

Lake Ralph Hall Zoning Commission Minutes of 8-25-2022 Meeting

The Meeting, held at Lyday Hall at the Honey Grove Library and Learning Center in Honey Grove, was called to order by Chairman Jerry Magness at 5:30 pm, with all Commissioners (Jan Cooper, Newt Cunningham, John Ed Shinpaugh and Jaylen Wallace) present. A quorum was present.

Chairman Magness announced that time would be provided for the approximately 50 citizens in attendance to review graphics and maps provided by Freese & Nichols, Inc. on display around the room.

At 5:45 pm Chairman Magness introduced Daniel Harrison of Freese & Nichols who gave a powerpoint presentation about the Lake Ralph Hall Comprehensive Plan, discussing the history of the Plan, the process for adoption of the Plan, the purpose of the Plan and a Plan overview. Mr. Harrison stated that the goal was to take the Plan to the Fannin County Commissioners Court in October for adoption.

Chairman Magness first called for comments from Commissioners.

Newt Cunningham first discussed Map 5 on page 21 of the Plan, which displays the 100 year and 500 year floodplain estimated. He asked about the ownership of the land in dark blue and the definition of "riparian." Daniel Harrison said that the dark blue property is owned by Upper Trinity Regional Water District ("Upper Trinity") and that there will probably be no development in these areas. Mr. Cunningham asked why Upper Trinity owns land outside the 500 year floodplain. Then Mr. Cunningham pointed out the chart on page 16 which shows that Upper Trinity owns 6,006 acres (17%) of the property in the 5,000 foot zoning area (outside of the Lake itself) and that the federal government owns an additional 3,524 acres (10%), and thus a total of 27% of the available land will not be available for development. Mr. Cunningham asked if any study had been done of how much of the shoreline Upper Trinity owns, and Mr. Harrison said "no". Mr. Cunningham asked about boat docks and marinas on the shoreline. Mr. Cunningham then asked Daniel Harrison about page 55 and the property tax status of land being owned by homeowner associations. Mr. Harrison said that land owned by homeowner associations would not be subject to property taxes. Mr. Cunningham said that his understanding was that the plan could be changed in the future and that there is a reason to rush adoption of the plan to forestall developments such as junkyards that would be built prior to the adoption of the zoning regulations.

Jan Cooper said she agreed with Mr. Cunningham and was glad there would be opportunities to change the plan in the future.

Jayleen Wallace said that while the Plan is not perfect, it is important to proceed with speed. He said that Upper Trinity needs to be held up to its commitments. He mentioned one question that had been asked by citizens was the ability of a home to be built on property zoned as commercial. Mr. Harrison said that would be detailed in the zoning regulations. Mr. Wallace also asked a question regarding the ability to maintain current use when there was a change in ownership. Mr. Wallace also likes the revised vision statement.

John Ed Shinpaugh said that he echoes Mr. Wallace's comment about the status of the Plan. He asked a question about the Future Land Use map which had designated narrow areas of potential public access in the area of the intersection of 1550 and 34. Mr. Shinpaugh questioned the reasoning about this narrow public access area and asked it to be removed. All Commissioners agreed that this public access designation should be removed from the Future Land Use Map, and this will be done in next version of the Plan. Mr. Shinpaugh also questioned the zoning of the area near the Oak Ridge Church of Christ and the Oak Ridge Cemetery as General Commercial. All Commissioners agreed that this designation should be removed from the Future Land Use Map, and this will be done in next version of the Plan.

Chairman Magness asked how the boundaries of the zoning area would be decided. Mr. Harrison said that would be part of the discussion of the zoning regulations.

Chairman Magness then began the Public Comment period.

1. David Cullar. His first comment addressed public access. He then asked when the Shoreline Management Plan would be available and asked for basic parameters in advance of the completed Shoreline Management Plan.
2. Jim Moffatt asked why the minimum size of rural development lots in the Bois d'Arc Lake zoning regulations was 5 acres and the minimum size in the Lake Ralph Hall Plan was 3 acres. He also asked about the ½ acre lot size, because the minimum lot size for a septic system is 1 acre. He also wants commercial development to be in Ladonia, not on the north side of the Lake. He also asked for temporary zoning soon to stop the building of trailer parks. Mr. Cunningham spoke about the possibility of adoption of the Bois d'Arc zoning regulations with appropriate changes.
3. Greg Morris, Ladonia City Councilman, said that the City of Ladonia needs the shoreline management plan, and suggested that the entire area be declared a nature preserve so that investors and developers would put pressure on Upper Trinity. He asked Doug Janaway,

representative for Upper Trinity, if land around the Lake had been acquired by eminent domain, and Mr. Janaway said “yes, but no recently.”

4. Michele Coquis said that the Shoreline Management Plan was needed and asked if Upper Trinity would be selling any land. She noted that the Plan has numerous action items for the County, and wanted a way to monitor those action items.
5. Tom Wishard was concerned about the change in the Vision Statement which eliminated “peaceful” and asked at what cost the vision of “vibrant” would come. He thinks some areas should be vibrant and other peaceful. He said that the broadening of the tax base should not be the only goal. He also asked that the 6 acres of land of the Oak Ridge Church of Christ and the Oak Ridge Cemetery be designated as “Institutional.”
6. Luke Nolan asked why the south boat dock was moved. Doug Janaway said that the former location would be used for the new visitors center and headquarters office and there was not enough room for the boat dock and associated parking.
7. Scott Epley asked when the zoning regulations would become effective. He noted the requirement for an annual review of the plan and asked how often the Commission would meet and what the process would be.
8. Jonathan Mendez addressed the issue of public access that had been previously addressed by Commissioner Shimpough.
9. Cheryl Fanning asked what was in the Bois d’Arc Lake Shoreline Management Plan and if docks were being built on that lake? Mr. Cunningham said that North Texas Municipal Water District (“NTMWD”) had a process for permitting docks, but that none were being built yet. She asked about fencing on the lake edge at Bois d’Arc Lake. Mr. Cunningham said that fencing would be needed if livestock were on the property, but that otherwise NTMWD would allow reasonable access to the Lake.
10. Jo Dahlin said that Upper Trinity was refusing to provide information to the Appraisal District without a confidentiality agreement. She also discussed the land between the 550 elevation and land 50 feet in elevation above that line which is owned by Upper Trinity. She asked if a property owner could run cows and mow that area. Doug Janaway said that Upper Trinity will provide reasonable access to the Lake. She wants Upper Trinity to pay a fee for the water from the Lake and encourage citizens to contact legislators about this. Doug Janaway said that Upper Trinity had been making “payments in lieu of taxes.”
11. Rafael Coquis likes the idea of “vibrant,” but wants commercial development in Ladonia to provide jobs for teenagers. Daniel Harrison said that the map does not show the areas for

development inside the Ladonia city limits, but it is the intent to have commercial development inside Ladonia.

12. Doug Janaway discussed the status of the Shoreline Management Plan and said that the zoning is ahead of lake construction. He said that Upper Trinity does not take its prior commitments to the County lightly. He also reported that in its next budget Upper Trinity will provide a significant amount of money to help the three water suppliers around Lake Ralph Hall provide water for the area. Upper Trinity wants to be a good neighbor.
13. Greg Morris, Ladonia city councilman, said that he and two other persons met with Larry Patterson of Upper Trinity a few days ago about water issues and a possible joint venture to build a water plant. Ladonia has the right to take water from the lake, but Ladonia would have to pump it out, pipe it and treat it, and Ladonia does not have the resources for that. Mr. Morris was disappointed in the outcome of the meeting.

The public comment period ended at 7:45 pm.

Newt Cunningham made a motion to send the Plan (with two changes) to Commissioners Court. This was unanimously agreed to by the LRH Zoning Commissioners.

The meeting was adjourned at 7:48 pm.

The above and foregoing represents true and correct minutes of the Lake Ralph Hall Zoning Commission meeting that was held on the 25th day of August, 2022 at 5:30 p.m.

Attest:

Malinda Allison

Malinda Allison
Secretary
Lake Ralph Hall Zoning Commission