

FEBRUARY 20, 2019

WISE COUNTY DEVELOPMENT RULES AND REGULATIONS COMMITTEE

On this the 20th day of February, A.D., 2019 at 2:02 P.M. came on to be had a Meeting of the Wise County Development Rules and Regulations Committee of Wise County, Texas held in the Large Conference Room of the Wise County Elections Administration Office (200 S Trinity Street) of said County in the town of Decatur with the following members present and presiding:

J.D. Clark		County Judge
Danny White	Absent	Commissioner, Precinct No. 1
Kevin Burns		Commissioner, Precinct No. 2
Harry Lamance	Absent	Commissioner, Precinct No. 3
Gaylord Kennedy	Absent	Commissioner, Precinct No. 4

Sherry Lemon, County Clerk and Ex-Officio Clerk of Commissioners' Court when and where the following proceedings were had, to-wit:

All attachments referred to in the minutes of the Wise County Commissioners' Court are designated original or copy and are provided at the time of action by the Court unless otherwise indicated by provider.

County Judge Clark votes aye on all agenda items unless otherwise indicated.

- 1) County Engineer Chad Davis called the meeting to order at 2:02 PM. Those present include Clark, Davis, Burns, Commissioners Court Attorney Thomas Aaberg, Public Works Director Joey Highfill (and two of his staff), Kimley-Horn and Associates, Inc. Professional Engineers Kyle Welden and Jenifer Tatum.
- 2) Burns confirmed with Welden that the county cannot require a plat if a property owner isn't subdividing the property then the county doesn't have any police powers regarding how a property owner is going to build anything. Burns told the committee that the county can only tell the property owner about having a good ingress/egress.

Welden commented that Texas Local Government Code 232.007 is very specific about rental communities. Welden stated it outlines what the county can require. Welden commented that the county cannot require a more stringent requirement than what is required under a development plan. Aaberg stated the county's policy follows very closely to the statute. Aaberg commented about Tarrant County's development rules and regulations related to manufactured home rental communities.

Davis commented this discussion is separate from RVs. Welden confirmed it is. Highfill asked if this excludes the county from having any development plan for RV parks. Welden commented that if the property owner is not selling or subdividing the property it doesn't fall within the confines of platting. Welden commented that the primary reason manufactured home rental communities come up is because it is a permanent structure that someone will be living in for a set amount of time there is a public safety issue.

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The committee discussed the need to bring the ingress/egress requirements to the manufactured home rental community property owner's attention when they are requesting a 9-1-1 address because of the amount of money and time invested in the project to that point.

Aaberg and Clark discussed the ramifications of not entering into a development plan by a property owner. Tatum stated the language regarding residential lot sizing and explained how the acreage requirements would apply to manufactured home rental community. The committee discussed cluster systems for septic systems. Davis asked if the Public Works department is clear on what to tell property owners/developers? Burns told Davis, "No." Tatum briefly discussed public water supply requirements. Davis stated there needs to be some clarity. Burns commented on what the county can and cannot tell the property owners according to TCEQ regulations.

Tatum stated the county can require a comprehensive drainage plan; layout; flood plain. Tatum stated the drainage plan has historically been reviewed by Kimley-Horn and Associates, Inc. and performed by an engineer.

Highfill asked about duplex ingress/egress requirements? Welden explained the requirements. Clark asked why ingress/egress requirements would be different for a duplex than a manufactured home rental community? Tatum told Clark explained the difference. Clark confirmed that a manufactured home rental community would have more stringent requirements than a duplex community. Aaberg asked if the Wise County Development Rules and Regulations section 8.01 has changed? Tatum stated the language regarding manufactured home rental communities comes out of Texas statute. Clark confirmed that a manufactured home rental community would be required to build the roads to county specifications.

Davis confirmed that all items for 2(a) and 2(c) are complete. Davis asked if there needs to be any further clarification?

Highfill asked whether it would be best to hold septic permits until the structure is built in the event of any changes? The committee confirmed that the permit expires a year from issuance.

Davis commented that the committee has discussed previously about notification language to school districts of proposed developments. Tatum and Welden commented that this item will be changed now. Burns commented that some school district wish to deny proposed developments. Burns stated notification could be sent by registered letter.

Davis asked Tatum if the language will be ready for the Commissioners Court meeting?

Burns asked about outdoor lighting? Davis stated that TxDOT referred him to the McDonald Observatory. Burns stated that it needs to be light that doesn't shine off of the property. Burns stated that night-sky lighting or lighting that doesn't shine off the property is what needs to be required. Burns discussed issues about lighting that interference with roadways. Burns and the committee discussed this further. Tatum asked if the county has the authority over nuisance ordinances. The committee discussed that this is a public safety issue. Aaberg asked if there is a

lighting standard now? The committee further discussed this. Burns stated he will address this at the next Commissioners Court meeting.

Davis asked what it would take to make Wise County a "Night Sky County"? Burns commented that it would take legislation. The committee further discussed this item.

Tatum asked where "fire apparatus road" is added? Welden and Aaberg stated it is under shared-access roadway.

Davis asked if the language will be ready for Commissioners Court on Monday? Aaberg discussed the timeline for consideration of approval and the 30-day notice of public hearing. The committee discussed the timeline for public hearing.

Highfill discussed Interlocal agreements with the municipalities regarding being a registered agent with the state. Davis recommended adjournment as this item is not on the committee meeting agenda.

3) Davis adjourned the meeting at 2:53 PM, there being no further items to discuss. Minutes approved this 11th day of March, 2019, as printed.

J.D. Clark, County Judge, Wise County

Danny White, Commr. Pct. No. 1

Harry Larnance, Commr. Pct. No. 3

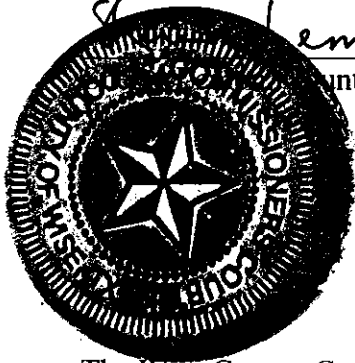
ABSENT

Kevin Burns, Commr. Pct. No. 2

Gaylord Kennedy, Commr. Pct. No. 4

ATTEST:

St. Lemon
County Clerk and Ex-Officio Clerk of Commissioners' Court,



The Wise County Commissioners' Court adopted the *Rules of Procedures, Conduct & Decorum at Meetings of Wise County Commissioners' Court* on February 28, 1994 and the rules have not been revised.