



## AGENDA

### Planning and Zoning Commission Meeting

December 8, 2022 | 6:30 PM

Council Chambers

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 December 8, 2022, at 6:30 pm at Lucas City Hall, 665 Country Club Road, Lucas, Texas 75002-7651, at which time the following agenda will be discussed. As authorized by Section 551.071 of the Texas Government Code, the Planning and Zoning Commission may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.*

If you would like to watch the meeting live, you may go to the City's live streaming link at <https://www.lucastexas.us/departments/public-meetings/>.

#### **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.

**Submit Written Comments:** If you are unable to attend a meeting and would like to submit written comments regarding a specific agenda item, email Management Analyst Kevin Becker at [kbecker@lucastexas.us](mailto:kbecker@lucastexas.us) by no later than 3:30 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 3:30 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 - Cancelled**

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1. Public hearing to consider a request by the City of Lucas to rezone a tract of land on the Southeast corner of the intersection of Estelle Lane and Country Club Road from Commercial Business to Residential 2 acre, situated in the Ben Sparks Survey, Abstract No. A0813, Tract 74, 0.95 acres.  
**(CANCELLED)**

#### **Regular Agenda**

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2. Discuss accessory building regulations in the City of Lucas. **(Development Services Director Joe Hilbourn)**
3. Consider approval of the minutes of the November 10, 2022 Planning and Zoning Commission meeting. **(Management Analyst Kevin Becker)**

## **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.*

4. Executive Session: An Executive Session is not scheduled for this meeting.
5. 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 December 2, 2022.*

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*Kevin Becker, Management Analyst*

*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 Management Analyst Kevin Becker at 972-912-1214 or by email at [kbecker@lucastexas.us](mailto:kbecker@lucastexas.us) at least 48 hours prior to the meeting.*



**City of Lucas**  
**Planning and Zoning Agenda Request**  
**December 8, 2022**

Requester: Development Services Director Joe Hilbourn

**Agenda Item Request**

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Public hearing to consider a request by the City of Lucas to rezone a tract of land on the Southeast corner of the intersection of Estelle Lane and Country Club Road from Commercial Business to Residential 2 acre, situated in the Ben Sparks Survey, Abstract No. A0813, Tract 74, 0.95 acres.

**Background Information**

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NA

**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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NA



# City of Lucas

## Planning and Zoning Agenda Request

### December 8, 2022

Item No. 02

Requester: Development Services Director Joe Hilbourn

#### **Agenda Item Request**

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Discuss accessory building regulations in the City of Lucas.

#### **Background Information**

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There have been ongoing concerns expressed by both the Planning and Zoning Commission and the City Council regarding accessory buildings with habitable space. At the June 2, 2022 City Council meeting, a discussion occurred relating to the size of accessory buildings allowed in residential and agricultural zoning districts. The City Council recommended that the Planning and Zoning Commission evaluate the allowable size of accessory buildings and the number of allowable homes and/or accessory buildings per acre.

At the July 14, 2022 Planning and Zoning Commission meeting, the following recommendations were made regarding AO (Agricultural), R1 (Single-Family Residential 1-acre), R1.5 (Single-Family Residential 1.5-acres), and R2 (Single-Family Residential 2-acres):

- Accessory buildings with habitable space in AO Zoning District shall meet the Zoning District of R1.
- R1 and AO: 550 square feet of habitable space plus an additional 400 square feet of attached garage, porch, and patio.
- R1.5: 700 square feet of habitable space plus an additional 400 square feet of attached garage, porch, and patio.
- R2: 900 square feet of habitable space plus an additional 450 square feet attached garage, porch, and patio.

At the August 11, 2022 Planning and Zoning Commission meeting, the Commission agreed with the changes to the square footage of habitable space and making the square footage of attached garages, porches, and patios to equal 400 square feet combined for R1, AO, R1.5 and R2:

- Accessory buildings with habitable space in AO Zoning District shall meet the requirements of the R1 Zoning District.
- R1 and AO: 550 square feet of habitable space plus a combination of attached garage, porch, and patio not to exceed 400 square feet.
- R1.5: 700 square feet of habitable space plus a combination of attached garage, porch, and patio not to exceed 400 square feet.
- R2: 900 square feet of habitable space plus a combination of attached garage, porch, and patio not to exceed 400 square feet.

At the September 8, 2022, Planning and Zoning Commission meeting, a public hearing was scheduled, but the proposed revisions to Chapter 14 Zoning, Article 14.04 Supplementary Regulations, Division 8 Accessory Buildings, Structures and Uses specific to accessory buildings with habitable space was denied.



# City of Lucas

## Planning and Zoning Agenda Request

### December 8, 2022

Item No. 02

At the October 13, 2022 Planning and Zoning Commission meeting, the Commissioners received citizen feedback regarding the proposed changes to the City's Code of Ordinances pertaining to accessory buildings with habitable space.

The following attempts to summarize topical areas for discussion as it pertains to the regulation of accessory buildings in the City of Lucas:

1. The City needs to be clear about what accessory buildings citizens can have.
2. The City needs to have a well-defined definition of an accessory building with habitable space.
3. Some citizen feedback indicated that a Homeowners Association (HOA) should regulate accessory buildings and prevent them from becoming rentals.
4. Define the problem and what we are trying to solve.
5. Previous discussions expressed concern regarding accessory buildings with habitable space being viewed as a second home and circumventing the zoning ordinance.
6. There is a concern with accessory buildings with habitable space becoming rental housing and potentially creating nuisances (noise, traffic, etc.) and having a negative impact of the quality of life for citizens.
7. What is the total number of buildings allowed in residential zoning (look at the total square footage of the footprint).
8. There seems to be a desire to prevent Airbnb's and rentals in the City of Lucas.

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

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1. Accessory Buildings with Habitable Space Point Paper Prepared by Commissioner Tolson
2. Chapter 14 Zoning, Article 14.04 Supplementary Regulations, Division 8 Accessory Buildings, Structures and Uses

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

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NA

#### **Recommendations**

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NA

#### **Motion**

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Provide direction to the City Manager regarding any proposed amendments to existing ordinances regarding the regulation of accessory buildings.

## Point Paper

Subject: ACCESSORY BUILDINGS WITH HABITABLE SPACE

### 1. Issue

- City council requested that P&Z study current ordinances Chapter 14, Article 14.04, Division 8, §14.04.304 and recommend if possible adjustments are needed
- Multiple permit requests have been submitted where it appears that two single-family homes are being proposed for construction on lots zoned for one single-family home

### 2. Background

- Permit applications for accessory buildings with habitable space in R1, R1.5, and R2 zoned districts along with the size of these buildings have increased
- Many of these accessory buildings with habitable space function as detached residential dwelling units
- Permits are being approved in subdivisions whose deed restrictions and covenants specifically prohibit more than one residential dwelling per lot, e.g. Huntwick (March 2021) and Glenbrook Estates (April 2022)
- Ordinance is based on IRC definition of habitable space but does not directly define non-habitable space
- Ordinance allows kitchen, cooking, or food prep area on AO and R2 zoned districts only
- No more than thirty percent (30%) of total R-zoned lot area (defined by property lines) can be covered by combined area of main buildings and accessory buildings per §14.03.113(d), 137(d), 233(d)
- P&Z consensus was that combined square footage of garage/porch/patio attached to accessory buildings with habitable space be limited to 400 square feet

### 3. Discussion

- How many accessory buildings with habitable space should be allowed on R-zoned properties?
- Should “accessory building with habitable space” be replaced with “dwelling unit” or other term in §14.01.004? If kitchen/ cooking/food prep area included should term change?
- Should ordinance define habitable (and non-habitable) space or create new term/ definition?
- Should requirements and enforcement of accessory buildings with habitable space be left up to each individual subdivision and/or homeowner’s association?
- How many accessory buildings should be allowed on R-zoned properties?
- What should be the total area (square feet or %) of accessory buildings allowed to cover a lot on R-zoned properties?
- Should limitations on accessory building number and size be uniform across all three R-zoned districts or vary by district?

DIVISION 8  
**Accessory Buildings, Structures and Uses<sup>1</sup>**

**§ 14.04.301. Purpose.**

The purpose and intent of the accessory building, accessory structures and accessory use regulations is to:

- (1) Maintain neighborhood and community integrity and preserve the existing character of neighborhoods by encouraging compatible land uses.
- (2) Provide the residents of the city the opportunity to use their property to enhance the quality of life and/or fulfill personal objectives as long as the use of the property is not incompatible with the land uses or character of the neighborhood.
- (3) Assure that public and private services such as streets, water and electrical systems are not burdened by accessory uses to the extent that the accessory usage exceeds that which is normally associated with the primary use of the property.

(Ordinance 2006-10-00577, sec. 1, adopted 10/16/06)

**§ 14.04.302. Accessory structures, buildings and uses permitted.**

- (a) Accessory structures or buildings may be erected, maintained, and used for purposes which are clearly accessory to the principal or main structure, building or use permitted on the premises. Except in the agriculture district accessory buildings shall be built after the main building or structure.
- (b) Accessory structures, buildings and uses shall be so constructed, maintained and utilized so that the use of the building or equipment located does not produce excessive noise, vibration, concussion, dust, dirt, smoke, odors, noxious gases, heat, traffic, glare from artificial illumination or from reflection of natural light and shall be on the premises of the principal or main use, structure, or building except as may be specifically provided herein.
- (c) For any accessory structure a special exception may be required when the total square footage of the main building and any accessory buildings exceeds 50,000 square feet. Special exceptions may be granted by the city council when such property owner can show the following:
  - (1) Does not contain or support a use inconsistent with the zoning district regulation applicable to the property;
  - (2) Use of structure does not cause traffic congestion;

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1. Editor's note—Ord. No. 2005-08-00531 (adopted 8/1/05) added to former chapter 9 a new article 15.5 "Accessory Buildings, Structures and Use Regulations," sections 9-130 through 9-135, and changed references in several other sections within chapter 9. Subsequently, Ordinance No. 2005-12-00544 (adopted 12/5/05), section 4, changed article 15.5 to become article 26 and also changed sections 9-130 through 9-135 to be sections 9-270 through 9-275, respectively. Subsequently, the city enacted Ordinance No. 2006-10-00577, which again added article 15.5, "Accessory Buildings, Structures and Use Regulations," sections 9-130 through 9-135, which conflicted with the already-enacted article 26. On instructions from the city, Ordinance No. 2005-12-00544, section 4, has been treated as being superseded by Ordinance No. 2006-10-00577 in its entirety. Therefore, this division is composed of Ordinance No. 2006-10-00577.

- (3) Does not support use by any person other than owner or occupant of the main structure; and
- (4) That size and mass of the structure is consistent with the surrounding uses.
- (d) Except as provided herein, no trailers, containers, commercial boxes or other similar structures shall be used as accessory structures or buildings. Exceptions to this subsection (d) are as follows:
  - (1) Agriculture uses with five (5) acres or more may use trailers, containers, or commercial boxes for permanent storage located behind the main structure and obscured from public view; or
  - (2) Industrial and commercial users may use trailers, containers, or commercial boxes for temporary storage located behind the main structure obscured from public view for a period not to exceed ninety (90) days total in any one calendar year. The director of community development may extend the allowable time in thirty (30) day increments up to a maximum of 180 days, provided the property owner provides just cause for the extension.

(Ordinance 2006-10-00577, sec. 1, adopted 10/16/06; Ordinance 2016-10-00845 adopted 10/20/16; Ordinance 2020-08-00920 adopted 8/20/20)

**§ 14.04.303. Exemptions.**

The following accessory structures are exempt from this division:

- (1) Retaining walls;
- (2) Air conditioning mechanical equipment;
- (3) Uncovered flatwork (such as but not limited to patios, sidewalks, concrete pool decking and driveways);
- (4) Play houses less than 125 square feet without running water or electricity, playground equipment, tree forts, and similar structures located behind the front of the main building; and
- (5) Temporary (less than 7 days) membrane structures (such as but not limited to tents and bounce houses).

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

**§ 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, 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.

(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.

(3) Setbacks.

(A) Accessory buildings.

- (i) Front yard setback, a minimum of ten feet behind the rear build line of the main structure 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.
- (ii) Rear yard setback, a minimum of twenty feet.
- (iii) Side yard setbacks, a minimum of twenty feet.
- (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.

- (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.
- (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.

(Ordinance 2006-10-00577, sec. 1, adopted 10/16/06; Ordinance 2008-06-00617 adopted 7/19/08; Ordinance 2015-08-00816 adopted 8/20/15; Ordinance 2016-10-00845 adopted 10/20/16; Ordinance 2020-08-00920 adopted 8/20/20)



**City of Lucas**  
**Planning and Zoning Agenda Request**  
**December 8, 2022**

Item No. 03

Requester: Management Analyst Kevin Becker

**Agenda Item Request**

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

**Background Information**

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NA

**Attachments/Supporting Documentation**

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1. November 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 November 10, 2022 Planning and Zoning Commission meeting.



## MINUTES

### PLANNING AND ZONING COMMISSION MEETING

November 10, 2022 | 6:45 PM

*(or immediately following the Capital Improvements Advisory Committee Meeting)*

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

#### Call to Order

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The meeting was called to order at 7:33 pm and the Pledge of Allegiance was recited.

**Commissioners Present:**

Chairman Dusty Kuykendall  
Vice Chairman Tommy Tolson  
Commissioner Peggy Rusterholtz  
Commissioner Adam Sussman  
Alternate Commissioner James Foster  
Alternate Commissioner Chris Bierman

**Staff Present:**

City Manager Joni Clarke  
Assistant City Manager Kent Souriyasak  
City Secretary Erin Day  
Development Services Director Joe Hilbourn  
Management Analyst Kevin Becker  
City Attorney Courtney Morris

**Commissioners Absent:**

Commissioner Joe Williams

**City Council Liaison Present:**

Mayor Jim Olk

#### Public Hearing Agenda

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- Public hearing to consider a request by David Lewis, on behalf of property owner 3R Land Properties L.C., to rezone four parcels of land on the north side of Parker Road from Residential 1.5 acres to Residential 1 acre, situated in the Lewis P. Turner Survey, Abstract No. 901, Tract 4, 2.280 acres and Tract 5, 3.9943 acres, and in the John Gray Survey, Abstract No. 349, Tract 6, 8.5 acres and Tract 7, 10.296 acres.**

Chairman Kuykendall announced that Chris Bierman would be a voting member on this agenda item.

Development Services Director Joe Hilbourn gave a presentation on this item describing the area seeking the zoning change and stated that staff recommends approval of the zoning change.

Chairman Kuykendall opened the public hearing at 7:36 pm.

Joseph Ferdo, 6 Cimarron Trail, spoke in opposition of this item stating that he does not believe the changes fit with the City having larger lots.

Scott Harvey, 4 Chisholm Trail, spoke in opposition of this item stating that a change in zoning would increase population density, which he says goes against the philosophy of the City have a smaller population density.

Sean Watts, 1115 Snider Lane, spoke in opposition of this item stating that he does not believe there is a hardship present to allow a zoning change to take place.

Josh Patterson, 10 Santa Fe Trail, spoke in opposition of this item stating that the City should not be cramming more housing in as it does not provide further benefit to the City or its vision.

With no further comments, the public hearing was closed at 7:47 pm.

Sudhir Sakaria, 3708 Grey Lane in Parker, is a spokesman on behalf of 3R Land Properties. The Commission asked if there was an environmental engineering reason why the property is incapable of being developed as R1.5. Mr. Sakaria stated that they had not completed any geotechnical reports to determine if there is a reason as to why the developer is wanting to the land to be developed as R1.5. The developer stated that the request change is due to financial reasons.

Development Services Director Joe Hilbourn stated that the recommendation of approval is based on prior approval of the land use based on the Comprehensive Plan that is currently in place. Commissioner Adam Sussman stated that he believes the Future Land Use Map is something that should be revisited due to changing dynamics and vision within the City.

City Attorney Courtney Morris stated that the Future Land Use Map is not an item the Commission is bound to, but the map is meant to show what was intended for the land and that the City will make decisions based on this map. If the Commission decides not to follow the Future Land Use Map, then the Commission would have to provide a good reason for not following the Comprehensive Plan. Vice Chairman Tolson stated that he would like to know the reasons that will allow the Commission to consider denying the zoning change. City Attorney Courtney Morris stated that the list of reasons can be presented to the Commission in an Executive Session.

Executive Session entered at 8:01 pm to discuss the legality of approving or denying the zoning change request.

Executive Session ended at 8:17 pm.

**MOTION:** A motion was made by Commissioner Rusterholtz, seconded by Commissioner Sussman, to recommend to the City Council to deny the request by David Lewis, on behalf of property owner 3R Land Properties L.C., to rezone four parcels of land on the north side of Parker Road from Residential 1.5 acres to Residential 1 acre, situated in the Lewis P. Turner Survey, Abstract No. 901, Tract 4, 2.280 acres and Tract 5, 3.9943 acres, and in the John Gray Survey, Abstract No. 349, Tract 6, 8.5 acres and Tract 7, 10.296 acres. The motion passed unanimously by a 5 to 0 vote. Alternate Chris Bierman was a voting member on this item.

## **Regular Agenda**

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- 2. Consider approval of an application for a site plan, landscape plan, elevations, and a preliminary plat submitted by Dave Carter, on behalf of the owner NDC Holdings, LP, for Lucas Retail Addition, a retail center on a 1.619-acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas, located at 2695 McGarity Lane.**

Development Services Director Joe Hilbourn gave a presentation on this item showing the site plan, architectural plan, photometric plan, and the preliminary plat. Mr. Hilbourn stated that staff recommends approving the site plan, landscape plan, elevations, and preliminary plat.

**MOTION:** A motion was made by Alternate Commissioner Foster, seconded by Commissioner Sussman, to recommend to the City Council to approve the site plan, landscape plan, elevations and the preliminary plat submitted by Dave Carter, on behalf of the owner NDC Holdings, LP, for Lucas Retail Addition, a retail center on a 1.619-acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas, located at 2695 McGarity Lane. The motion passed unanimously by a 5 to 0 vote. Alternate Commissioner James Foster was a voting member on this item.

- 3. Consider a request by Preston Walhood, on behalf of Young Dean Homestead, Ltd., for a preliminary plat for Dean Estates on a parcel of land consisting of 44.185 acres, located in the John McKinney Survey, Abstract Number 596, creating 27 single-family lots and two common spaces on the east side of Stinson Road, approximately 55 feet south of the roundabout.**

Development Services Director Joe Hilbourn gave a presentation and stated that staff recommends approval of the preliminary plat.

**MOTION:** A motion was made by Commissioner Rusterholtz, seconded by Commissioner Sussman, to recommend to the City Council to approve a request by Preston Walhood, on behalf of Young Dean Homestead, Ltd., for a preliminary plat for Dean Estates on a parcel of land consisting of 44.185 acres, located in the John McKinney Survey, Abstract Number 596, creating 27 single-family lots and two common spaces on the east side of Stinson Road, approximately 55 feet south of the roundabout. The motion passed unanimously by a 5 to 0 vote. Alternate Commissioner James Foster was a voting member on this item.

- 4. Consider final draft of the City of Lucas Comprehensive Plan and recommend proposed amendments if needed.**

Development Services Director Joe Hilbourn gave a presentation and stated that staff recommends approval of this item.

Commissioner Rusterholtz stated that the legend in the Future Land Use Plan should have a header that reads “Land Uses” and that we remove the “Residential” and “Nonresidential” headers. Commissioner Rusterholtz also recommended that there should be updates on the Future Land Use Plan based on the discussions that the Commission had earlier in the meeting. City Manager Joni Clarke asked the Commission if the Zoning Map should overlay with the Future Land Use Map so that what is currently zoned throughout the City and make the Future Land Use Map match the current zoning. The Commission stated that this is the change that they would like to make. Commissioner Rusterholtz also recommended making the same changes to the legend in the Zoning Map that will be made in the Future Land Use Plan. The Commission also stated that the Zoning Map should be updated to reflect the recent changes to zoning in the City.

**MOTION:** A motion was made by Commissioner Rusterholtz, seconded by Commissioner Sussman, to recommend to the City Council to approve the final draft of the City of Lucas Comprehensive Plan with the added recommendations. The motion passed unanimously by a 5 to 0 vote. Alternate Commissioner James Foster was a voting member on this item.

**5. Consider approval of the minutes of the October 13, 2022 Planning and Zoning Commission meeting.**

**MOTION:** A motion was made by Commissioner Foster, seconded by Commissioner Rusterholtz, to approve the minutes of the October 13, 2022 Planning and Zoning Commission meeting. The motion passed unanimously by a 5 to 0 vote. Alternate Commissioner James Foster was a voting member on this item.

**6. Executive Session.**

An Executive Session occurred during the Public Hearing.

**7. Adjournment.**

**MOTION:** A motion was made by Commissioner Rusterholtz, seconded by Commissioner Sussman to adjourn the meeting at 8:47 pm. The motion passed unanimously by a 5 to 0 vote. Alternate Commissioner James Foster was a voting member on this item.

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Dusty Kuykendall, Chairman

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Kevin Becker, Management Analyst