all lot corners except corners which are also block corners, consisting of iron rods or pipes of a diameter of not less than one-half inch (1/2") and eighteen inches (18") deep set flush with the top of the sidewalk. All lot corners shall be installed prior to the final inspection of the subdivision.
- Curve point markers are established using the same specifications as lot corners. All lot corners shall be installed prior to the final inspection of the subdivision.
- Internal lot lines are clearly indicated and shown to scale.
- Each lot is dimensioned with bearings and distances, as applicable, and the square footage of each lot is indicated.
- Each lot is numbered, and block groups are assigned a letter.
- The location of flood plain boundaries and state or federally protected areas, such as wetlands, are indicated.
- Existing easements are indicated by a light, dashed line and labeled indicating dimension, purpose, and County recording information.
- Proposed easements are indicated by a medium weight, dashed line and labeled indicating dimension and purpose.
- Required cross access or ingress/egress easements are shown, dimensioned, labeled, and properly tied down.
- Existing zoning of the subject property is indicated.
- Location and area of parks, drainage ways, and open space is indicated. Open space/Homeowner's Association (HOA) areas are to be labeled with tract number/s.
- A legal description/metes and bounds description is included.
- Include any notes required by the various affected agencies/utilities.
- Sites to be reserved or dedicated for parks, playgrounds and/or other private or public use are indicated.
- A note is included that states whether or not the property is in the 100-year flood plain, with the F.I.R.M. Community Panel reference number and map date indicated.



## FINAL PLAT Minimum Requirements Checklist

- Applicable notes have been added to the plat. Any change from the wording shown herein shall be approved by the City of Lucas.
- The Improvement Agreement and security, if required, in a form satisfactory to the City Attorney and in an amount established by the City Council upon recommendation of the City Engineer and should include a provision that the owner will comply with all the terms of the final plat approval as determined by the Commission.
- At the discretion of the Commission, obtain approval of a phase of a subdivision for which a Preliminary Plat was approved provided such phase meets all the requirements of the subdivision ordinance.
- Copy of agreements, covenants and restrictions establishing and creating the homeowners' association approved by the Commission based on recommendation of the City Attorney. (if applicable)
- The purpose of a Replat or Amending Plat is specifically noted on the face of the drawing.
- Homeowner Association Covenants, Conditions, and Restrictions (CCR's) are submitted for review and include statements for perpetual maintenance and provisions for maintenance by City of Lucas should the homeowner's association (HOA) dissolve.
- The Improvement Agreement and security, if required, in a form satisfactory to the City Attorney and in an amount established by the City Council upon recommendation of the City Engineer and should include a provision that the owner will comply with all the terms of the final Plat approval as determined by the Commission.
- The following certificates shall be placed on the final plat in a manner that will allow them to be clearly visible on the final plat.

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF LUCAS, TEXAS, ON THE  
\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Chairperson, Planning and Zoning Commission

\_\_\_\_\_  
Zoning Secretary

“APPROVED FOR PREPARATION OF FINAL PLAT”

\_\_\_\_\_  
Chairman, City of Lucas  
Planning and Zoning Commission

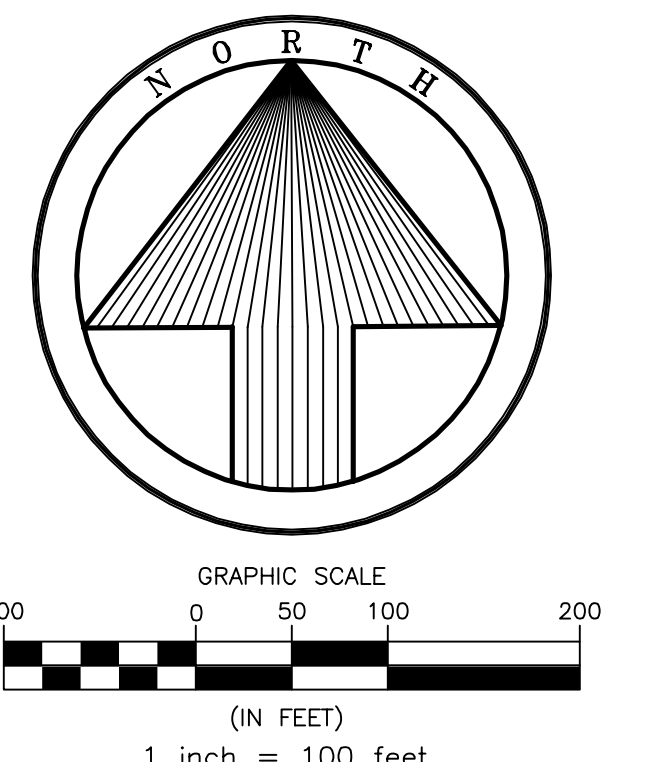
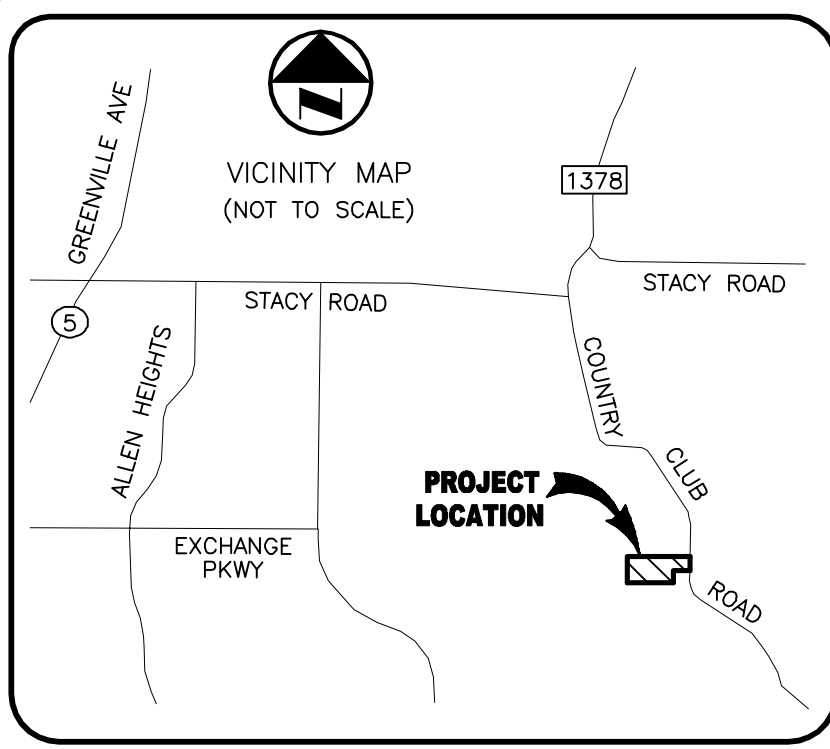
Date

\_\_\_\_\_  
Development Services Director

Date

\_\_\_\_\_  
Director of Public Works

Date



**LEGEND**  
 B.L. = BUILDING LINE  
 D.U.E. = DRAINAGE AND UTILITY EASEMENT  
 I.P.F. = IRON PIPE FOUND  
 I.R.F. = IRON ROD FOUND  
 I.R.S. = IRON ROD SET WITH BLUE CAP STAMPED "HINE THOMPSON"

CI  
 RADIUS = 61.50'  
 DELTA = 291°35'59"  
 CHORD BEARING = S 19°59'56" E  
 CHORD LENGTH = 69.14'  
 ARC LENGTH = 313.00'

**OWNERS CERTIFICATE**

**STATE OF TEXAS  
 COUNTY OF COLLIN**

WHEREAS eVantage Ventures LLC is the owner of two tracts of land situated in the James Grayum Survey, Abstract Number 354, Collin County, Texas, and being all of a called 2.998 acre tract of land (Tract 1) and all of a called 7.001 acre tract of land (Tract 2) described in a deed to eVantage Ventures LLC, recorded as Instrument Number 2019053000615410 in the Official Public Records of Collin County, Texas; and Ramon Loeza is the owner of four tracts of land, being all of a called 2.0 acre tract of land (Tract 1), all of a called 2.0 acre tract of land (Tract 2), and all of a called 2.0 acre tract of land (Tract 3) described in a deed to Ramon Loeza recorded as Instrument Number 20170907001206100 in the Official Public Records of Collin County, Texas; and being the remainder of a called 2.0 acre tract of land described in a deed to Ramon Loeza recorded as Instrument Number 20170407000447680 in the Official Public Records of Collin County, Texas; and David W. Bevins and wife, Lidonna M. Bevins are the owners of two tracts of land, being the remainder of a called 8.00 acre tract of land (Tract I) described in a deed to David W. Bevins and wife, Lidonna M. Bevins recorded as Instrument Number 2005-0154161 in the Official Public Records of Collin County, Texas, and being the remainder of a called 1.00 acre tract of land described in a deed to David W. Bevins and wife, Lidonna M. Bevins recorded as Instrument Number 2005-0154162 in the Official Public Records of Collin County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found for corner in the West right-of-way line of Country Club Road (FM 1378) (90° right-of-way) at the Northeast corner of said 2.998 acre tract;

Thence South 00°40'51" East along the West right-of-way line of said Country Club Road and the East lines of said 2.998 acre tract, said 7.001 acre tract, and said 1.00 acre tract, a distance of 335.14 feet to a 1/2" iron rod with a blue cap stamped "HINE THOMPSON" set for corner at the Northeast corner of a called 1.20 acre tract of land described in a deed to Eric Lambert and Misty Lambert recorded as Instrument Number 20140826000915220 in the Official Public Records of Collin County, Texas;

Thence North 89°48'29" West along the North line of said Lambert tract, a distance of 367.71 feet to a 3/8" iron rod found for corner at the Northwest corner thereof;

Thence South 00°19'29" East along the West line of said Lambert tract and the West line of a called 1.2 acre tract of land described in a deed to Aurora Espinosa recorded as Instrument Number 20190416000407680 in the Official Public Records of Collin County, Texas, a distance of 276.09 feet to a 1/2" iron rod with a blue cap stamped "HINE THOMPSON" set for corner in the North line of a called 2.781 acre tract of land described in a deed to Thomas Harry Jones and wife, Diane Irene Jones recorded as Volume 1877, Page 943, in the Official Public Records of Collin County, Texas;

Thence North 89°56'04" West along the North line of said Jones tract, the North line of a called 4.00 acre tract of land described in a deed to Jane C. Ridgway recorded as Instrument Number 96-0081366 in the Official Public Records of Collin County, Texas, the North line of a called 2.469 acre tract of land described in a deed to Carlos Diaz, Monica Diaz, and Gerardo Gonzalez recorded as Instrument Number 20190214000156460 in the Official Public Records of Collin County, Texas, and the North line of a called 2.47 acre tract of land described in a deed to Jackie F. Ostrander and Judith A. Ostrander, Trustees recorded as Instrument Number 94-0018682 in the Official Public Records of Collin County, Texas, a distance of 1056.21 feet to a 3/4" iron pipe found for corner at the Southwest corner of said Loeza Tract 3;

Thence North 00°15'21" West along the West line of said Loeza Tract 3, a distance of 305.70 feet to a 1/2" iron rod found for corner at the Northwest corner thereof, same being the Southwest corner of said 7.001 acre tract of land;

Thence North 00°41'15" West along the West line of said 7.001 acre tract, a distance of 305.33 feet to a 1/2" iron rod found for corner at the Northwest corner thereof;

Thence South 89°59'25" East along the North line of said 7.001 acre tract, and the North line of said 2.998 acre tract, a distance of 1423.39 feet to the POINT OF BEGINNING and containing 17,646 acres of land.

**DEDICATION STATEMENT**

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, eVantage Ventures LLC, and David W. Bevins and wife, Lidonna M. Bevins, and Ramon Loeza, do hereby adopt this plat designating the herein described property as **NEW CASTLE ESTATES**, an addition to the City of Lucas, Texas, and does hereby dedicate to the City of Lucas, the roads, rights-of-way and easements shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, to the City of Lucas forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Lucas's use thereof. The City of Lucas and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the systems in said Easements. The City of Lucas and public utility entities shall at all times have the full right of Ingress and Egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or parts of their respective systems without the necessity at any time procuring the permission from anyone.

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

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

Pankaj Srivastava (eVantage)          Ramon Loeza  
 \_\_\_\_\_  
 \_\_\_\_\_

Davis W. Bevins          Lidonna M. Bevins  
 \_\_\_\_\_  
 \_\_\_\_\_

**STATE OF TEXAS  
 COUNTY OF \_\_\_\_\_**

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared **Mahendra J. Patil**, known to me 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 expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
 Notary Public in and for the State of Texas.          My Commission Expires: \_\_\_\_\_

**STATE OF TEXAS  
 COUNTY OF \_\_\_\_\_**

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared **Unam Patil**, known to me 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 expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
 Notary Public in and for the State of Texas.          My Commission Expires: \_\_\_\_\_

**STATE OF TEXAS  
 COUNTY OF \_\_\_\_\_**

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared **Ramon Loeza**, known to me 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 expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
 Notary Public in and for the State of Texas.          My Commission Expires: \_\_\_\_\_

**STATE OF TEXAS  
 COUNTY OF \_\_\_\_\_**

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared **David W. Bevins**, known to me 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 expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
 Notary Public in and for the State of Texas.          My Commission Expires: \_\_\_\_\_

**STATE OF TEXAS  
 COUNTY OF \_\_\_\_\_**

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared **Lidonna M. Bevins**, known to me 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 expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
 Notary Public in and for the State of Texas.          My Commission Expires: \_\_\_\_\_

**RELEASE OF EASEMENT**

**STATE OF TEXAS  
 COUNTY OF COLLIN**

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **Eric Lambert and Misty Lambert**, have forever remised, released and relinquished and by these presents do Forever Remise, Release and Relinquish all that certain 25' Roadway Easement interest created and established in a Warranty Deed to Eric Lambert and Misty Lambert recorded as Instrument Number 20140826000915220 in the Official Public Records of Collin County, Texas, insofar as it affects or appertains to the premises described on this plat.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

Eric Lambert          Misty Lambert  
 \_\_\_\_\_  
 \_\_\_\_\_

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **Ramon Loeza**, has forever remised, released and relinquished and by these presents do Forever Remise, Release and Relinquish all that certain 25' Roadway Easement interest created and established in a Warranty Deed to Ramon Loeza recorded as Instrument Number 20170907001206100 in the Official Public Records of Collin County, Texas, insofar as it affects or appertains to the premises described on this plat.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
 Ramon Loeza

**ON-SITE SEWAGE FACILITIES (OSSF) NOTES:**

- All lots must utilize alternative type On-Site Sewage Facilities.
- Must maintain state-mandated setback of all On-Site Sewage Facility components from any/all easements and drainage areas, water distribution lines, sharp breaks and/or creeks/rivers/ponds, etc. (Per State regulations).
- Any existing OSSFs on any of the new lots must be legally abandoned prior to development of the individual lot.
- Tree removal and/or grading for OSSF may be required on individual lots.
- 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.
- There are no water wells noted in this subdivision and no water wells are allowed without prior approval from Collin County Development Services.

**HEALTH DEPARTMENT CERTIFICATION**

I hereby certify that the on-site sewage facilities described on this 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

**CITY APPROVAL CERTIFICATE**

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

Chairman, Planning and Zoning Commission      Date \_\_\_\_\_

ATTEST:  
 Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Name \_\_\_\_\_ Date \_\_\_\_\_

The Director of Public Works of the City of Lucas, Texas hereby certifies that to 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 to 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 \_\_\_\_\_

**NOTES**

- By graphical plotting, the parcel described hereon does not lie within a Special Flood Hazard Area, as delineated on the Collin County, Texas and Incorporated Areas, Flood Insurance Rate Map, Map Number 48085C0405 J, dated June 02, 2009, as published by the Federal Emergency Management Agency. The above flood statement does not imply that the property and/or structures will be free from flooding or flood damage. On occasion, greater floods can and will occur and flood heights may be increased by man-made or natural causes. The above flood statement shall not create liability on the part of the surveyor.
- Property owners are required to maintain property within rights-of-way adjacent to their lot, drainage and utility easements within their lot to the edge of pavement.
- Only wrought iron fences are permitted within drainage easements.
- A 1/2-inch iron rod with a blue cap stamped "HINE THOMPSON" will be set at all boundary corners and lot corners, points of curvature, points of tangency and angle points in public rights-of-way unless otherwise shown or noted in this drawing after development is completed.
- Selling a portion of any lot within this addition by metes and bounds is a violation of state law and city ordinance and is subject to fines and withholding of utilities and building permits.
- Source bearing is based on the West line of the deed recorded in Instrument Number 20180606000695650 in the Official Public Records of Collin County, Texas.
- Lot 1 shall not have direct access to Country Club Road (FM 1378).
- Existing Zoning is R2

**SURVEYOR'S CERTIFICATE**

KNOW ALL MEN BY THESE PRESENTS:

That I, Jason D. Thompson, hereby certify, that I prepared this plat from an actual on the ground survey of the land as described and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Lucas Planning and Zoning Commission.

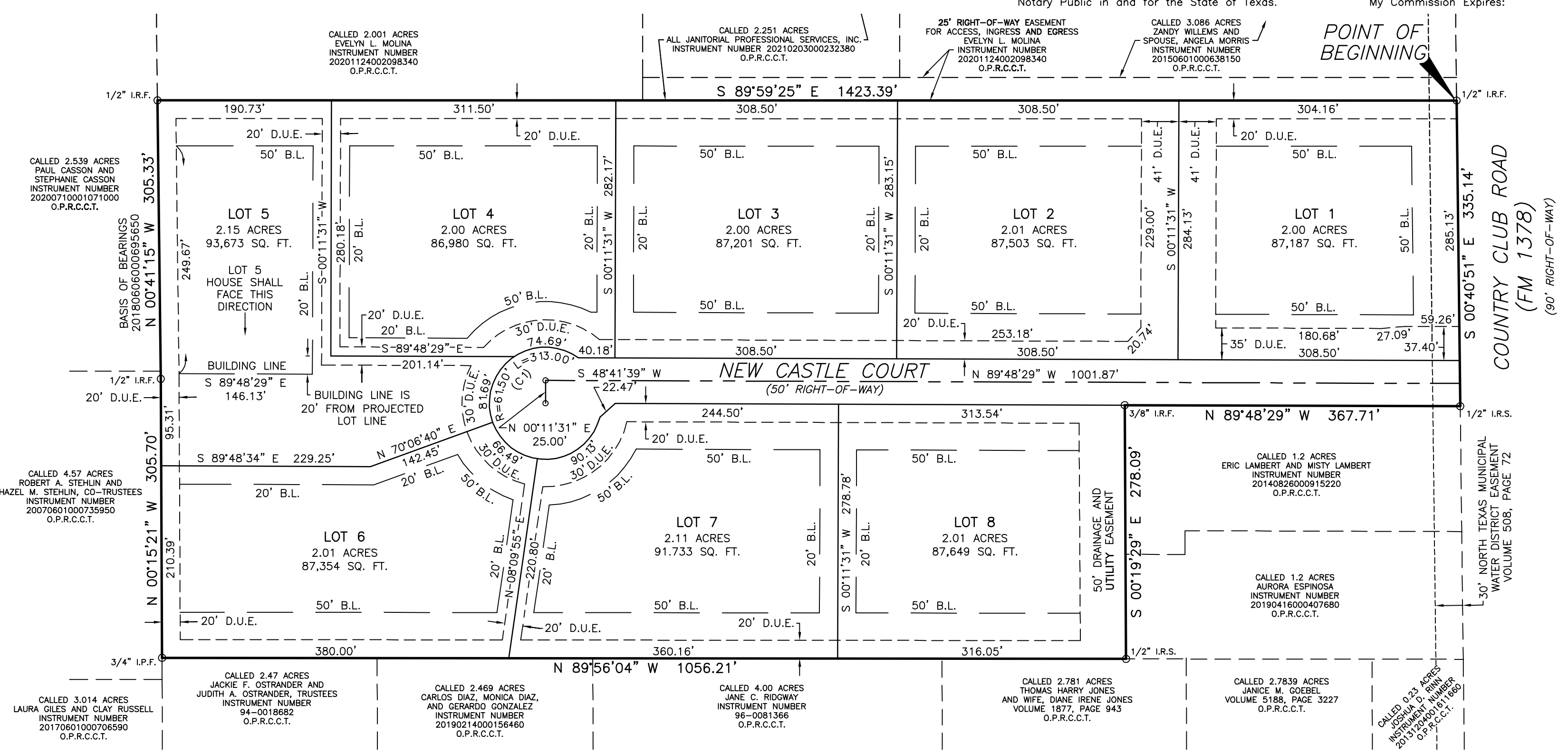
**PRELIMINARY**  
 11/01/2021 FOR REVIEW ONLY AND SHALL NOT BE RECORDED FOR ANY PURPOSE.  
 JASON D. THOMPSON  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 6096

**STATE OF TEXAS  
 COUNTY OF \_\_\_\_\_**

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared **Jason D. Thompson**, known to me 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 expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
 Notary Public in and for the State of Texas.          My Commission Expires: \_\_\_\_\_



**FINAL PLAT  
 NEW CASTLE ESTATES**  
 17.646 ACRES  
 8 RESIDENTIAL LOTS  
 JAMES GRAYUM SURVEY, ABSTRACT NUMBER 354  
 CITY OF LUCAS, COLLIN COUNTY, TEXAS

ZONING: R-2          NOVEMBER 2021

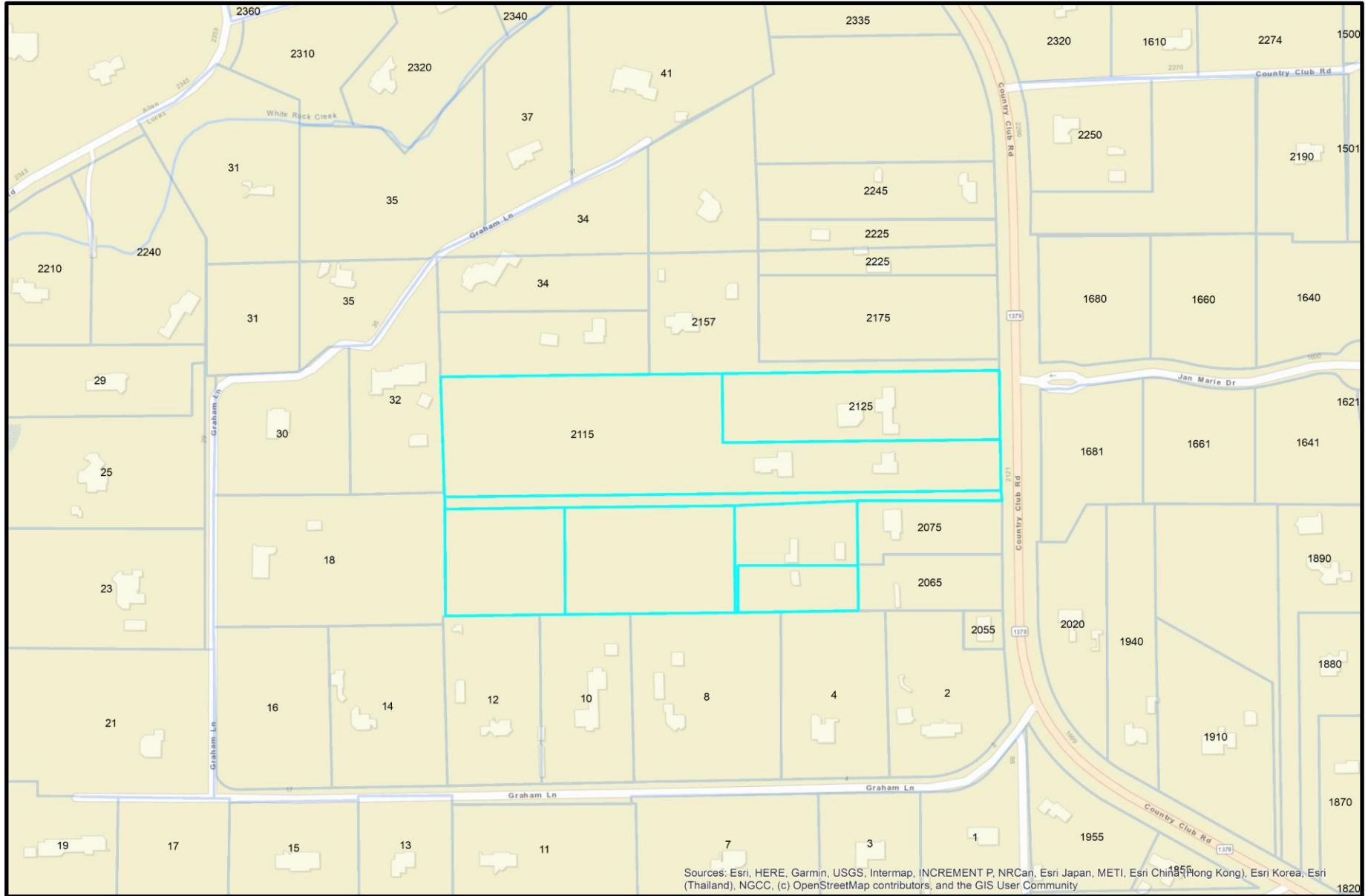
**SURVEYOR**  
 HINE-THOMPSON  
 LAND SURVEYING  
 508 CRESTRIDGE ROAD  
 HEATH, TEXAS 75032  
 JASON D. THOMPSON, RPLS  
 (214) 498-8757

SHEET  
 1/1





# LOCATION MAP: NEWCASTLE ESTATES





# City of Lucas

## Planning and Zoning Agenda Request

### April 14, 2022

Item No. 06

Requester: Planning and Zoning Commission

#### **Agenda Item Request**

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Discuss and review Chapter 7, Streets and Drainage, of the City of Lucas Comprehensive Plan including the Master Thoroughfare Plan and recommend proposed amendments if needed.

#### **Background Information**

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The Planning and Zoning Commission began the process of updating the City’s Comprehensive Plan in January 2022 with recommended revisions being forwarded to City Council for review. The following updated table outlines a status timeline of the review process of the City of Lucas Comprehensive Plan:

Chapters	Planning and Zoning Review	City Council Review
Chapter 1 <i>(complete)</i>	January 13	February 17
Chapter 2 <i>(complete)</i>	January 13	February 17
Chapter 3 <i>(complete)</i>	January 13	February 17
Chapter 4 <i>(complete)</i>	February 10	March 3
Chapter 5 <i>(complete)</i>	February 10	March 3
Chapter 6 <i>(complete)</i> <i>(including Trails Master Plan)</i>	March 10	April 7
Chapter 7 <i>(including Master Thoroughfare Plan)</i>	April 14	May 5
Land Use Map and Zoning Map	May 12	June 2
Chapter 8 <i>(including Water Master Plan)</i>	June 9 (tentative)	June 16 (tentative)

The City of Lucas hired Gary C. Hendricks, P.E., R.P.L.S. of Birkhoff, Hendricks & Carter, L.L.P. (BHC) to create an updated water master plan. Per BHC’s contract, they will provide the following:

1. Review the water capital improvement projects included in the last impact fee report.
2. Review, update, and add where necessary capital projects eligible for recovery in the impact fee program.
3. Update the impact fee models for the years 2022 and 2032 based on population and land use absorption provided by the City. Water models will be 72-hour extended period simulation models for maximum hourly demand conditions. Impact fee models will be compared to the Master Plan buildout models to determine excess capacity in impact fee water lines and facilities.
4. Update the 10-year capital improvement program, including opinions of probable costs and implementation schedule. The 10-year Capital Improvement Program will be based on land use and growth assumptions provided by the City of Lucas.



# City of Lucas

## Planning and Zoning Agenda Request

### April 14, 2022

Item No. 06

5. Inventory new and existing water and wastewater projects eligible for the impact fee program.
6. For each project identified, analyze the capacity currently utilized, total capacity available, and the capacity utilized over the impact fee period.
7. The water distribution system master plan relies on the configuration of the thoroughfare plan roadway network. In other words, water lines are situated in thoroughfare rights of way (not along creeks or cross-country). That is why we need the thoroughfare plan to establish the water distribution network.

As mentioned in item 7 above, it is important to have the Master Thoroughfare Plan updated before work can begin on the Water Master Plan.

Once all reviews and revisions are complete by the Planning and Zoning Commission and City Council, the City Secretary will finalize the comprehensive plan document and we will provide both Planning and Zoning and the Lucas City Council with an opportunity to review it and staff will request that the Lucas City Council schedule the two required public hearings.

A draft/working copy of the 2022 Master Thoroughfare Plan has been included with this agenda item that outlines proposed roadway and intersection improvements.

At the City Council meeting on December 2, 2021, the Council directed the Planning and Zoning Commission to review the following items related to the Master Thoroughfare Plan and Chapter 7 and provide a recommendation to the City Council on any proposed updates:

- Review all proposed future roadways including Allison Lane and review the Forest Grove extension that loops to Snider Lane and determine if they should remain on the Thoroughfare Plan
- Consider increasing right of way widths from 90 feet to 120 feet on all thoroughfares
- Consider leaving right of way as is and requiring the State to acquire right of way
- Review drainage system analysis in the Comprehensive Plan and include the intent of drainage and how it works
- Determine if the geometric configuration of the streets outlined in the Comprehensive Plan meets current vehicle demands as well as future demands
- Recommended roads for reconstruction graph needs updating
- Remove Highland Drive as a through roadway from FM 1378 to Lewis Lane

It is important that Planning and Zoning Commission look closely at the following City roadways that tend to carry the most traffic:

- Blondy Jhune Road
- Brockdale Park Road
- East Winningkoff Road
- Forest Grove Road
- Highland Drive (existing portion)
- Ingram Lane
- Lewis Lane (City of Lucas manages approximately 2,300 feet of the northern section)
- Orr Road



# City of Lucas

## Planning and Zoning Agenda Request

### April 14, 2022

Item No. 06

- Rock Ridge Road (City of Lucas manages approximately 300 feet of the southern section)
- Stinson Road
- Snider Road
- Winningkoff Road

The City Council is concerned about the development that is occurring east of Lucas and the impact that development is having and may have on the Lucas Fire Department and our Sheriff's Deputy as it relates to service to the City of Lucas. The Lucas City Council has requested that the City Manager review/study the impact to the City of Lucas public safety from development outside of the City's corporate limits and provide a report to City Council. City staff is going to be addressing the long-term plan for public safety and an important part of this evaluation will be looking at response times in geographical sections of the city. Future roadway connections should be considered for internal mobility in providing for emergency medical services, fire suppression and law enforcement responses.

#### **Attachments/Supporting Documentation**

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1. Revised Chapter 7, Streets and Drainage of the Comprehensive Plan
2. Draft/working copy of the 2022 Master Thoroughfare Plan (removed connection from Allison Lane to Rock Ridge Road)
3. List of future road and intersection improvements

#### **Budget/Financial Impact**

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NA

#### **Recommendation**

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City staff recommends the following:

Maintain the following Type B state-owned arterials as four-lanes but add clarification that they should be divided to improve safety:

- FM 1378 Country Club Road and Southview (1)
- FM 2514 Parker Road
- FM 3286 East Lucas Road
- FM 2551 Estates Parkway

Notes on Type B arterial roadways:

(1) FM 1378 Country Club Road expansion is currently being evaluated by the Texas Department of Transportation (TxDOT). A public meeting was held on April 5, 2022 and public comment is being received until April 20, 2022. The Lucas City Council has not taken an official position on this project and is encouraging citizens to provide feedback. Consideration should be given to keeping any expansion of FM 1378 within current right-of-way to avoid negative impacts.



# City of Lucas

## Planning and Zoning Agenda Request

### April 14, 2022

Item No. 06

(2) The only locally managed arterial roadway is West Lucas Road from Angel Parkway to Country Club. It offers an important connection to state-managed arterials and is currently under design to become a four-lane divided roadway.

- Blondy Jhune Road – Leave as Type C Neighborhood Connector
- Brockdale Park Road – Revise as Type D Local Street
- East Winningkoff Road - Leave as Type C Neighborhood Connector
- Forest Grove Road - Leave as Type C Neighborhood Connector
- Forest Grove Road – Leave proposed connection (blue segment) to Orr Road but reclassify this connection as Type D Local Street
- Highland Drive – Leave proposed connection (blue segments) in place but reclassify entire roadway as Type D Local Street
- Ingram Lane - Leave as Type C Neighborhood Connector
- Lewis Lane - Leave as Type C Neighborhood Connector
- Orr Road - Leave as Type C Neighborhood Connector
- Rock Ridge Road - Leave as Type C Neighborhood Connector
- Stinson Road - Leave as Type C Neighborhood Connector
- Stinson Road – Leave in connection to Edgewood Drive (blue segment)
- Snider Road - Leave as Type C Neighborhood Connector
- Winningkoff Road - Leave as Type C Neighborhood Connector

#### **Motion**

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Provide direction to staff regarding any proposed amendments to Chapter 7, Streets and Drainage and the Master Thoroughfare Plan.

# CHAPTER 7

## STREETS AND DRAINAGE

### STREETS

The livelihood of a community is, to a very large extent, dependent upon convenient and efficient access to nearby major trade centers, ~~major national travel routes and transportation terminals of national importance outside of the city.~~ It is likewise dependent upon efficient circulation of people within the city. Local streets should provide safe, reliable access to work, schools, shopping, and homes. A street network, therefore, is of vital importance as it ties a community together and links it to the outside world.

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The primary function of a street network is the safe and efficient movement of vehicles and people. The street network of any city operates, in effect, as the skeleton of that city, providing access in varying degrees to all properties abutting the network. In addition to moving traffic, streets provide access to and drainage for abutting properties, open space between buildings, and right-of-way for various utilities. In this way, the street network is a primary factor in the determination of appropriate land use locations.

When adequate streets and drainage facilities are constructed, they can represent the largest single required expenditure of a city. As roads age they are affected by many factors: the quality of the soil under the road base, the type of pavement surface; type of preventative maintenance; and drainage conditions in the area (related to topography).

Repairing the roads to proper standards for long term durability can require roads to be raised or lowered to improve drainage, dedicate additional right-of-way, install improved drainage facilities, and use appropriate road construction materials.

### DRAINAGE

To protect property from flooding, it is imperative to facilitate drainage through natural and designed drainage systems. The topography of Lucas consists of both level and rolling terrain. As a result, localized flooding can occur, especially where culvert and drainage ditches are obstructed with vegetation or debris.

Many factors directly affect the surface storm drainage. To minimize property damage from flooding during periods of intense rainfall, the drainage system for a community should be properly designed, sized, constructed, and maintained. Storm drainage facilities include inlets, culverts, bridges, concrete lined channels, natural drainage channels, swales, creeks, retention and detention ponds, and lakes.

Drainage can have significant effects on structural durability of streets and travel safety. Level ground and poor drainage allows water to collect in some areas, which can erode the road base, cause sections of roadway to fail, and lead to loss of traction on the road. Currently roadway drainage is primarily

handled via open channels and culverts. Maintenance in these channels is needed to avoid overgrowth of trees and other vegetation. Overgrowth can make roads difficult to drain and roots can undermine the structural stability of the pavements. As a result, the drainage system is discussed in conjunction with the streets system in this chapter.

## BRIDGES/CULVERTS

Bridges and culverts are important parts of the infrastructure in the city. Both provide passage for transportation, usually over running water. While there are technical differences between bridges and culverts, for the purpose of thoroughfare planning, the road segment is the object of analysis independent of the engineering design characteristics of crossings, insofar as the decision to maintain such connections determines major traffic routes regardless of how the crossing is ultimately achieved. The City of Lucas has the following bridges/culverts over waterways along city-maintained thoroughfares:

- West Blondy Jhune Bridge
- East Blondy Jhune Bridge
- Snider Lane Bridge
- Stinson Culvert
- Winningkoff Bridge

By maintaining these bridges/culverts, Lucas maintains connection across the locations where these segments span. The decision to define these segments as thoroughfares necessitates the maintenance of these drainage/roadway assets. Additional roadways exist over waterways along local streets. These are not included in the thoroughfare plan because they do not carry through traffic and may be added, removed or modified by individual developments at a smaller scale.

[The Texas Department of Transportation \(TxDOT\)](#) maintains additional crossings over watercourses at the state's discretion so, while the same principle concerning the street segments does apply, the city has no direct ownership or control over these crossings.

## STREET SYSTEM ANALYSIS

### General Street Statistics

Within the city, traffic control is achieved primarily with signage. The city does not own, operate, or monitor any traffic signals to control traffic flow. TxDOT controls the traffic signals at these intersections:

- West Lucas Road and Southview Drive
- West Lucas Road and Country Club Road
- Country Club Road and Estates Parkway

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## STREET CONFIGURATION AND FUNCTIONAL CLASSIFICATION

The roadways in Lucas are classified as arterials (Type A and B), neighborhood connectors (Type C), and local streets (Type D). All of these roadways provide different levels of access and serve varying levels of traffic volume.

The highest level of roadway in Lucas is the arterial, which carries larger volumes of traffic based upon the number of lanes, with limited access connections. Most of these arterial roads are classified as Farm to Market (FMs) roads. Established in Texas through legislation in 1949, Farm to Market Roads exist as secondary state highway transportation systems connecting rural or agricultural areas to towns and city centers. The FMs have become an integral part of many Texans' daily commute. ~~TxDOT maintains the state's FMs within the City of Lucas which consist of the following:~~

- FM 1378 Country Club Road and Southview
- FM 2514 Parker Road
- FM 3286 East Lucas Road
- FM 2551 Estates Parkway

Worth noting is the local arterial roadway which is West Lucas Road, from Angel Parkway to Country Club, that is maintained by the City of Lucas offering an important connection to ~~state-managed~~ arterials.

The neighborhood connector carries less traffic utilized for mostly local trips and has a higher level of access. ~~These neighborhood connector streets are owned and maintained by the city and consist of the following:~~

- Blondy Jhune Road
- Forest Grove Road
- Highland Drive (existing portion)
- Ingram Lane
- Lewis Lane (the City manages 600 feet of the northern section that is within the City of Lucas)
- Orr Road
- Rock Ridge Road (the City manages 300 feet of the southern section that is within the City of Lucas)
- Stinson Road
- Snider Road
- Winningkoff Road

~~Additional neighborhood connectors for consideration to serve future development and public safety consist of:~~

**Deleted:** The Texas Department of Transportation (

**Deleted:** )

**Deleted:** and

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**Moved down [1]:** Local streets have direct access to every parcel and carry a more limited volume of traffic.

**Commented [SH1]:** From Commissioner Rusterholtz: This paragraph including the streets listed below will only be valid if approved in the Master Thoroughfare Plan.



- Highland Drive
- Completion of northern loop consisting of Forest Grove Road past Orr Road to the east, heading south to East Winningkoff Road and connecting to Snider Lane
- The construction of Allison Lane from West Lucas Road to Estates Parkway
- The extension of Edgewood Drive across West Lucas Road to connect to Stinson Road and reconfiguration of the existing Stinson Road intersection with West Lucas Road to allow for more efficient traffic flow.

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The remaining streets in the city function as local streets. Local streets have direct access to every parcel and carry a more limited volume of traffic. The 2022 Master Thoroughfare Plan representing the street network in the City of Lucas is located in the Appendix.

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## STREET SYSTEM EVALUATION

Like other elements of public infrastructure, a street system should be understood as a portfolio of capital assets and must be managed accordingly. Therefore, it is essential that the city have a street condition assessment and management system in place before beginning major improvements to roadways. This system helps to ensure that streets in the existing developed areas of Lucas are improved in a uniform and orderly manner. It is through such a system that completed city projects will provide maximum benefits and will become an integral part of the future city infrastructure. This should assist in the elimination of duplicate expenditures and assure that possible early obsolescence of improvements can be avoided.

A system inventory as part of a street management system helps to identify different segments of the roadway system. Condition evaluation of the roadway segments is the first step in planning improvement. Such a system will provide a continuous evaluation of the street system inventory. It will also help to detect developing problems and determine the proper corrective action needed. If a road is found to be adequate for its present service, it should be re-evaluated in detail every five to 10 years to determine the trend of changes affecting its future adequacy. A complete evaluation of the roadway system would include all arterials, neighborhood connectors, and local streets in the city. As part of the condition assessment, an extensive visual evaluation of the pavement surface conditions, drainage, traffic control devices, and environmental conditions would be performed. This evaluation includes collecting data on the existing roadway conditions and rating evaluated elements for adequacy.

The criteria for the condition assessment are based on criteria which was adapted to the city needs. This condition assessment assists in identifying roadways that are candidates for maintenance, repair or total reconstruction.

## EXISTING STREET CONDITIONS

In 2022, the city conducted a pavement condition assessment to gather data to better prepare maintenance and rehabilitation planning. This initial assessment gathered data from approximately 75 miles of city-maintained roadways and assigned ratings using a 5-tier rating model based on the Pavement Surface Evaluation and Rating (PASER) system, a system developed to evaluate the condition of road segments. The city will update this data collection annually for initiative-taking

maintenance planning, preservation activities towards maintaining an acceptable rating, and use resources effectively by identifying segments most in need of repair to help extend the life cycle of the city's roadways. See Figure 1.9 Pavement Condition Rating and Percentage

Rating	Maintenance Methods
1 Excellent	- (New Pavement)
2 Very Good	- (Crack has been sealed)
3 Good	Crack Seal/ Chip Seal / Routine Maintenance
4 Fair	Minor Rehabilitation
5 Poor	Major Rehabilitation

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Future road project are ranked according to priority as follows:

1) Street Paving

A large number of streets in the city are paved, have acceptable pavement width and are in fair to good condition. A number of asphalt streets are demonstrating signs of potential failure due to inadequate road bases, poor soil condition, heavy traffic volumes, age, and drainage issues.

2) Street Drainage

Some of the street system has been affected by poor drainage flow. The key areas that need to be addressed are silted and improperly sloped open channels along some roadways as well as the silted or undersized culverts. These channels and culverts allow water to flow across and under roadways causing premature damage. Potholes, cracks, and slumped pavement are examples of what can happen when the road base is allowed to erode.

3) Street Right-of-Way

Many of the roadways appear to need additional right-of-way to address drainage issues. Existing channels are too close to the road base, allowing water to impact road conditions. These narrow rights-of-way allow trees to grow too close to the roadways. When the right-of-way is not cleared or maintained, tree roots have been found to burrow under the roadway causing damage to the pavement.

4) Surface Conditions

Surface distresses may appear on city streets. Asphalt pavement related distresses that are most common included: longitudinal and transverse cracking, potholes and patch deterioration, rutting, shoving and corrugation, alligator cracking, shoulder/pavement edge drop-offs, and deterioration.

5) Street Width

Undersized roadways in the city can hamper vehicular circulation. Design consideration should include proper street widths for new and newly reconstructed roadways.

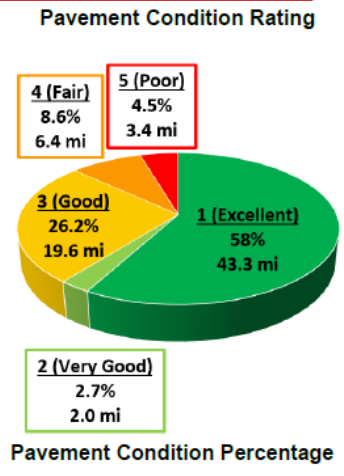


Figure 1.9 Pavement Condition Rating and Percentage

## TYPES OF STREET IMPROVEMENTS

There are several different methods of maintaining streets within a city. The appropriate choice depends upon the condition of roadway, the anticipated traffic load, and available funds.

Recommended street maintenance alternatives can include the following.

- Point Repairs -- Excavation of failed pavement sections and repair pavement surfaces (pothole repair).
- Level-Up -- Leveling of depressions in pavement with hot/cold mix asphalt concrete. This is used to even out roadway surface.
- Seal-Coat -- Application of asphaltic cement covered with uniform size of aggregate and rolling the aggregates after application. Ideally used once every three to five years to maintain streets and forestall more costly repairs. It should be noted that sealcoating does not address the structural deficiencies and it is only effective when the roadway base is in relatively good structural condition.
- Overlay -- Depending on the severity of wear, approximately one inch of surface is milled off the existing roadway. The remaining surface material is then overlaid with hot mix asphaltic concrete followed by a surface treatment. This is used to completely replace the surface material of a street to address pavement deterioration and extend street life.
- Reclaim -- Scarifying existing pavement and base material while adding cement to create a recycled asphalt-enhanced roadway base. The base is then compacted and overlaid with a new asphaltic concrete pavement. Streets receiving this treatment might last five years depending on the traffic load and environmental conditions.
- Reconstruction -- Roadway reconstruction options remove the existing pavement and new asphalt, or reinforced concrete pavement is installed. The goal is to construct pavement that has a minimum 20 year life span.

## DRAINAGE SYSTEM ANALYSIS

The entire city relies on stormwater drainage to be carried on the surface. The storm drainage system of Lucas currently consists of a system of channels and culverts. These facilities carry stormwater runoff within Lucas to the eventual terminus outside the city limits in Lake Lavon or Lake Ray Hubbard.

Annual precipitation in Lucas is approximately 42 inches per year. Rains are heaviest in spring and fall. City streets are crowned to promote open channel drainage on each side of the street.

The Federal Emergency Management Agency (FEMA) provides flood insurance rate maps that depict the 100-year and 500-year flood plains. These flood plains cover those areas that would most likely be inundated with storm water during the heaviest rains. The floodway defines the area where buildings are not eligible for flood insurance, while those located in the flood fringe may be eligible once floodproofing is implemented, but development should still be avoided in these locations in favor of alternatives. The goal of this program is to curtail development in floodplain areas, thereby reducing damage to structures and minimizing the danger to people during flooding events. Lucas is a participating city in the National Flood Insurance Program (NFIP).

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Collin County, TxDOT, and US Army ~~Corp of Engineers~~ control some of those facilities in the extraterritorial jurisdiction and some of the roadways in and around the city. Most of the necessary seasonal maintenance is the responsibility of the adjacent individual property owners. Initial design along with poor maintenance can cause negative drainage issues and impact road quality.

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## GENERAL DRAINAGE PROBLEMS

### Creeks

Creeks are the natural drainage courses that stormwater will follow and will generally flood during storms. ~~Most large channels have their flood carrying capacity indicated by FEMA on their respective floodway maps. It is important to note that creeks that have not been mapped by FEMA are still subject to high water flows. In theory, any property has some chance of flooding given enough rainfall. Flood ways fill first followed by each level of floodplain, then non-floodplain areas.~~

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### Water Channels

A significant portion of the flooding that occurs in the city is associated with open channels and culverts being inundated with rainwater flowing off adjacent properties while following the natural topographical lay of the city. Despite the proper construction and operation of the majority of these channels, it is possible for it to take several days for stormwater to fully drain or dry out in some locations. These channels are designed to convey ~~surface water. Certain facilities, such as detention or retention ponds, are intentionally built to slow down water flowing through them so that downstream channels do not overflow. Impervious surfaces and changes to drainage patterns can cause issues, so these facilities must be actively maintained.~~

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### Culverts

Some structures in the street system do not lend themselves to adequate drainage when the facilities exist perpendicular to the natural flow lines. In cases where culvert passage is silted, undersized or not provided, stormwater can cause premature damage to roadways and major safety problems.

## PLAN AND RECOMMENDATIONS

### Purpose

The purpose of the Streets and Drainage section of the Comprehensive Plan is to assist the city in appropriating public funds in a manner which maximizes benefit. The plan identifies those street and drainage improvements which are needed in order to provide an efficient transportation system as well as minimizing property damage from flooding during periods of intense rainfall.

## STREET RECOMMENDATIONS

The most important consideration when developing a plan for street rehabilitation is to ensure that all plans for roadway construction also include plans for drainage improvements. All plans for road reconstruction must consider the size and slope needs for drainage. Any program for street improvements without drainage improvements is not recommended.

The city has adopted specific street section designs based on roadway classification. Different rights-of-way widths, pavement widths, and base thicknesses are required for roadways that are expected to serve differing levels of traffic. This is especially useful when enforcing street quality standards and minimums for residential subdivision developments.

If several years lapse before projects are undertaken, a new assessment may be necessary to ensure that data is current. Increased traffic due to growth, new commercial development, and changes in city maintenance practices can revise the recommendations made in this report. Street maintenance and repair plans should be reviewed annually to adjust for cost and changes in the road conditions.

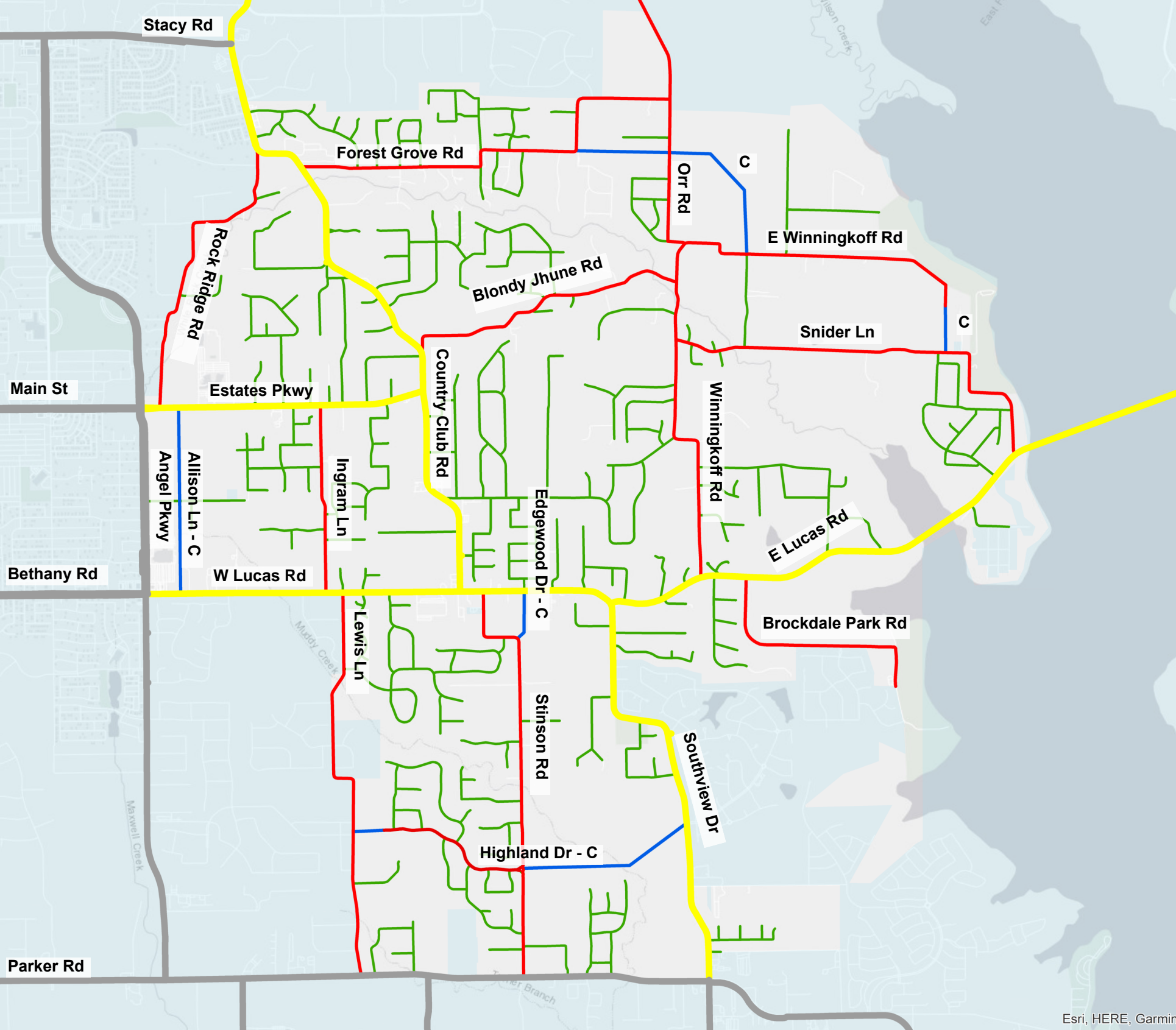
Proposed improvements should be based on the street analysis, focusing on improvements that impact safety, are the most cost effective in the long term, are most in need, or will benefit the most people. High priority projects including highly traveled roadways in poor condition or first-time paving should be considered as soon as the city is able to finance the repairs. For this plan, improvements should be phased. Phasing of improvements is designed to help minimize the financial impact on the community while still realizing the need to make necessary improvements.

**Deleted:** This excludes the state roads since they are maintained by TxDOT.

## POSSIBLE FINANCIAL SOURCES FOR IMPROVEMENTS

The City should pursue funding sources that will make fiscal sense to assist in providing necessary street improvements, including but not limited to:

- The General Fund
- General Obligation Bonds
- Certificates of Obligation
- City Sales Tax
- Special Fees/User Fees
- Grants
- Cost Sharing (e.g., Collin County, TxDOT, NCTCOG)
- Development Fees



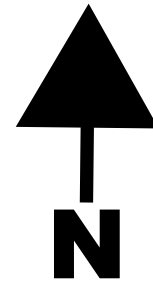
LEGEND					
Type	Color	# of Lanes	Divided	Pavement Width (ft)	Right-of-Way Width (ft)
A	Grey	6	Yes	78 + 16ft Median	120
B	Yellow	4	Varies	52-54	60
C	Red	2	No	24-28	50
D	Green	2	No	24	50
Proposed	Blue	As Labeled	As Labeled	As Labeled	As Labeled

**Notes:**

- 1. This draft is for REVIEW PURPOSES ONLY**
- 2. Type D roads are shown for readability purposes and are not modified by this plan.**
- 3. Private roads and driveways generally are not shown except where valuable for readability.**
- 4. The blue shaded area is outside of City Limits.**
- 5. Intersection Improvements are to be added following Planning and Zoning Commission Review.**
- 6. Only the Northern 2,300 ft (approx) of Lewis Lane is Lucas maintained.**
- 7. Only the Southern 300 ft (approx) of Rock Ridge Rd is Lucas maintained.**

# Thoroughfare Plan City of Lucas 2022

April 5, 2022



# **Proposed Improvements to the 2022 Master Thoroughfare Plan**

## **Proposed roadway improvements:**

1. Allison Lane including an improved connection to Rock Ridge Road
2. Construction of a connection from Forest Grove Road to Orr Road with a loop connecting Forest Grove Road to East Winningkoff Road at Shady Lane.
3. Highland Drive Connection to Lewis Lane
4. Highland Drive Connection to Southview Drive
5. Reconstruction of Blondy Jhune Road with concrete from west of the West Bridge to Country Club Road (FM 1378) – Development Agreement approved
6. Straighten Stinson Road from Curve to Edgewood Drive – Development Agreement pending
7. East Winningkoff to Snider Connection

Note: The City Council had a preliminary review of the Master Thoroughfare Plan and generally was not supportive of many of the proposed roadway improvements.

## **Proposed intersection improvements:**

1. Brockdale Park Road and East Lucas Road
2. Winningkoff Road and East Lucas Road
3. Blondy Jhune and Country Club Road (FM 1378) – Development Agreement approved
4. Ingram Lane and Estates Parkway
5. Ingram Lane and West Lucas Road
6. Estelle and Country Club Road (FM 1378)
7. Stinson Road and Edgewood Road Intersection
8. Forest Grove Road and Country Club Road (FM 1378)
9. Rock Ridge Road and Country Club Road (FM 1378) (Collin County and TxDOT)
10. Rock Ridge Road and Estates Parkway
11. Angel Parkway and Estates Parkway (City of Allen and TxDOT)



# City of Lucas

## Planning and Zoning Agenda Request

### April 14, 2022

Item No. 07

Requester: Development Services Director Joe Hilbourn

#### **Agenda Item Request**

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Discuss building setbacks, lot line definition, building line definition, and lot width requirements in all residential zoning districts.

#### **Background Information**

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Staff was directed to evaluate the City's building setbacks, lot line definition, building line definition, and lot width requirements in all residential zoning districts.

This item was brought forward to the Planning and Zoning Commission at their meeting on February 10, 2022. The Commission asked staff to provide clearer definitions and to further define setbacks for accessory buildings; definition of lot width at the front and back of a lot; and side yard setbacks related to corner lots.

Staff brought forward recommendations at the March 10, 2022, Planning and Zoning Commission meeting. Following the Commission meeting, staff met with Mayor Olk and City Attorney Joe Gorfida regarding the proposed amendments. Mayor Olk's proposed amendments are attached.

#### **Attachments/Supporting Documentation**

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1. Proposed changes to the City's setback, building line, and lot width requirements.

#### **Budget/Financial Impact**

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NA

#### **Recommendation**

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Staff recommends approval of the proposed amendments as presented

#### **Motion**

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No motion is required for this item. Once recommendations are received from the Commission, this item will be scheduled for the required public hearings.



Building line (setback line). A line parallel or approximately parallel to the centerline of a street or to a property line when not adjacent to a street and having a specific minimum distance as established by this code based on the zoning district in which the property is located delineating where a building may be erected.

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Building lot. A single tract of land located within a single block which (at the time of filing for a building permit) is designed by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. It shall front upon a street or approved place. Therefore, a “building lot” may be subsequently subdivided into two or more “building lots” or a number of “building lots,” subject to the provisions of this chapter and the subdivision ordinance.

Courtyard. An open, occupied space bounded on more than two (2) sides by the walls of a building. An inner courtyard is entirely surrounded by the exterior walls of a building. An outer courtyard is a court having one side open to a street, alley, yard, or other permanent open space.

Lot. Land occupied or to be occupied by a building and its accessory building including such open spaces as are required under this chapter and having its principal frontage upon a public street or officially approved place.

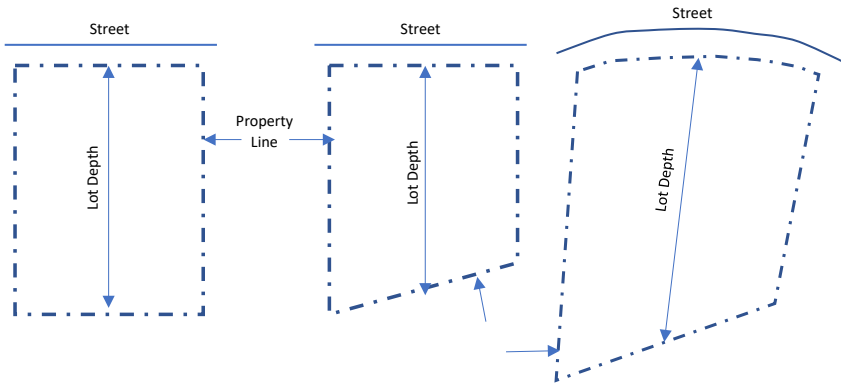
Lot lines. The lines bounding a lot as defined herein.

- (1) Lot line, front. A “front lot line” is that boundary of a building lot which is the line of an existing or dedicated street. Upon corner lots, either street line may be selected as the front lot line providing that a front and rear yard are provided adjacent and opposite, respectively, to the front lot line.
- (2) Lot line, rear. The “rear lot line” is that boundary of a building lot which is the most distant from and is, or is most nearly, parallel to the front lot line.
- (3) Lot line, side. A “side lot line” is that boundary of a building lot which is not a front lot line or a rear lot line.

Lot of record. A lot which is part of a subdivision, the plat of which has been recorded in the office of the county clerk prior to the adoption of this chapter.

Lot depth. The distance, measured in a straight line, between the front lot line and the rear lot line measured at the respective midpoints of the front lot line and the rear lot line.

## Lot Depth Illustration



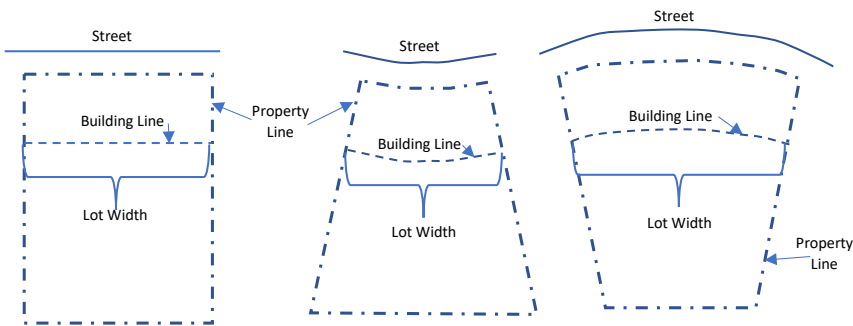
Lot flag. A lot of irregular shape with reduced frontage along a public or private street with dimensions that are otherwise adequate at the building lines.

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Lot width. The width of a lot, measured in a line generally parallel to the front property line at the front building line/setback line.

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## Lot Width Illustration



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Open space or open areas. Area included in any side, rear, or front yard or any unoccupied space on the lot that is open and unobstructed to the sky except for the ordinary projections of cornices, eaves, or porches.

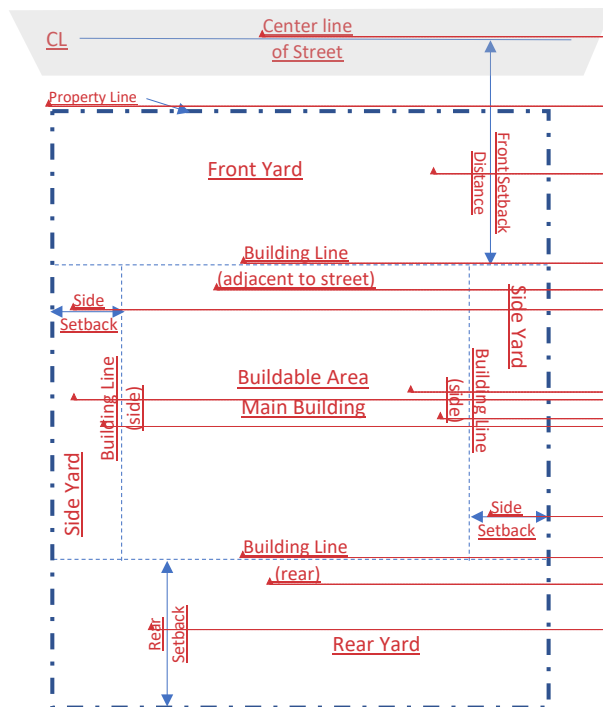
Yard. An open space other than a courtyard, on the lot on which a building is situated and which is open and unobstructed from a point forty (40) inches above the general ground level of the graded lot to the sky, except as provided for roof overhang, similar special building features and other accessory structures as provided for in this code.

Yard, front. An open, unoccupied space on a lot facing a street extending across the lot between the side lot lines and from the front building line to the street.

Yard, rear. An open, unoccupied space from the rear building line extending across the rear of a lot from one side lot line to the other side lot line to the rear property line.

Yard, side. An open, unoccupied space or spaces between the property line and the side building line that would not be consider front yard or rear yard that extends between the front building line and the rear building line.

### Yard & Building Line Illustration



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### **Division 3. R2 Single-Family Residential District**

#### **Sec. 14.03.111 Use regulations**

No land shall be used and no building shall be erected, altered, converted or used for a use other than those specified in [section 14.03.801](#), schedule of uses, and [article 14.02 division 4](#), specific use permits.

- (1) No mobile homes or HUD-code manufactured homes as defined herein shall be permitted.
- (2) A special exception shall be required when the total combined square footage of the main building and/or any accessory buildings exceeds 50,000 square feet.

(Ordinance 2008-11-00634 adopted 11/20/08)

#### **Sec. 14.03.112 Height regulations**

No building shall exceed thirty-five feet (35') or two and one-half (2-1/2) stories in height. (1995 Code, sec. 9-36)

#### **Sec. 14.03.113 Area regulations**

(a) Size of yards.

(1) Front yard. The building line adjacent to a street shall be established at seventy five feet (75') from the centerline of the street right-of-way or street reflected as type C or D roadway on the Master Thoroughfare Plan. (85' for type B, and 110' for Type A). Where a building line is established on a plat, which is not consistent with this ordinance, the building line is a greater distance from the front property line shall be observed. No required parking shall be allowed within the required front yard.

**Deleted:** There shall be a front yard having a depth of not less than fifty feet (50'). Where lots have double frontage, running through from one street to another, the required front yard shall be provided on both streets.

(2) Side yard. The building line adjacent to the side property line(s) shall be not less than ten percent (10%) of the lot width, [or] twenty feet (20'), whichever is less. No side yard for allowable nonresidential uses shall be less than twenty-five feet (25').

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**Deleted:** a side yard on each side of the lot having a width of

**Deleted:** A side yard adjacent to a side street shall not be less than twenty-five feet (25').

(3) Rear yard. The building line adjacent to the rear property line shall be not less than fifty feet (50').

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(1995 Code, sec. 9-37)

(b) Size of lot.

(1) Lot area. No building shall be constructed on any lot of less than two (2) acres (87,120 square feet).

(2) Lot width. The width of the lot shall be not less than two hundred feet (200') at the front street property line, nor shall its average width be less than two hundred feet (200'). The minimum width of a lot on a cul-de-sac shall be not less than forty feet (40') at the property line, nor shall its average width be less than two hundred feet (200'). The minimum width of a lot on a curve exceeding thirty degrees shall be not less than one hundred feet (100') at the property line, nor shall its average width be less than two hundred feet (200').

(3) Lot depth. The average depth of the lot shall not be less than one hundred eighty feet (180').

(4) Where a lot having less area, width, and/or depth than herein required exists in separate ownership upon the effective date of this chapter, the above regulations shall not prohibit the erection of a one-family dwelling thereon.

(c) Minimum dwelling size. The minimum floor area of any dwelling shall be two thousand square feet (2,000 sq. ft.), exclusive of garages, breezeways, and porches. Dwellings shall have a minimum seventy-five percent (75%) of the exterior walls of masonry construction or the heartwood of a natural decay resistance wood, cementitious siding, stucco, cultured stone exterior or combination of these materials. Alternate materials may be approved by the DRC so as to maintain the architectural compatibility with existing structures.



(d) Lot coverage. In no case shall more than thirty percent (30%) of the total lot area be covered by the combined area of the main buildings and accessory buildings.

(e) Roof pitch. Residential dwelling structures shall have a roof pitch of not less than 6" vertical for each 12" horizontal (6:12). Alternative roof design and roof pitches may be considered and approved by the design review committee (DRC).



(f) Exterior walls and foundation. The exterior walls of residential dwellings shall be supported on a continuous solid concrete beam or slab; or on a fully grouted masonry foundation designed to carry the imposed loads. Exterior and load bearing walls shall be secured to the foundation as required by the adopted residential building code.

(g) A specific use permit shall be required when the total square footage of the main building and/or any accessory buildings exceeds 50,000 square feet.



(Ordinance 2015-08-00816 adopted 8/20/15)

  Secs. 14.03.114–14.03.170 Reserved



  **Division 4. R1.5 Single-Family Residential District**

  Sec. 14.03.171 Use regulations

No land shall be used and no building shall be erected, altered, converted or used for a use other than those specified in [section 14.03.801](#), schedule of uses, and [article 14.02 division 4](#), specific use permits. (Ordinance 2008-11-00634 adopted 11/20/08)

  Sec. 14.03.172 Height regulations

No building shall exceed thirty-five feet (35') or two and one-half (2-1/2) stories in height. (1995 Code, sec. 9-41)

  Sec. 14.03.173 Area regulations

(a) Size of yards.

(1) Front yard. The building line adjacent to a street shall be established at seventy five feet (75') from the centerline of the street right-of-way or street reflected as type C or D roadway on the Master Thoroughfare Plan. (85' for type B, and 110' for Type A). Where a building line is established on a plat, which is not consistent with this ordinance, the building line is a greater distance from the front property line shall be observed. No required parking shall be allowed within the required front yard.

(2) Side yard. The building line adjacent to the side property line(s) shall be not less than ten percent (10%) of the lot width, [or] twenty feet (20'), whichever is less. No side yard for allowable nonresidential uses shall be less than twenty-five feet (25').

(3) Rear yard. The building line adjacent to the rear property line shall be not less than fifty feet (50').

(b) Size of lot.

**Deleted:** (a) Size of yards. See [section 14.03.113](#), (1995 Code, sec. 9-42)¶

(1) Lot area. No building shall be constructed on any lot of less than one and one-half (1-1/2) acres (65,340 square feet).

(2) Lot width. The width of the lot shall be not less than one hundred sixty feet (160') at the front street property line, nor shall its average width be less than one hundred seventy-five feet (175'). The minimum width of a lot on a cul-de-sac shall be not less than thirty-five feet (35') at the property line, nor shall its average width be less than one hundred seventy-five feet (175'). The minimum width of a lot on curve exceeding thirty degrees shall be not less than thirty-five feet (35') at the property line, nor shall its average width be less than one hundred seventy-five feet (175').

(3) Lot depth. The average depth of the lot shall not be less one hundred eighty feet (180').

(4) Where a lot having less area, width, and/or depth than herein required exists in separate ownership upon the effective date of this chapter, the above regulations shall not prohibit the erection of a one-family dwelling thereon.

(c) Minimum dwelling size. The minimum floor area of any dwelling shall be eighteen hundred square feet (1,800 sq. ft.), exclusive of garages, breezeways, and porches. Dwellings shall have a minimum seventy-five percent (75%) of the exterior walls of masonry construction or the heartwood of a natural decay resistance wood, cementitious siding, stucco, cultured stone exterior or combination of these materials. Alternate materials may be approved by the DRC so as to maintain the architectural compatibility with existing structures.

(d) Lot coverage. In no case shall more than thirty percent (30%) of the total lot area be covered by the combined area of the main buildings and accessory buildings.

(e) A specific use permit shall be required when the total square footage of the main building and/or any accessory buildings exceeds 50,000 square feet.



(f) Accessory building and structures shall comply with [article 14.04, division 8](#), of this chapter.

(g) Roof pitch. Residential dwelling structures shall have a roof pitch of not less than 6" vertical for each 12" horizontal (6:12). Alternative roof design and roof pitches may be considered and approved by the design review committee (DRC).



(h) Exterior walls and foundation. The exterior walls of residential dwellings shall be supported on a continuous solid concrete beam or slab; or on a fully grouted masonry

foundation designed to carry the imposed loads. Exterior and load bearing walls shall be secured to the foundation as required by the adopted residential building code.



(Ordinance 2015-08-00816 adopted 8/20/15)

  Secs. 14.03.174–14.03.230 Reserved



### **Division 5. R1 Single-Family Residential District**

  Sec. 14.03.231 Use regulations

No land shall be used and no building shall be erected, altered, converted or used for a use other than those specified in [section 14.03.801](#), schedule of uses, and [article 14.02 division 4](#), specific use permits. (Ordinance 2008-11-00634 adopted 11/20/08)

  Sec. 14.03.232 Height regulations

No building shall exceed thirty-five feet (35') or two and one-half (2-1/2) stories in height. (1995 Code, sec. 9-51)

  Sec. 14.03.233 Area regulations

#### (a) Size of yards.

(1) Front yard. The building line adjacent to a street shall be established at seventy five feet (75') from the centerline of the street right-of-way or street reflected as type C or D roadway on the Master Thoroughfare Plan. (85' for type B, and 110' for Type A). Where a building line is established on a plat, which is not consistent with this ordinance, the building line is a greater distance from the front property line shall be observed. No required parking shall be allowed within the required front yard.

(2) Side yard. The building line adjacent to the side property line(s) shall be not less than ten percent (10%) of the lot width, [or] twenty feet (20'), whichever is less. No side yard for allowable nonresidential uses shall be less than twenty-five feet (25').

(3) Rear yard. The building line adjacent to the rear property line shall be not less than fifty feet (50').

#### (b) Size of lot.

**Deleted:** (a) Size of yards. See [section 14.03.113](#). (Ordinance 2016-02-00829 adopted 2/4/16)\*



(1) Lot area. No building shall be constructed on any lot of less than one (1) acre (43,560 square feet).

(2) Lot width. The width of the lot shall be not less than one hundred forty feet (140') at the front street property line, nor shall its average width be less than one hundred sixty feet (160'). The minimum width of a lot on a cul-de-sac shall be not less than thirty feet (30') at the property line, nor shall its average width be less than one hundred sixty feet (160'). The minimum width of a lot on a curve exceeding 30 degrees shall be not less than thirty feet (30') at the property line, nor shall its average width be less than one hundred sixty feet (160').

(3) Lot depth. The average depth of the lot shall not be less than one hundred eighty feet (180').

(4) Where a lot having less area, width, and/or depth than herein required exists in separate ownership upon the effective date of this chapter, the above regulations shall not prohibit the erection of a one-family dwelling thereon.

(Ordinance 2015-08-00816 adopted 8/20/15)

(c) Minimum dwelling size. The minimum floor area of any dwelling shall be eighteen hundred square feet (1,800 sq. ft.), exclusive of garages, breezeways, and porches. Dwellings shall have a minimum eighty-five percent (85%) of the exterior walls of masonry construction, stucco, cultured stone exterior or combination of these materials. Alternate materials may be approved by the DRC so as to maintain the architectural compatibility with existing structures. (Ordinance 2016-02-00829 adopted 2/4/16)

(d) Lot coverage. In no case shall more than thirty percent (30%) of the total lot area be covered by the combined area of the main buildings and accessory buildings.

(e) A specific use permit shall be required when the total square footage of the main building and/or any accessory buildings exceeds 50,000 square feet.

(f) Accessory building and structures shall comply with [article 14.04, division 8](#), of this chapter.

(g) Roof pitch. Residential dwelling structures shall have a roof pitch of not less than 6" vertical for each 12" horizontal (6:12). Alternative roof design and roof pitches may be considered and approved by the design review committee (DRC).

(h) Exterior walls and foundation. The exterior walls of residential dwellings shall be supported on a continuous solid concrete beam or slab; or on a fully grouted masonry foundation designed to carry the imposed loads. Exterior and load bearing walls shall be secured to the foundation as required by the adopted residential building code.

(Ordinance 2015-08-00816 adopted 8/20/15)

**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:

(1) Types of accessory buildings and structures.

(A) Attached accessory building and structures. Accessory buildings and structures that are physically attached to a main building or located less than ten feet (10') from the main building shall be considered attached accessory buildings and shall meet the requirements set forth for attached accessory buildings. These may include but are not limited to garages, carports, guest/servants quarters, patio covers, outdoor kitchens or living areas, decks that exceed 30" in height, deck covers, shops, tool houses, pool houses, and other incidental accessory structures.

(B) Detached accessory buildings and structures. Accessory buildings and structures which are physically located ten feet (10') or more from a main building and a minimum of ten feet (10') behind the required front setback line may be considered detached accessory buildings and shall be required to meet the requirements set forth for detached accessory buildings. These may include but are not limited to garages, carports, ~~patio covers, outdoor kitchens or living areas, decks that exceed 30" in height, deck covers, shops, tool houses, pool houses, and other incidental accessory structures.~~

**Deleted:** guest/servants quarters,

(C) Accessory buildings housing guest/servants quarters (habitable space) shall be considered attached accessory buildings and shall meet the requirements for attached accessory buildings as prescribed by this code.

(Ordinance 2008-06-00617 adopted 7/19/08)

(2) Design.

(A) Attached accessory buildings and structures shall be designed to be architecturally compatible with the main building and constructed of similar materials as the main building.

(B) Detached accessory buildings shall be constructed of materials designed for construction and have a minimum life expectancy of at least twenty (20) years. Vehicle bodies, truck boxes, trailer boxes, motorhomes, recreational vehicles, boats, and similar equipment shall not be permitted as accessory buildings/structures. Shipping containers may be permitted only as allowed in this code.

(C) Accessory buildings housing guest/servants quarters (habitable space) shall be considered attached accessory buildings and shall meet the requirements for attached accessory buildings as prescribed by this code. (Ordinance 2006-10-00577, sec. 1, adopted 10/16/06)

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(3) Setbacks.

(A) Accessory buildings.

(i) Front yard setback, attached accessory buildings that are shall comply with the required setback for the main building in the district where located. No portion of a detached accessory buildings shall be located in front of the main building and shall be setback a minimum of ten feet behind the front of the main building.

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Deleted: structure

(ii) Rear yard setback, attached accessory buildings shall meet the same setback as the main building. Detached accessory structures shall have a rear setback of a minimum of twenty feet (20') unless adjacent to a street. Detached accessory structures adjacent to a street shall meet the required setback for the main building.

Deleted: unless the building is attached and is designed to be architecturally compatible with the main building and constructed of similar materials as the main building. Then a fifty foot front yard setback is required. (Ordinance 2020-08-00920 adopted 8/20/20)

(iii) Side yard setbacks, detached accessory structures located entirely in the rear yard adjacent to an interior side property line shall be setback a minimum of twenty feet (20') from the side property line. Detached accessory structures located in a yard (side or rear) adjacent to the street shall be setback the minimum distance required for the main structure. Detached accessory structures located in the yard between the main structure and the side property line shall be setback the minimum distance required for the main structure.

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(Ordinance 2015-08-00816 adopted 8/20/15)

(B) In-ground swimming pools, sports courts, tennis courts and similar uses shall maintain a minimum rear yard setback of 25 feet, a minimum side yard setback of 20 feet and if the in-ground pool is in front of the main building it shall maintain a front setback of 300 feet. In-ground swimming pool setbacks shall be measured from the inside wall of said pool.

(C) The inside wall of an aboveground swimming pool and any elevated decking associated with an aboveground swimming pool shall be located behind the main building and shall maintain a minimum rear yard setback of 50 feet and a minimum side yard setback of 25 feet.

(Ordinance 2008-06-00617 adopted 7/19/08)

(4) An accessory building may contain habitable space as defined by the International Residential Code adopted by the city and may be occupied provided it is in compliance with the following:

(A) General regulations for accessory buildings containing habitable space. Any accessory building containing habitable space shall comply with the following:

(i) Accessory buildings containing habitable space shall meet the requirements of the International Residential Code as adopted by the city from time to time.

(ii) Accessory buildings containing habitable space may not be rented out separate and apart from the main structure.

(iii) 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.

(iv) Accessory buildings containing habitable space shall not contain a kitchen, cooking or food preparation area except as provided for in subsection (B)(i)a. below.

(v) Accessory buildings housing guest/servants quarters (habitable space) shall be considered attached accessory buildings and shall

meet the requirements for attached accessory buildings as prescribed by this code.

(B) Specific regulations for an accessory building containing habitable space.

(i) In R-2 or AO zoning districts that contain a single-family home:

a. Kitchen, cooking or a food preparation area may be permitted on property 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.

b. One (1) accessory building may contain up to 1,500 square feet of habitable space.

(ii) In R-1.5 zoning districts:

a. One (1) accessory building may contain up to 1,200 square feet of habitable space.

(iii) In R-1 zoning districts:

a. One (1) accessory building may contain up to 1,000 square feet of habitable space.

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**Black Text = Existing Language**

**Red Text = Recommendations by Commissioner Rusterholtz**

**Blue Text = Recommendation by City Staff**

**Green Text = Recommendation by Mayor Olk**

#### **Sec. 14.01.004 Definitions**

(a) Tense, plurality, etc. Words used in the present tense include the future; words in the singular number include the plural number and words in the plural number include the singular number; the word “building” includes the word “structure”; the word “lot” includes the words “plot” and “tract,” etc.; the word “shall” is mandatory and not discretionary.

(b) Definitions.

Accessory building or use. Is:

- (1) Subordinate to and serves a principal building or principal use;
- (2) Subordinate in area, extent, or purpose to the principal building or principal use served;
- (3) Contributes to the comfort, convenience, and necessity of occupants of the principal building or principal use served; and
- (4) Located on the same building lot as the principal use served. “Accessory” when used in the text shall have the same meaning as accessory use.

Alley. A public space or thoroughfare which may afford secondary means of access to property abutting thereon.

Area of the lot. Shall be the net area of the lot and shall not include portions of public streets or alleys.

(Ordinance 2012-05-00715, sec. 2, adopted 5/17/12)

Automobile repair.

- (1) Collision services. Body, frame, and fender straightening or repair; customizing; painting.
- (2) Major. Major repair, rebuilding or reconditioning of engines, radiators, or transmissions; undercoating and rust proofing; any operation requiring dismantling or removal of head, crankcases, engines or other major parts; and recapping or re-grooving of tires; any use of a welder or cutting torch; any repair of heavy load vehicles; and other operations not listed as minor repair, but not collision services.
- (3) Minor. Minor repair or replacement of parts, tires, batteries, and accessories; diagnostic services; minor motor services such as grease, oil, spark plug and filter changes; tune-ups; replacement of starters, alternators, hoses, brake parts, mufflers, water or fuel pumps; state inspections; steam cleaning and detailing; servicing of air-conditioning systems; for vehicles, but not heavy load vehicles and not including any operation listed as major repair or collision service.

(Ordinance 2012-10-00737 adopted 10/4/12)

Block. An area enclosed by streets and occupied by or intended for buildings; or, if said word is used as a term of measurement, it shall mean the distance along a side of a street between the nearest two streets which intersect said street on the said side.

Building. Any structure built for the support, shelter, and enclosure of persons, animals, chattels, or movable property of any kind. When subdivided in a manner sufficient to prevent the spread of fire, each portion so subdivided may be deemed a separate building.

Building height. The number of stories contained in a building and/or the number of feet above the average level of the adjoining ground.

Building line (setback line). A line parallel or approximately parallel to the street line or property line at a specific distance therefrom marking the minimum distance from the street line or property line that a building may be erected.

**Building setback line.** Means a line established by zoning regulations, generally parallel to and measured from the lot line, defining the limits of a yard in which no building or structure may be located, except as otherwise provided. See definition of Yard.

**Building line.** The line that designates the boundary where the property owner may not build and specifies the required front yard which is generally parallel to the street line. A building cannot lawfully extend beyond the building line.

***Building lot.*** A single tract of land located within a single block which (at the time of filing for a building permit) is designed by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. It shall front upon a street or approved place. Therefore, a “building lot” may be subsequently subdivided into two or more “building lots” or a number of “building lots,” subject to the provisions of this chapter and the subdivision ordinance.

***Building official.*** The building inspector or administrative official charged with the responsibility for issuing permits and enforcing the zoning ordinance, subdivision ordinance, and building code.

***Certificate of occupancy or compliance.*** An official certificate issued by the city through the building official which indicates conformance with or approval of a conditional waiver from the zoning regulations and authorizes legal use of the premises for which it was issued.

***Child care center.*** A facility licensed, certified or registered by the Texas Department of Family and Protective Services (“TDFPS”) to provide assessment, care, training, education, custody, treatment, or supervision for a child who is not related by blood, marriage, or adoption to the owner or operator of the facility, for all or part of the 24-hour day, whether or not the facility is operated for profit or charges for the services it offers.

***Church or rectory.*** A place of assembly and worship by a recognized religion including synagogues, temples, churches, instruction rooms, and the place of residence for the ministers, priests, rabbis, teachers, and directors of the premises.

***City.*** The word “city” shall mean the City of Lucas.

***Clinic.*** A group of offices for one or more physicians, surgeons, dentists or similar members of the medical profession to treat sick or injured outpatients or animals.

***College or university.*** An institution established for educational purposes and offering a curriculum similar to the public schools or an accredited college or university, but excluding trade and commercial schools.

***Commission and/or planning commission.*** The planning and zoning commission of the city.

***Community home.*** A place meeting the requirements established under section 123.004 of the Texas Human Resources Code and where no more than six (6) persons with disabilities and up to two (2) supervisors reside at the same time to provide services to persons with disabilities including food, shelter, personal guidance, care, habilitation and supervision.

***Conditional use.*** A use which shall be permitted in a particular district only upon fulfillment of the conditions as set forth for that use in the use regulations for the appropriate district.

***Council.*** The word “council” shall mean the city council.

***Courtyard.*** An open, occupied space bounded on more than two (2) sides by the walls of a building. An inner courtyard is entirely surrounded by the exterior walls of a building. An outer courtyard is a court having one side open to a street, alley, yard, or other permanent open space.

(Ordinance 2012-05-00715, sec. 2, adopted 5/17/12)

***Depth of lot.*** The mean horizontal distance between the front and rear lot lines.

***Design review committee (DRC).*** The DRC is comprised of staff members representing the various departments and divisions involved in the review and approval process (administration, planning, engineering, building inspection, public works, fire, parks and health). DRC is responsible for review of development and building plans, subdivision plats and zoning applications. It offers reports and recommendations to both P&Z and city council pertaining to applications and proposals requiring actions by these bodies. DRC has final approval authority for certain plats such as amending plats, replats and minor plats in compliance with [Texas Local Government Code, section 212.0065](#) and [section 212.016](#).

***Development or to develop.*** A “development” includes the construction of new buildings or structures on a building lot, the relocation of an existing building on another building lot, or the use of open land for a new use. To “develop” is to create a development.

(Ordinance 2015-08-00816 adopted 8/20/15)

District. A section of the city for which the regulations of this chapter, such as the area, height, use, etc., of the land and buildings, are uniform. (Ordinance 2012-05-00715, sec. 2, adopted 5/17/12)

Drive-through, drive-thru, drive-in, or drive-up. A product or service provided by a business that allows customers to purchase a product or service without leaving their cars. For the purposes of this definition, any product or service that is provided to a customer without the need for the customer to leave their vehicle is a drive-through, drive-thru, drive-in or drive-up. (Ordinance 2013-07-00760 adopted 7/18/13)

Dwelling, multiple family. Any building or portion thereof which is designed, rented, leased, or let to be occupied as two or more dwelling units or apartments of [or] which is occupied as a home or residence of two or more families.

Dwelling, single-family. A detached building, but not a mobile home, manufactured housing or RV, having accommodations for and occupied by not more than one family, located on a lot or separate building tract, and having no physical connection to a building located on any other separate lot or tract.

Dwelling unit. A building or portion of a building which is arranged, occupied, or intended to be occupied as living quarters of a family and including facilities for food preparation and sleeping.

Equestrian boarding. A business consisting of a minimum of two (2) acres and up to five (5) acres for the boarding of a maximum of two (2) horses per acre regardless of ownership, that receives compensation through the boarding of horses. On lots greater than five (5) acres no such limit shall be imposed.

(Ordinance 2012-05-00715, sec. 2, adopted 5/17/12)

Equestrian facilities. A facility or place used for horse boarding, including equestrian pasture boarding, horse training, riding lessons, horse breeding, horse rescue or horse shows. The facility may contain a riding arena provided the arena does not exceed 10% of the total lot size or a maximum of 20,000 square feet regardless of the size of the lot. (Ordinance 2012-06-00718, sec. 1, adopted 6/21/12)

Family. One or more persons related by blood, marriage, or adoption; or a group not to exceed four (4) persons not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit.

Farm or ranch. An area which is used for growing of usual farm products, vegetables, fruits, trees, and grain and for the raising thereon of the usual farm poultry and farm animals such as horses, cattle, and sheep and including the necessary accessory uses for raising, treating, and storing products raised on said premises, but not including the commercial feeding or the feeding of garbage to swine or other animals and not including any type of agricultural or husbandry specifically prohibited by ordinance or law.

Farmer's market. The retail sale of farm produce by individual vendors for the primary purpose of selling fruits, vegetables, herbs, spices, edible seeds, nuts, live plants, flowers and honey, where such produce, or its portion, is not grown on the premises.

Floor area. The total square feet of floor space within the outside dimensions of a building including each floor level, but excluding porches, carports, garages or unfinished cellars.

Garage, auto repair. A building or portion thereof whose principal use is for the repair, servicing, equipping, or maintenance of motor vehicles or motor vehicle components, including engines, radiators, starters, transmissions, brakes, tires and wheels, seats, and similar components.

Halfway house. A residence for former mental patients, convicts, or recovering drug users or alcoholics that serves as a transitional environment between confinement and the return to society.

Home occupation. A business, occupation, or profession conducted wholly within a residential dwelling unit by only the residents thereof, and which shall have the following characteristics:

- (1) The activity shall employ only members of the immediate family of the resident of the dwelling unit.
- (2) There shall be no external evidence of the occupation detectable at any lot line, said evidence to include, advertising signs, or displays, smoke, dust, noise, fumes, glare, vibration, electrical disturbance, storage of materials or equipment, or traffic or parking of vehicles in a manner evidencing the conduct of a business.

Direction from P & Z was to remove the home occupation from definitions into its own section.



Staff recommends maintaining a definition in this section and moving the regulations to a new section 14.04.460. This has been drafted and sent to legal.

**Home occupation.** A business, occupation or profession conducted wholly within a residential dwelling unit or in an accessory building by only the residents and shall not create a nuisance to persons of ordinary sensibilities that occupy the surround property.

**Hospital.** A legally authorized institution in which there are complete facilities for diagnosis, treatment, surgery, laboratory, X-ray, and the prolonged care of bed patients. Clinics may have some but not all of these facilities.

**HUD-code manufactured home.** A structure, constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development (HUD), transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle as that term is defined by 24 CFR section 3282.8(g).

(Ordinance 2012-05-00715, sec. 2, adopted 5/17/12)

**Kennel.** Any business or establishment other than a veterinary hospital, whether operated separately or in connection with another business or establishment, that keeps, breeds and/or boards and/or trains dogs and/or cats for profit. Veterinary hospitals shall not be considered a kennel, unless such hospitals contain pens or facilities for housing, boarding, breeding, training, harboring, or keeping dogs, cats or other domesticated animals, swine, equine, or other livestock or animals other than, or in addition to, short-term care incidental to the hospital use. Kennels must be established, maintained and operated in compliance with all applicable zoning and land use regulations of the city.

**Livestock.** Any horses, mules, donkeys, ponies, cattle, sheep, goats, hogs, pigs, of any and all kinds regardless of sex.

(Ordinance 2018-03-00876 adopted 3/1/18)

**Lot.** Land occupied or to be occupied by a building and its accessory building including such open spaces as are required under this chapter and having its principal frontage upon a public street or officially approved place.

**Lot.** Means an undivided tract or parcel of land having frontage on a public street and designated as a distinct tract.

**Lot area.** Means the area of a horizontal plane intercepted by the vertical projections of the front, side, and rear lot lines of a building lot.

**Lot area per dwelling unit.** Means the lot area required for each dwelling union located on a building lot.

**Lot corner.** Means a building lot situated at the intersection of two streets.

**Lot coverage.** Means the percentage of the total area of a lot occupied by the base (first story or floor) of buildings located on the lot or the area determined as the maximum cross sectional area of a building.

**Lot depth.** Means the mean horizontal distance between the front lot line and the rear lot line of a building lot measured at the respective midpoints of the front lot line and rear lot line with the lot boundary.

**Lot flag.** Means a lot of irregular shape with reduced frontage on a public or private street with dimensions which are otherwise adequate at the building line.

**Lot interior.** Means a lot within a subdivision that is not located at the intersection of any adjacent public or private street.

**Lot lines.** The lines bounding a lot as defined herein.

**Lot line.** Means a boundary of a building lot.

**Lot line.** A boundary of a building lot.

(1) Lot line, front. A “front lot line” is that boundary of a building lot which is the line of an existing or dedicated street. Upon corner lots, either street line may be selected as the front lot line providing that a front and rear yard are provided adjacent and opposite, respectively, to the front lot line.

**Lot line, front.** Means the boundary of a building lot that is the line of an existing or dedicated street. Upon corner lots either street line may be selected as the front lot line proving a front and rear yard are provided adjacent and opposite, respectively, to the front lot line.

**Lot line, front.** That boundary of a building lot which is the line of an existing or dedicated street. The Front of the lot is tat area so designated on the approved development plat. On an existing lot of record without dedicated right-of-way, the edge of pavement shall be used as the front property line to determine setbacks. Upon corner lots either street line may be selected as front lot line proving a front and rear yard are provided adjacent and opposite, respectively, to the front lot line.

Modify definition using centerline of street as the point to use in measuring.

(2) Lot line, rear. The “rear lot line” is that boundary of a building lot which is the most distant from and is, or is most nearly, parallel to the front lot line.

**Lot line, rear.** Means the boundary of a lot which is most distant from and is, or is most nearly, parallel to the front lot line.

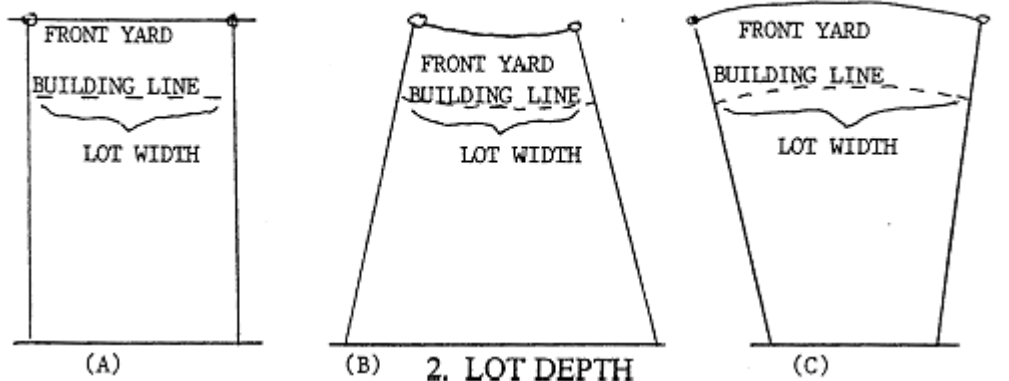
**Lot line, rear.** That boundary of a building lot which is most distant from and is, or is most nearly, parallel to the front lot line and is greater than ten feet in length.

(3) Lot line, side. A “side lot line” is that boundary of a building lot which is not a front lot line or a rear lot line.

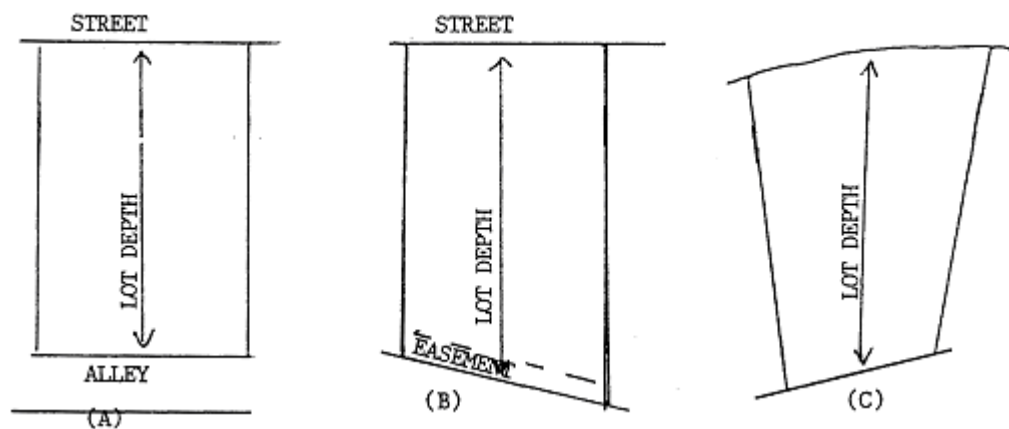
**Lot line, side.** Means the boundary of a lot which is not a front lot line or a rear lot line.

**Lot line, side.** That boundary of a building lot which is not a front lot line or a rear lot line.

### 1. LOT WIDTH



### 2. LOT DEPTH



Lot of record. A lot which is part of a subdivision, the plat of which has been recorded in the office of the county clerk prior to the adoption of this chapter.

**Lot of record.** Means an area of land designated as a lot on a plat of a subdivision recorded, pursuant to statutes of the State of Texas, with the county clerk of Collin County, Texas, or an area of land held in single ownership described by metes and bounds upon a deed recorded or registered with the county clerk.

**Lot of record.** An area of land designated as a lot on a plat of a subdivision recorded, pursuant to statutes of the State of Texas, with the county clerk of Collin County, Texas or an area of land held in single ownership described by metes and bounds upon a deed recorded or registered with the county clerk.

**Lot, radial.** Means lots adjacent to curved streets or circular cul-de-sac with side lot lines running roughly perpendicular to the street right-of-way.

**Lot, reverse flag.** Means a lot of irregular shape with reduced access to a rear alley, amenity or natural feature.

**Lot width.** The width of a lot at the front building or setback line.

**Lot width.** Means the width of a lot at the front building line. Measurements on irregularly shaped lots are to be taken in a straight line from a point where the front building line crosses the side property lines.

**Lot width.** The width of a lot at the front property line.

**Main building.** The building or buildings on a lot which are occupied by the primary user.

**Major retail development.** A singular retail establishment or shopping center that involves any one, or a combination of the following and as defined herein:

- (1) New construction of a singular retail sales establishment that is greater than 20,000 gross square feet in size;
- (2) New construction of a shopping center on a parcel or combination of parcels comprising ten acres or larger; or
- (3) Expansion to a singular retail sales establishment or shopping center existing as of the effective date of adoption of this chapter and which said expansion will increase the square footage of a singular retail sales establishment to become more than 20,000 gross square feet in area or increase the size of a shopping center to more than ten acres.

**Masonry.** An exterior building material which includes: brick of a minimum three and one-half inch (3-1/2") nominal thickness, stone with a minimum average thickness of two inches (2") or stucco.

**Mobile home.** A structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

**Mobile home park.** Any premises on which one or more mobile homes are parked or situated and used for living or sleeping purposes, or any premises used or held out for the purpose of supplying to the public a parking space for one or more mobile homes whether such vehicles stand on wheels or on rigid supports. A trailer park is a mobile home park.

**Museum, library or art gallery (public).** An institution for the collection, display and distribution of books and objects of art, or science and sponsored by a public or quasipublic agency and open to the general public.

(Ordinance 2012-05-00715, sec. 2, adopted 5/17/12)

**Nonconforming.** A building, structure, or use of land lawfully occupied at the time of the effective date of this chapter or amendments thereto, and which does not conform to the use of the regulations of the district in which it is situated.

**Noxious matter.** A material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the physical or economic well-being or comfort of humans.

**Nursing home facility (also termed skilled nursing facility, convalescent home, assisted living, memory care facility or long-term care facility).** A facility providing primarily in-patient health care, personal care or

rehabilitative services over a long period of time to persons chronically ill, aged, or disabled who need ongoing health supervision and such facilities comply with the required state licensing, if any.

Occupancy. The use or intended use of the land or building by proprietors or tenants.

Office, general business or professional. An establishment providing administrative, business, executive, management or professional services, but not involving medical or dental services or the sale of merchandise, except as incidental to a permitted use.

(Ordinance 2016-04-00835 adopted 4/7/16)

Office, medical or dental. An office or group of offices for one or more physicians, surgeons, dentists or other health-care professionals to treat sick or injured patients who do not remain overnight.

Open space or open areas. Area included in any side, rear, or front yard or any unoccupied space on the lot that is open and unobstructed to the sky except for the ordinary projections of cornices, eaves, or porches.

Open storage. The storage of any equipment, machinery, commodities, raw or semi-finished materials, and building materials, not accessory to a residential use, which is visible from any point on the building lot line when viewed from ground level to six feet above ground level.

Park, playground, community center. An open recreation facility or park owned and operated by a general public agency and available to the general public.

(Ordinance 2012-05-00715, sec. 2, adopted 5/17/12)

Parking space. A surface area, enclosed or unenclosed, sufficient in size to store one automobile together with a surface driveway connecting the parking space with the street or alley and permitting ingress or egress of an automobile.

Pet. A domesticated animal kept for companionship or pleasure that includes any dogs, cats, birds, rodents, of any and all kinds regardless of sex, and those similar in nature and function.

Pet boarding. Commercial establishment which provides accommodations, feeding and general care for pets.

(Ordinance 2018-03-00876 adopted 3/1/18)

Plat. A plan of a subdivision of land creating building lots or tracts and showing all essential dimensions and other information essential to comply with the subdivision standards of the city and subject to approval by the planning and zoning commission. Reference to a plat in this chapter means an official plat of record which has been approved by the planning and zoning commission and filed in the plat records of the county.

Premises. Land together with any buildings or structures occupying it.

Public park. Any publicly owned park, playground, parkway, greenbelt, or roadway within the jurisdiction and control of the city.

Recreation area. A privately owned park, playground, or open space maintained by a community club, property owners' association, or similar organization.

Refueling station. Any building or premises used for the dispensing, sale, or offering for sale at retail any automobile fuels, oils, propane, natural gas, or electrical recharging. If the dispensing, sale, or offering for sale is incidental to a public garage, the premises shall be classified as a public garage.

Registered family home.

(1) A home that is registered with the Texas Department of Family Protective Services ("TDFPS") and that provides regular care in the caretaker's own residence for not more than six children under 14 years of age, excluding children who are related to the caretaker, and that provides care after school hours for not more than six additional elementary school children, but the total number of children, including children who are related to the caretaker, does not exceed 12 at any given time.

(2) The term does not include a home that provides care exclusively for any number of children who are related to the caretaker. For purposes of this definition regular care means care that is provided at least:

(A) Four hours a day, three or more days a week, for three or more consecutive weeks; or

(B) Four hours a day for 40 or more days in a period of 12 months.

Residence. Same as a dwelling; also, when used with “district,” an area of residential regulations.

Restaurant or cafeteria. An eating establishment where service is provided to customers at tables and not involving service of food to customers in automobiles.

Retail sales establishment. An establishment or place of business primarily engaged in selling goods directly to the consumer, where such goods are generally available for immediate purchase and removal from the premises by the purchaser.

(Ordinance 2012-05-00715, sec. 2, adopted 5/17/12)

Retirement home/senior independent living facility. A multifamily dwelling complex or similar living arrangements that is age restricted for senior citizens but which is not an assisted-living center or long-term care facility. (Ordinance 2016-03-0832 adopted 3/3/16)

School, private. A school under the sponsorship of a private agency or corporation other than a public agency.

School, public or parochial. A school under the sponsorship of a public or religious agency having a curriculum generally equivalent to public elementary or secondary schools, but not including private, trade, or commercial schools.

Schools, trade and commercial. Establishments, other than public or parochial schools, private primary or secondary schools, or colleges, offering training or instruction in a trade, art, or occupation.

Screening device. A barrier of stone, brick, pierced brick or block, uniformly colored wood, or other permanent material of equal character, density, and acceptable design at least four (4) feet in height, where the solid area equals at least sixty-five percent (65%) of the wall surface, including an entrance gate or gates; or foliage of an acceptable type with a density that will not permit through passage; or an acceptable combination of these materials. Such screening device shall be continuously maintained.

Servant's quarters. An accessory building or portion of a main residential building located on the same lot as the principal residential building, occupied only by such persons and their families as are employed fulltime by the occupants of the principal residence.

Shopping center. A grouping of two (2) or more commercial units built primarily for retailing purposes on common property planned, developed, owned or managed as a unit with common off-street parking provided on the same site. For purposes of this chapter, a neighborhood shopping center shall be considered to be a shopping center primarily serving adjacent residential area.

Specific use. A means for developing certain designated uses in a manner in which the specific use will be compatible with the adjacent property and consistent with the character of the neighborhood.

Stadium or playfield, public. An athletic field or stadium owned and operated by a public agency for the general public including a baseball field, football field or stadium.

Street. An area for vehicular traffic whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or otherwise designated.

Street line. A dividing line between a lot, tract, or parcel of land and contiguous street.

Structural alterations. Any change in the supporting member of a building, such as a bearing wall, column, beams, or girders.

Toxic materials. Those materials which are capable of causing injury to living organisms by chemical means when present in relatively small amounts.

Use. The purpose or activity for which the land, or building thereon, is designed, arranged, or intended, or for which it is occupied and maintained, and shall include any manner of such activity with respect to the standards of this chapter.

Use, principal. The main use of land or buildings as distinguished from a subordinate or accessory use.

Utility facilities, private or franchised. A nonpublic utility requiring specific facilities in residential areas or on public property such as heating, cooling, or communications not customarily provided by the municipality or the normal franchised utilities.

Yard. An open space other than a court, on the lot on which a building is situated and which is not

obstructed from a point forty (40) inches above the general ground level of the graded lot to the sky, except as provided for roof overhang and similar special features.

**Yard.** Means the area between the property line and the building setback line in which no structure may be located.

**Yard, front.** An open, unoccupied space on a lot facing a street extending across the front of the lot between the side lot lines and from the main building to the front lot or street line and the main building line as specified for the district in which it is located.

**Yard, front.** Means an open, unoccupied space on a lot facing a street extending across the front of a lot between the side lot lines and from the main building to the front lot or street line with the minimum horizontal distance between the street line and the main building line as specified for the district in which it is located.

**Yard, rear.** An open, unoccupied space, except for accessory building as herein permitted, extending across the rear of a lot from one side lot line to the other side lot line and having a depth between the buildings and the rear lot line as specified in the district in which the lot is located.

**Yard, rear.** Means an open, unoccupied space, except for accessory buildings as herein permitted, extending across the rear of a lot measured between the side lot lines and having a depth between the building and the rear lot line as specified in the district in which the lot is situated.

**Yard, side.** An open, unoccupied space or spaces on one or two sides of a main building and on the same lot with the building, situated between the building and a side line of the lot and extending through from the front yard to the rear. Any lot line not the rear line or a front line shall be deemed a side line.

**Yard, side.** Means an open, unoccupied space or spaces on one side or two sides of a main building and on the same lot with the building, situated between the building and a side line of the lot and extending through from the front yard to the rear yard. Any lot line, not the rear line or a front line shall be deemed a side line.

**Zoning district map.** The official certified map upon which the boundaries of the various districts are drawn and which is an integral part of the zoning ordinance.

(Ordinance 2012-05-00715, sec. 2, adopted 5/17/12)



# City of Lucas

## Planning and Zoning Agenda Request

### April 14, 2022

Requester: Planning and Zoning Commission

#### **Agenda Item Request**

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Consider changing the start time of Planning and Zoning Commission meetings from 7:00 pm to 6:30 pm and setting a date to begin the new schedule.

#### **Background Information**

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On March 3, 2022, the City Council voted to change their meeting start time from 7:00 pm to 6:30 pm to maximize time and improve efficiency. The new time for City Council meetings will take effect May 5, 2022. For all other boards and commissions, beginning meetings at 6:30 pm would provide for a consistent start time.

#### **Attachments/Supporting Documentation**

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NA

#### **Budget/Financial Impact**

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NA

#### **Recommendation**

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NA

#### **Motion**

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I make a motion to approve/deny starting Planning and Zoning Commission meetings at 6:30 pm and setting a date to begin the new schedule on May 12, 2022.



**City of Lucas**  
**Planning and Zoning Agenda Request**  
**April 14, 2022**

Item No. 09

Requester: City Secretary Stacy Henderson

**Agenda Item Request**

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Consider approval of the minutes of the March 10, 2022, Planning and Zoning Commission meeting.

**Background Information**

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NA

**Attachments/Supporting Documentation**

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1. March 10, 2022, Planning and Zoning Commission minutes.

**Budget/Financial Impact**

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NA

**Recommendation**

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NA

**Motion**

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I make a motion to approve the minutes of the March 10, 2022, Planning and Zoning Commission meeting.





## MINUTES

### PLANNING AND ZONING COMMISSION MEETING

March 10, 2022 | 6:00 PM

Council Chambers | Video Conference

City Hall | 665 Country Club Road, Lucas, Texas

#### Call to Order

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The meeting was called to order at 6:00 pm. It was determined that a quorum was present, and the Pledge of Allegiance was recited. In the absence of a regular member, an alternate member is selected as a voting member.

#### Commissioners Present:

Chairman Dusty Kuykendall  
Vice Chairman Tommy Tolson  
Commissioner Joe Williams  
Commissioner Peggy Rusterholtz  
Commissioner Adam Sussman

Alternate Commissioner James Foster  
Alternate Commissioner Chris Bierman

#### Staff Present:

City Manager Joni Clarke  
Development Services Director Joe Hilbourn  
City Secretary Stacy Henderson  
Management Analyst Patrick Hubbard  
On-Call Engineer Joe Grajewski  
City Attorney Courtney Morris

#### City Council Liaison Present:

Mayor Jim Olk

#### Regular Agenda

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- 1. Consider the request by Anderson Engineering on behalf of O'Reilly Auto Enterprises, LLC for final plat approval for an O'Reilly Auto Parts located on the east side of Angel Parkway approximately one-quarter mile south of McGarity Lane, and part of the William Snider Survey, Abstract No. 821, Tract 16, being 1.140 acres of a 20.79-acre tract on Lot 1, Block 1, of the O'Reilly Addition, located at 561 Angel Parkway, Lucas, Texas.**

**MOTION:** A motion was made by Commissioner Sussman, seconded by Commissioner Williams to approve the final plat for O'Reilly Auto Parts located on the east side of Angel Parkway approximately one-quarter mile south of McGarity Lane, and part of the William Snider Survey, Abstract No. 821, Tract 16, being 1.140 acres of a 20.79-acre tract on Lot 1, Block 1, of the O'Reilly Addition, located at 561 Angel Parkway, Lucas, Texas. The motion passed unanimously by a 5 to 0 vote.

- 2. Consider amendments to the Code of Ordinances, Chapter 13 Utilities, Exhibit A, Stormwater Run-Off Planning and Design Criteria Manual.**

The Commission discussed amendments made by the City's On-Call Engineer Joe Grajewski and recommended the words "standard construction" be added in front of the word "details" on Section A, paragraph 2, items i and j.

**MOTION:** A motion was made by Commissioner Rusterholtz, seconded by Commissioner Sussman to recommend approval of the amendments to the Code of Ordinances, Chapter 13 Utilities, Exhibit A, Stormwater Run-Off Planning and Design Criteria Manual with the additions that the words “standard construction” be added in front of the word “details” on Section A, paragraph 2, items i and j, and language previously approved by the Planning and Zoning Commission and City Council related to culvert design as part of Chapter 13, Exhibit A, Item J be included as part of the amendment. The motion passed unanimously by a 5 to 0 vote.

**3. Discuss and review Chapter 7, Streets and Drainage, of the City of Lucas Comprehensive Plan including the Master Thoroughfare Plan and recommend proposed amendments if needed.**

The Commission reviewed the Thoroughfare Plan discussing roadway improvements that had been completed since its adoption in 2017, proposing to maintain all roadways as two-lane roads, noting that the proposed connection from Highland Drive to Lewis Lane was not seen as beneficial, nor was straightening Stinson Road due to traffic concerns.

The Commission discussed amending Chapter 7 of the Comprehensive Plan to have language more generic to eliminate continuous updating as well as having staff include language related to bridges.

The Commission moved to Public Hearing Agenda Items 9 and 10 at 7:00 pm and will return to Agenda Item 3 once the Public Hearing Agenda was completed.

## **Public Hearing Agenda**

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**9. Public hearing to consider the request for a specific use permit submitted by the property owner Wal-Mart Real Estate for a drive-through restaurant on a .975-acre tract of land in the W. Snider Survey, Abstract Number 821, being part of Lot 1, Block A, Wal-Mart Lucas Addition, situated in the City of Lucas, Collin County, Texas.**

Development Services Director Joe Hilbourn gave a presentation discussing elements of the specific use permit request noting that the development would remove parking spaces from the Wal-Mart parking lot, but that the minimum number of parking spaces required for the entire Wal-Mart site were being met. The following conditions were being recommended by City staff.

1. All exterior lighting be on a timer, that turns all lights except security lighting off 30 minutes after close of business.
2. Hours of operation are 6:00 a.m. to 1:00 a.m.
3. Exterior lighting shall omit no glare extending beyond the property line.
4. Signage should include a monument sign consistent with surrounding monument signs along Angel Parkway.
5. The specific use permit be terminated if the project has not started within 12 months.
6. Tie the attached concept plan to the specific use permit.

The public hearing was opened at 7:04 pm, there being no one wishing to speak, the public hearing was closed.

**MOTION:** A motion was made by Commissioner Williams, seconded by Commissioner Rusterholtz to recommend approval of the specific use permit submitted by Wal-Mart Real Estate for a drive-through restaurant on a .975-acre tract of land in the W. Snider Survey, Abstract Number 821, being part of Lot 1, Block A, Wal-Mart Lucas Addition, situated in the City of Lucas, Collin County, Texas with the following conditions:

1. All exterior lighting be on a timer, that turns all lights except security lighting off 30 minutes after close of business.
2. Hours of operation are 6:00 a.m. to 1:00 a.m.
3. Exterior lighting shall omit no glare extending beyond the property line.
4. Signage should include a monument sign consistent with surrounding monument signs along Angel Parkway.
5. The specific use permit be terminated if the project has not started within 12 months.
6. Tie the attached concept plan to the specific use permit.

The motion passed unanimously by a 5 to 0 vote.

- 10. Public hearing to consider the request for a specific use permit by property owner Yueteng Leng to allow a farmers market and agricultural classes to be held within renovated school buses at their property located at 880 Stinson Road within the Trails End Addition, Lot 2, in Lucas, Texas.**

The applicant requested their item be withdrawn from the agenda; therefore, no action was taken on this item, and it was removed from the agenda.

## **Regular Agenda (Continued)**

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The Commission returned to Regular Agenda Item No. 3 at 7:07 pm.

- 3. (Continued) Discuss and review Chapter 7, Streets and Drainage, of the City of Lucas Comprehensive Plan including the Master Thoroughfare Plan and recommend proposed amendments if needed.**

Eileen Mougel, 651 Stinson Road, spoke against straightening Stinson Road due to the potential for increased traffic and speeding.

The Commission noted that any comments or edits to Chapter 7 would be provided to the City Secretary for inclusion and further discussion at the April 14, 2022, meeting.

There was no action taken on this item, it was for discussion purposes only.

- 4. Consider final review of amendments to Chapter 6, Parks, Recreation and Open Space of the City of Lucas Comprehensive Plan, including the updated Trails Master Plan.**

**MOTION:** A motion was made by Commissioner Sussman, seconded by Vice Chairman Tolson to recommend approval of the amendments to Chapter 6, Parks, Recreation and Open Space of the City of Lucas Comprehensive Plan, including the updated Trails Master Plan. The motion passed unanimously by a 5 to 0 vote.

**5. Discuss building setbacks, lot line definition, building line definition, and lot width requirements in all residential zoning districts.**

Development Services Director Joe Hilbourn discussed with the Commission proposed modifications to building setbacks requirements and lot line definitions. The Commission discussed requiring platting of each lot within the City that would establish lot lines and the ability to obtain easements. The Commission also discussed how property owners would be affected by this requirement. The Commission discussed setbacks for accessory buildings, and associated requirements.

Commissioner Rusterholtz submitted proposed language to be considered as part of the amendments. Mr. Hilbourn noted he would review the submitted language and bring back proposed amendments to the April 14, 2022, meeting.

There was no action taken on this item, it was for discussion purposes only.

**6. Discuss proposed amendments to Chapter 14, Zoning, Division 4, Specific Use Permits and provide direction to City staff.**

City Attorney Courtney Morris discussed with the Commission items that could be considered as amendments to specific use permit requirements as part of Chapter 14 zoning. The Commission agreed with Ms. Morris' comments and asked that proposed language be prepared for the April 14, 2022, meeting for further consideration.

There was no motion on this item, it was for discussion purposes only.

**7. Discuss amending the City's Code of Ordinances, Chapter 14 Zoning, Article 14.01.004 Definitions by amending the definition of home occupation and provide direction to City staff.**

Development Services Director Joe Hilbourn discussed with the Commission current regulations in place for home-based businesses and proposed language to update the regulations. The Commission discussed the number of allowable employees, how to determine the number of employees visiting a residence, how often employees could come to a residence, and enforcement associated with a home-based business. The Commission discussed including locations such as the garage and accessory buildings as part of the home-based business definition, and the type of businesses to be considered in a residential neighborhood that do not create a commercial activity.

The following individuals spoke regarding home-based businesses:

- Elizabeth Fagan, 760 Stinson, shared concerns related to businesses located in accessory buildings or places such as busses.
- Shawn Wilson, 760 Stinson, discussed parking and traffic nuisances associated with home occupation that can turn into a commercial business.

- James Sheridan, 651 Bastrop, shared concerns about accessory buildings being used as a commercial business.
- Dan Silva, 12 Hickory Hill, spoke in opposition to home-based businesses in a residential district.
- Liz Grey, Ranch Estates, shared concerns regarding the number of vehicles and traffic associated with home-based businesses.

There was no action on this item, the Commission directed staff to revise language related to home occupation and bring back for further consideration.

**8. Consider approval of the minutes of the February 10, 2022, Planning and Zoning Commission meeting.**

Commission Rusterholtz noted that the minutes should be amended to reflect the name of the new Chairman.

**MOTION:** A motion was made by Vice Chairman Tolson, seconded by Commissioner Williams to approve the minutes as amended. The motion passed unanimously by a 5 to 0 vote.

**11. Adjournment.**

**MOTION:** A motion was made by Vice Chairman Tolson seconded by Commissioner Williams to adjourn the meeting at 8:38 pm. The motion passed unanimously by a 5 to 0 vote.

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Dusty Kuykendall, Chairman

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Stacy Henderson, City Secretary