

CANTON PLANNING & ZONING COMMISSION
9:30 A.M., TUESDAY, FEBRUARY 10, 2004
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Commission members Lynn Etheridge, Elisa Heard, and Charles Huddle were present. Scott Brooks and Chris Howard were absent.

Discussion and action were as follows:

CALL MEETING TO ORDER – Chairman Lynn Etheridge called the meeting to order at 9:30 a.m. and announced a quorum was present. The Commission determined it should meet at 9:30 a.m. on the second Tuesday of each month to consider items to be presented to the Council the following week, and as needed for site plan approvals not requiring Council approval.

APPROVAL OF MINUTES OF DECEMBER 16, 2003 MEETING – Minutes of the December 16, 2003 Meeting were unanimously approved on a motion by Elisa Heard and second by Charles Huddle.

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE OF ALL THAT LOT, TRACT, OR PARCEL OF LAND LOCATED AT 690 WEST DALLAS, CANTON, TEXAS, OWNED BY BILLY JACK AND LUCIA DEEN FROM MULTIPLE FAMILY RESIDENTIAL (MF-1) TO RESTRICTED PROFESSIONAL OFFICE (RPO) - Julie Jackson reported sending notices to three neighboring property owners and receiving one response in favor of the zoning change. Lucia Deen informed the Commission the property on which MaMaw's House was situated would be leased to Karen and Deen White for law offices. Charles Huddle made the motion to recommend approval of the requested zoning change from MF-1 to RPO at 690 West Dallas, Canton, Texas, owned by Billy Jack and Lucia Deen. Elisa Heard seconded, and all voted in favor.

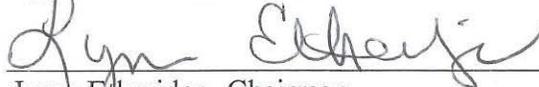
DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE OF ALL THAT LOT, TRACT, OR PARCEL OF LAND CONTAINING 7.716 ACRES SITUATED IN THE J. STOCKWELL SURVEY, A-760, LOCATED AT 1280 HIGHWAY 64 WEST, CANTON, TEXAS, OWNED BY INEZ TUNNELL FROM LOCAL BUSINESS DISTRICT AND RURAL AGRICULTURAL (B-1 AND RA) TO GENERAL BUSINESS DISTRICT (B-2) – Rick Malone reported the front portion of the property was zoned B-1 by the City's original zoning ordinance while the remainder was left Rural Agricultural. Julie Jackson stated thirteen property owners were notified of the request but none responded. The Commission discussed the intended use of the property having heard it might be bought by the County to expand the jail. Rick Malone stated B-2 was the best use of the property even if it was for a jail. Others believed the county had decided to expand on its current lot and the owners wanted to rezone to sell the property. After determining salvage and wrecking yards were not allowed in B-2, Charles Huddle made the motion to recommend approval of the zoning change from B-1 and RA to B-2 of the entire 7.716 acre tract located at 1280 Highway 64 West, Canton, Texas, owned by Inez Tunnell. Elisa Heard seconded, and all voted in favor.

DISCUSS AND CONSIDER SPECIFIC USE PERMIT FOR A BED AND BREAKFAST ON ALL THAT LOT, TRACT, OR PARCEL OF LAND LOCATED AT 704 SOUTH TRADE DAYS BLVD.(LARGE LOT 5, BLOCK 1), CANTON, TEXAS, OWNED BY SCOTT PERKINS – Julie Jackson reported sending notices to nineteen neighboring property owners and receiving seven responses, all in favor. The Commission discussed Specific Use Permits for Bed and Breakfasts. Rick Malone read the general terms of the zoning ordinance allowing for Specific

Use Permits for uses not otherwise stated in the ordinance. Rick Malone reported he had been unable to reach Mr. Perkins for a site plan showing the planned parking, number of bedrooms etc. He did report an existing ramp and the property's compliance with ADA standards. The Commission determined street parking would be a hazard so parking would have to be designated on the property. Charles Fenner advised the Commission could approve the request contingent upon receipt of a site plan and its approval by City staff prior to Council consideration. Charles Huddle made the motion to recommend approval of the Specific Use Permit for a Bed and Breakfast at 704 South Trade Days Blvd., owned by Scott Perkins, contingent upon receipt and staff approval of a site plan prior to Council consideration. Lynn Etheridge seconded, and all voted in favor.

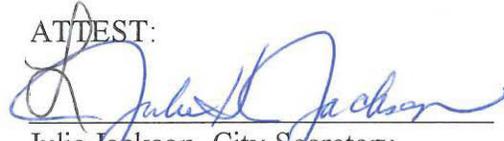
ADJOURN – There being no further business to discuss, Lynn Etheridge adjourned the meeting at 9:51 a.m.

Approved the _____ day of April, 2004.



Lynn Etheridge, Chairman

ATTEST:



Julie Jackson, City Secretary

CANTON PLANNING & ZONING COMMISSION
9:30 A.M., TUESDAY, APRIL 13, 2004
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Commission members Elisa Heard, Chris Howard and Charles Huddle were present. Lynn Etheridge joined the meeting at 10:14 a.m. Scott Brooks was absent.

Discussion and action were as follows:

CALL MEETING TO ORDER – Elisa Heard called the meeting to order at 9:34 a.m. and announced a quorum was present.

APPROVAL OF MINUTES OF FEBRUARY 10, 2004 MEETING – Minutes of the February 10, 2004 Meeting were unanimously approved on a motion by Charles Huddle and second by Elisa Heard.

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE OF ALL THAT LOT, TRACT, OR PARCEL OF LAND LOCATED AT 1020 WEST DALLAS, CANTON, TEXAS, OWNED BY ROBIN R. AND RORY RAGSDALE FROM LOCAL BUSINESS DISTRICT (B-1) TO GENERAL BUSINESS DISTRICT (B-2) – Julie Jackson reported sending notices to nine neighboring property owners with no response. Rick Malone explained the property owner wanted to lease the property for carpet sales, which fell under building materials requiring B-2 zoning. The Commission discussed B-1 and B-2 permitted uses. Rick Malone noted the lot's limited size with city-owned property behind, which would limit the future use of the lot. He confirmed it matched the comprehensive plan currently under consideration by the City. Chris Howard made the motion to recommend rezoning 1020 West Dallas to B-2. Charles Huddle seconded, and all voted in favor.

DISCUSS AND CONSIDER APPROVAL OF SITE PLAN PROPOSED BY JOHN LOGSDON FOR CANTON MARKETPLACE NORTH PARKING LOT LOCATED ON 5.418 ACRE TRACT ON NORTH TRADE DAYS BLVD. – Rick Malone presented the site plan and a checklist showing it met all criteria set by the City. John Logsdon stated they bought the property to make sure they had ample parking for the Canton Marketplace shopping center. He noted the property also had access in back so it would not involve SH 19 as much. The plans allowed for 113 RV hook-ups, additional car parking, and the construction of a new bathhouse. Rick Malone confirmed the parking was not required for the Marketplace Center since its plans exceeded the minimum parking requirements. He added the three handicap spaces for the building on the current site plan were ample for the size of the existing building. Mr. Logsdon noted they were seeking permission from the State for an easement for underground utilities. He said water was available in front of the existing building and they planned to carry it to the proposed bathroom, looping it back in to the Marketplace building. He said they planned to continue a wholesale/retail business in the existing building. The site plan was unanimously approved on a motion by Charles Huddle and second by Chris Howard. Mr. Logsdon stated they hoped to have the Marketplace Center finished by the first of July.

DISCUSS AND CONSIDER SUPPLEMENT TO CITY OF CANTON ZONING ORDINANCE CREATING A ZONING CLASSIFICATION TO BE KNOWN AS PLANNED DEVELOPMENT DISTRICT (PD) - Rick Malone proposed supplementing the current zoning ordinance with a Planned Development District (PD) which would give the Planning & Zoning Commission and City Council the flexibility to approve creative developments outside the current zoning ordinance. He noted a PD could be residential, commercial or mixed use. He presented a

point system which would allow developers to incorporate amenities as a trade-off for higher density lots. Mr. Malone explained the developer would present a conceptual plan to the Commission, at which time both parties would negotiate on the plan elements, e.g. lot sizes, covered porches and central mail boxes (if residential), activity centers, landscaping, parks, access, etc. Mr. Malone pointed out a PD had to include a sidewalk plan. A detail plan would then be considered by the Commission for recommendation to the Council. Then, the City Council would consider adoption of the plan as an amendment to the city's zoning ordinance. Lynn Etheridge arrived at 10:14 a.m. The Commission reviewed the point system and amenities and determined the points table should be used as a guide without restricting the Commission and Council from further negotiations. They also discussed trade-offs and whether or not parks, pools, courts, fields, etc. would be dedicated to the City. It was agreed dedication of any property to the City would be discussed on a case-by-case basis and would also depend on whether or not the development had a homeowners' association. The Commission then unanimously recommended approval of the proposed supplement for PD's, with the inclusion of the point system "as a guide", on a motion made by Chris Howard and second by Lynn Etheridge.

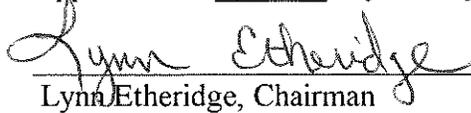
DISCUSS AND CONSIDER AMENDMENT TO CITY OF CANTON ZONING ORDINANCE PROVIDING FOR THE ISSUANCE OF A SPECIFIC USE PERMIT FOR BED AND BREAKFAST FACILITIES – Julie Jackson explained a Bed & Breakfast was currently not described as a permitted use in any zoning district, but could be allowed under the general definition and terms for a Specific Use Permit. She noted the amendment would make the ordinance more concise by specifically including the Bed & Breakfast category in the Specific Use Permit Section. Rick Malone stated a site plan designating parking (1 space per room is the norm) and compliance with ADA standards would be required. He noted the City would be responsible for enforcement. Lynn Etheridge asked about grandfathered properties. Mr. Malone explained the properties would be considered non-conforming uses. The Commission discussed defining a B&B as the rental of three or more rooms, excluding those citizens who rent one or two rooms during First Monday. To fill in the gap between the city's hotel/motel tax ordinance's definition of a motel as a facilities renting three or more rooms and the Commission's suggestion to define a B&B as the rental of three or more rooms, Ms. Jackson suggested allowing the rental of two rooms as a permitted use in residential districts, replacing the permitted use of the rental of rooms to two persons. The consensus was to propose Ms. Jackson's suggested amendment at the Commission's next meeting since it was not specifically on the agenda. Chris Howard made the motion to recommend amending the City's Zoning Ordinance permitting a Bed & Breakfast in RA, R-1, R-2, R-3, B-1, B-2, RPO and FMB districts by Specific Use Permit, and defining a Bed & Breakfast as a facility renting three or more rooms. Charles Huddle seconded, and all voted in favor.

DISCUSS AND CONSIDER AMENDMENT TO CITY OF CANTON ZONING ORDINANCE LIMITING THE SALE AND/OR DISPLAY OF OUTDOOR MERCHANDISE – Rick Malone proposed an amendment to the zoning ordinance limiting the sale, display and storage of outdoor merchandise. He noted all existing properties would be required to comply within 18 months. He also noted a space equivalent to 10% of the square footage of the building would be allowed in front of the building for the display of merchandise, but it would have to be brought inside each night. The Commission discussed the properties on SH 19, north of SH 64 on which merchandise was displayed in front. Mr. Malone established they were B-2, not FMB, properties and they would be required to comply with the new restriction. Mr. Huddle stated he didn't like that. Mr. Malone noted it would be allowed in the back or sides with proper screening. He pointed out the ordinance exempted the display of nursery plants, building materials and seasonal items. The Commission discussed the current limitation of four garage sales per year and the allowance of

sidewalk sales. Mr. Huddle complained about the condition of the Yarbrough property on Buffalo Street. Mr. Malone stated it would be covered by this amendment. Elisa Heard noted Gary Norrell's property on Highway 19 was currently empty, making it an opportune time to enforce new restrictions. In discussing screening, the Commission recommended defining permitted fence materials as treated wood, masonry, block or stone, or living; with the living screen being further defined as an evergreen variety capable of reaching eight foot, and requiring its maintenance and trimming to be kept neat, orderly and at the appropriate height. Elisa Morton added that the amendment should include specific wording "no chain link fencing permitted." Chris Howard made the motion to recommend the supplement to the City's Zoning Ordinance limiting the display, sale and/or storage of outdoor merchandise as proposed with the added screening definitions. Charles Huddle seconded, and all voted in favor.

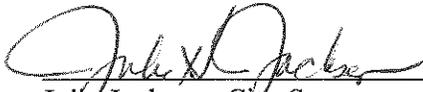
ADJOURN – There being no further business to discuss, the meeting adjourned at 11:00 a.m.

Approved the 11 day of May, 2004.



Lynn Etheridge, Chairman

ATTEST:



Julie Jackson, City Secretary

CANTON PLANNING & ZONING COMMISSION
5:30 P.M., THURSDAY, APRIL 15, 2004
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Commission members Lynn Etheridge, Elisa Heard, Chris Howard and Charles Huddle were present. Scott Brooks was absent.

Discussion and action were as follows:

CALL MEETING TO ORDER – Lynn Etheridge called the meeting to order at 5:34 p.m. and announced a quorum was present.

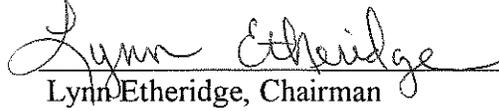
DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE OF 0.52 ACRE TRACT ON ETHERIDGE LANE OWNED BY WANDA ETHERIDGE FROM RURAL AGRICULTURE (RA) TO SINGLE FAMILY DETACHED RESIDENTIAL (R-1) – Julie Jackson reported notifying twelve neighboring property owners, with one responding in favor of the requested change. Rick Malone noted Charles Houser was purchasing the property and planned to build a home and move there. Charles Huddle made the motion to recommend granting Mrs. Etheridge's request to change from RA to R-1 zoning on the .52 acre tract located on Etheridge Lane. Chris Howard seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FOR A SPECIFIC USE PERMIT FOR A BED AND BREAKFAST FACILITY AT 510 SOUTH BUFFALO OWNED BY DR. J. MICHAEL HACKNEY – Ms. Jackson reported mailing notices to eighteen property owners, with four responding in favor and one opposed. Ms. Etheridge stated the property owners had designated the property's use as a Bed & Breakfast at the time the City was drafting the original zoning plan and it had later been remodeled as a Bed & Breakfast with four bedrooms and four bathrooms. The Commission discussed the zoning ordinance's failure to designate the property accordingly and that it did not qualify as a non-conforming use since it had not actually been operated as a Bed & Breakfast. Parking issues were then discussed. Rick Malone stated the parking requirements for a Bed & Breakfast were vague, but he would require one space per room. He added most ordinances in the state did not address parking. He also noted Mr. Perkins' recently permitted Bed & Breakfast had enough property for eight parking spaces, but the main idea was to get parking off the street. Property owner Earl Brown who responded in opposition of the change, stated he saw no benefit to the neighborhood and voiced his concerns about property values, parking, noise, etc. He said it was a quiet neighborhood and he felt encroached upon. Lynn Etheridge noted the Hackney's had a Bed & Breakfast in mind when they built it and the Specific Use Permit would allow that purpose only. Elisa Heard added there would be a restriction on parking to keep cars off the streets and there were already "no parking" signs along the street. Mr. Brown said the property was located across from his front window and he didn't see how it would improve property values. Chris Howard asked if there were other Bed & Breakfast facilities on that road. Mr. Malone answered there was a property down from Mr. Brown that rented rooms in the main house and a couple of cabins in the back yard. When asked by Mr. Howard, Dr. Mike Hackney said he had no plans to change the property, that it had been built for that purpose with bedrooms and bathrooms singled out. He added the parking is circular around the house and most would park on the back or sides of the property, not at the front door. In discussing signs, Mr. Malone stated they were restricted from any free-standing signs and could only hang a sign on the side of the house. Lynn Etheridge stated for the record that she would abstain from voting since her company had the property listed. She noted an attorney was interested in the property but Mr. Hackney had chosen not to change the zoning for office space.

Elisa Heard made the motion to recommend approval of the Specific Use Permit for a Bed & Breakfast Facility at 510 South Buffalo. Chris Howard seconded, Lynn Etheridge abstained, and all others voted in favor.

ADJOURN – There being no further business to discuss, the meeting adjourned at 5:47 p.m.

Approved the 11 day of May, 2004.



Lynn Etheridge, Chairman

ATTEST:

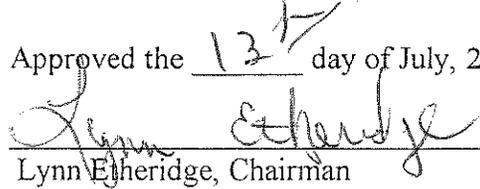


Julie Jackson, City Secretary

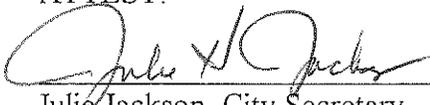
CANTON PLANNING & ZONING COMMISSION
6:00 P.M., THURSDAY, MAY 6, 2004
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Planning & Zoning Commission was scheduled to meet jointly with the Canton City Council at the above-named date and time in the City Hall Council Chambers. Commission members Elisa Heard and Charles Huddle were present. The meeting failed for lack of a quorum.

Approved the 13th day of July, 2004.


Lynn Etheridge, Chairman

ATTEST:


Julie Jackson, City Secretary

CANTON PLANNING & ZONING COMMISSION
9:30 A.M., TUESDAY, MAY 11, 2004
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Commission members Lynn Etheridge, Elisa Heard, Scott Brooks and Charles Huddle were present. Chris Howard was absent.

Discussion and action were as follows:

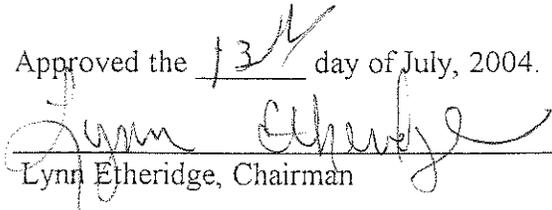
CALL MEETING TO ORDER – Lynn Etheridge called the meeting to order at 1:35 a.m. and announced a quorum was present.

APPROVAL OF MINUTES OF APRIL 13 AND APRIL 15, 2004 MEETINGS – Minutes of the April 13 and April 15, 2004 meetings were approved on a motion by Scott Brooks and second by Elisa Heard.

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE OF ALL THAT LOT, TRACT, OR PARCEL OF LAND LOCATED AT 630 WEST STATE HIGHWAY 243, CANTON, TEXAS, OWNED BY HENRY LEWIS FROM SINGLE FAMILY RESIDENTIAL DISTRICT (R-1) TO GENERAL BUSINESS DISTRICT (B-2) – Julie Jackson reported sending notices to twelve neighboring property owners. Three responded, all in favor, with two contingent upon a privacy fence requirement. Rick Malone explained the property formerly housed Backwoods Bar-B-Que and the owner was repairing the building for the purpose of reopening. He further noted the business was in existence when the city passed its original zoning ordinance, but it was somehow left out. He said the current repairs included bringing the building into ADA compliance. It was determined that screening would be required between the commercial and residential properties by current ordinance regulations. Neighbor Donald Bullard acknowledged the property looked better, but that it should be screened from its residential neighbors. He asked about the possibility of any dumping in the creek. Mr. Malone explained there had never been any illegal dumping, but another area restaurant's faulty grease trap had leached into the ground. He said that problem had been resolved. Scott Brooks then made the motion to recommend the requested zoning change from R-1 to B-2 at 630 West SH 243. Charles Huddle seconded, and all voted in favor.

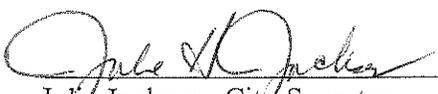
ADJOURN – There being no further business to discuss, the meeting adjourned at 9:42 a.m.

Approved the 13th day of July, 2004.



Lynn Etheridge, Chairman

ATTEST:



Julie Jackson, City Secretary

CANTON PLANNING & ZONING COMMISSION
9:30 A.M., TUESDAY, JULY 13, 2004
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Commission members Lynn Etheridge, Elisa Heard, Chris Howard and Charles Huddle were present. Scott Brooks was absent.

Discussion and action were as follows:

CALL MEETING TO ORDER – Lynn Etheridge called the meeting to order at 9:30 a.m. and announced a quorum was present.

APPROVAL OF MINUTES OF MAY 6 AND 11, 2004 MEETINGS – Minutes of the May 6 and 11, 2004 meetings were approved on a motion by Elisa Heard and second by Chris Howard.

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE OF ALL THAT LOT, TRACT, OR PARCEL OF LAND LOCATED AT 1100 SOUTH TRADE DAYS BLVD., CANTON, TEXAS, OWNED BY DONALD R. PLATTER FROM SINGLE FAMILY RESIDENTIAL DISTRICT (R-1) TO LOCAL BUSINESS DISTRICT (B-1) – Julie Jackson reported two property owners responding in opposition to the zoning change and one in favor. Rick Malone recommended tabling consideration to allow time for completion of the special gateway zoning district amendment proposed in the newly adopted comprehensive plan. He said B-1 would not fit with the comprehensive plan's lighter mixed-use district. Sandra Bullard said she saw Highway 19 as a totally commercial street, noting it was four and one-half lanes. She added she didn't think it should all be B-1, but it was hard for businesses to want to move here if no high profile commercial properties were available. She said Highway 19 was important to the community for that purpose. Rick Malone said the comprehensive plan agrees with that philosophy, but the zoning ordinance needed to redefine a lesser impact district for lighter retail so that it would fit harmoniously in the area. Chris Howard made the motion to table the item until the zoning ordinance could be amended to define zoning for the gateway district. Elisa Heard seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE OF ALL THAT LOT, TRACT, OR PARCEL OF LAND LOCATED AT 104 EUBANK DRIVE, CANTON, TEXAS, OWNED BY J.W. DAILEY, M.D. FROM SINGLE FAMILY RESIDENTIAL DISTRICT (R-1) TO LOCAL BUSINESS DISTRICT (B-1) – Julie Jackson reported the property owners had withdrawn their request and would be reapplying for RPO zoning. She noted the comprehensive plan defined the area on Buffalo north of Eubank as residential and south of Eubank as retail. Elisa Heard stated it was good to have the plan on which to base their decisions. The committee then reviewed the adopted future land use plan.

ADJOURN – There being no further business to discuss, the meeting adjourned at 9:45 a.m.

Approved the _____ day of August, 2004.

Lynn Etheridge, Chairman

ATTEST:

Julie Jackson, City Secretary

CANTON PLANNING & ZONING COMMISSION
6:00 P.M., MONDAY, OCTOBER 11, 2004
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Commission members Lynn Etheridge, Elisa Heard, Chris Howard, Charles Huddle and Scott Brooks were present. Discussion and action were as follows:

CALL MEETING TO ORDER – Lynn Etheridge called the meeting to order at 6:00 p.m. and announced a quorum was present.

APPROVAL OF MINUTES OF JULY 13, 2004 MEETING – Minutes of the July 13, 2004 meeting were approved on a motion by Elisa Heard and second by Scott Brooks.

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE OF ALL THAT LOT, TRACT, OR PARCEL OF LAND LOCATED AT 104 EUBANK DRIVE, CANTON, TEXAS, OWNED BY J.W. DAILEY, M.D. FROM SINGLE FAMILY RESIDENTIAL DISTRICT (R-1) TO RESTRICTED PROFESSIONAL OFFICE (RPO) – Julie Jackson reported mailing notices to eleven property owners and receiving five responses—four in favor and one opposed. Chris Howard asked about a side entrance and noted problems with street parking at the clinic's property. Rick Malone explained the only entrance was off Buffalo. Elisa Heard asked if there was a compelling reason the property should be rezoned since the request did not conform to the comprehensive plan. She added she did not want to set a precedent of voting against the comprehensive plan. Charles Huddle stated he did not think there would ever be an upscale home on the lot and he thought the Dailey building would be more attractive than it is now. Ms. Heard pointed out the adjoining properties were residential and expected to stay residential for a long time. Lynn Etheridge agreed the Zoning Commission had pushed for a comprehensive plan and it was in place to give direction to the Zoning Commission. Chris Howard concurred the Commission should adhere to the plan. Scott Brooks stated the property on the south side of Eubank was designated as retail in the comprehensive plan. Elisa Heard pointed out there was a process that someone in business should go through and it could have been done prior to the purchase of the property. Ms. Heard made a motion to recommend Jim Dailey's request for a zoning change at 104 Eubank be denied. Chris Howard seconded. The motion carried with Elisa Heard, Lynn Etheridge and Chris Howard voting in favor, and Scott Brooks and Charles Huddle voting against.

DISCUSS AND CONSIDER SUPPLEMENT TO CITY OF CANTON ZONING ORDINANCE CREATING A ZONING CLASSIFICATION TO BE KNOWN AS THE GATEWAY DISTRICT (GD) PERMITTING MIXED USES ALONG STATE HIGHWAY 19 BETWEEN STATE HIGHWAYS 64 AND 243 – Rick Malone explained the Comprehensive Plan called for a Gateway District on Highway 19 between Highways 64 and 243. He said the proposed zoning allowed several use options and had landscaping and parking regulations built in. Scott Brooks asked if it would be easier to get waivers for parking off side streets. Rick Malone replied it would help with parking issues and would make entrance off residential streets mandatory for some properties and not for others. Julie Jackson described the zoning as allowing less intensive light retail, service and professional uses that would be harmonious with the surrounding residential properties. Chris Howard noted the amendment included streetscaping and asked why rock walls were not permitted. Rick Malone replied it was omitted for appearance reasons, noting walls were better suited for properties like Eckerds. The Commission discussed the requirement for two roof pitches or profiles, the maximum height of three stories, the limitation of on curb cuts, the determination that berms would not limit visibility, screening requirements, and the permitted uses by right and by Specific Use Permit. Mr. Malone reported the intent was to keep harmony with existing properties while still allowing "mom and pop" stores and dress shops. Ms. Heard

noted it would be time consuming for Mr. Malone, but he said it would be well worth it since forty percent of the people coming through Canton would get their first impression from that street section. Chris Howard moved to recommend the proposed amendment with the following change of SECTION 10B-2, (3) (b) requirement from two roof pitches to two roof pitches or two roof elevations. Charles Huddle seconded, and all voted in favor.

DISCUSS AND CONSIDER AMENDMENT TO CITY OF CANTON ZONING ORDINANCE ALLOWING FOR THE RENTAL OF UP TO TWO ROOMS AS A PERMITTED USE IN RA, R-1, R-2, R-3, AND R-4 ZONING DISTRICTS –Scott Brooks moved to recommend the amendment allowing for the rental of up to two rooms as a permitted use in RA, R-1, R-2, R-3 and R-4 zoning districts. Charles Huddle seconded, and all voted in favor.

DISCUSS AND CONSIDER AMENDMENTS TO ORDINANCE 2004-01 REGULATING MINIMUM EXTERIOR STANDARDS FOR STRUCTURES INSIDE THE CITY LIMITS – Rick Malone emphasized the standards only applied to new construction and noted the amendments included expanding the standards to everything inside the city limits. Chris Howard asked about the Gateway District and Mr. Malone explained it would have its own set of standards as defined in the Gateway District amendment. Chris Howard expressed his frustration that standards could be set but property owners building large enough buildings could be granted variances. The Commission discussed the absence of wood as an approved material for exteriors. Scott Brooks made a motion to include wood and log as item (j) under Section 1 Building Materials. Rick Malone explained wood was not usually used anymore because maintenance becomes an issue. Elisa Heard said that businesses like Circle E with rustic cedar would have the ability to apply for a variance. Charles Huddle seconded Mr. Brooks' motion. Mr. Malone asked for clarification to define it as planed wood product, no plywood, no split-faced logs. Scott Brooks amended as such. Charles Huddle seconded the amended motion. Scott Brooks and Charles Huddle voted in favor. The motion failed with Lynn Etheridge, Elisa Heard and Chris Howard voting against. The Commission discussed masonry requirements on side and front elevations. Rick defined lightweight concrete blocks and confirmed fake stone could be used and parapets would not be allowed. Chris Howard moved to recommend the proposed amendments to Ordinance 2004-01. Elisa Heard seconded. The motion passed with Lynn Etheridge, Elisa Heard and Chris Howard voting in favor and Scott Brooks and Charles Huddle voting against.

DISCUSS AND CONSIDER ORDINANCE REGULATING MINIMUM LANDSCAPING STANDARDS FOR NON-RESIDENTIAL PROPERTIES INSIDE THE CITY LIMITS – Rick Malone reported the ordinance applied to non-residential properties. As noted by Elisa Heard, the words "city planner" need to be replaced with "building inspector" wherever they appear. Ms. Heard referenced (g) on page 5 and asked if the cinema and water park would have to comply. Mr. Malone stated they were both aware of it and the school was the only property grandfathered. Chris Howard moved to recommend the ordinance regulating minimum landscaping standards. Scott Brooks seconded, and all voted in favor.

ADJOURN – There being no further business to discuss, the meeting adjourned at 7:13 p.m.

Approved the 15th day of November, 2004.

Lynn Etheridge, Chairman

ATTEST:

Julie Jackson, City Secretary

CANTON PLANNING & ZONING COMMISSION
6:00 P.M., MONDAY, NOVEMBER 15, 2004
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Commission members Lynn Etheridge, Elisa Heard, Chris Howard, Charles Huddle and Scott Brooks were present. Discussion and action were as follows:

CALL MEETING TO ORDER – Lynn Etheridge called the meeting to order at 6:00 p.m. and announced a quorum present.

APPROVAL OF MINUTES OF OCTOBER 11, 2004 MEETING – Minutes of the October 11, 2004 meeting were approved on a motion by Scott Brooks and second by Elisa Heard.

PUBLIC HEARING AND DISCUSS AND CONSIDER AMENDMENT TO CITY OF CANTON ZONING ORDINANCE ESTABLISHING A GATEWAY DISTRICT (GD) INCLUDING ALL PROPERTIES ADJOINING HIGHWAY 19 BETWEEN TYLER STREET AND EUBANK – The Public Hearing opened at 6:02 p.m. Julie Jackson reported notifying 115 property owners affected or within 200 feet of the affected properties. She said 18 responded in favor, 7 opposed, and 1 undecided. Board members reviewed each response. Dan Anderson asked how it would affect existing commercial properties and the sale of such properties. Rick Malone explained Mr. Anderson's professional business was allowable under the proposed ordinance, that any business not in compliance would continue as a non-conforming use until the use of the property changed or it remained vacant for a long period of time. Then, it would have to be brought into compliance. He said it would also have to be brought into compliance if the property itself were changed. Dean Hesse asked Rick Malone to read the B-2 allowable uses, which he did. Upon questioning by Dan Anderson, Mr. Malone explained the purpose of the ordinance was to make the corridor a more unified area, while still keeping it small, nice, and allowing residential. He added it was to help develop a unified look and feel through the corridor, and as if there was thought put into it for future development. Cary Hilliard asked about the changes between the current ordinance and the proposed ordinance. Mr. Malone responded that one positive was that it reduced the pages from half of the zoning book to six pages, making it easy to read and understand. He noted it also allowed some parking requirement reductions and simplified zoning. Dean Hesse asked if there were any properties that did not meet the new code. Mr. Malone reiterated that it did not apply to existing properties and businesses, only if either were changed. Chris Howard further explained it would give citizens control over what the area will look like and it sets standards to keep it looking like something of which everyone could be proud. Lynn Etheridge also stated to was to keep the area looking nice and to prohibit things that wouldn't fit in there. Eddie Hagood stated it would negatively affect the resale of his property since so much would have to be remodeled. Mr. Malone explained his property would be difficult since the building takes up the majority of his lot, and that he and the neighboring attorney would have to be special exceptions because neither had much green area, that they would have to utilize what they had. Mr. Hagood said that someone might think it isn't much, but it would be hard to program into a young businessman's expenses and it would require a larger investment. He said he didn't like the proposed changes and they might slow down development. Mr. Malone pointed out that irrigation and green area was cheaper for a berm, dwarf hollies and two trees than paving with concrete or asphalt. Chris Howard noted the other side of the issue was that property owners wanted neighboring properties to be kept up. Mr. Hagood predicted it would eventually be empty houses and it needed to be made more acceptable to a buyer. Mr. Malone stated that he took a lot of time creating the ordinance, and it included an alternate for property owners to increase landscaping by 15% to reduce parking by 15%. He said this was built in to try to help offset some of the costs while

still making the property presentable to entice people to come to Canton and to make it a better place for our children. Elisa Heard pointed out that many cities had adopted this to control growth. She said without it, larger retailers could come in with big lots, all parking and no green space. She added the ordinance protects property owners. Bertha Randall asked if her property could be used as a parking lot. Mr. Malone said it could for the adjoining property, but not just as a parking lot. Truett Ashworth asked if signs would be allowed. Mr. Malone said 25 sq. ft. signs for 149' lot or less, and 50 sq. ft. signs for over 15' lot width at frontage. Mr. Ashworth then asked about the existing billboard in the area. Mr. Malone said it would be a non-conforming use and as long as it was in good repair, it would remain. Bertha Randall asked about the affect on property values. Charles Fenner said zoning did not affect property values until the use changed. Dean Hesse asked for the criteria on page 4 under approved uses to be explained. Mr. Malone made a correction stipulating that no storage meant no outside storage, and was not referring to a storage building which would have to conform to the zoning ordinance. Mr. Malone stated that if a property owner bought an R-1 lot behind the business, it would have to conform to the R-1 zoning or be rezoned. Mrs. Ray asked about the 3,000 square feet limitation for retail or professional services. Mr. Fenner confirmed the limitation, but mentioned the Commission could change the numbers. He said the comprehensive plan called for a mixed-use, low-intensity district which would maximize the house look and allow people to use it for more than residential, but the commission could change the square foot limitations or any criteria it wanted. He said the lots were small and parking requirements ad to be met, so it would be hard to fit more square footage on most lots. Mr. Ray asked about the North Central Texas Council of Government's Building Standards which were adopted by the Council. Mr. Malone said the Council would be considering some changes at its next meeting, but they were the best fit for Canton. Dean Hesse asked about the reasons the area between Eubank and Tyler was selected. Mr. Malone explained the corner properties on the intersections were more conducive to larger retail. Claudette Anderson voiced concern that the uses for current B-2 properties would be restricted and it would be difficult to maintain a good market value and cash would be needed to meet the zoning restrictions. Mr. Malone said their lot was already limited by its physical boundaries and there was no room to grow. She said they were on a corner which could have a drive-through. Mrs. Ray asked if she sold the back portion of the lot and separate it, would it still be Gateway District. Mr. Malone said it would. Elisa Heard added that the lot would have to comply with the restrictions now. Sandy Bullard said she would like to see the square foot limitations increased if the lot would accommodate the facility and parking requirements. She added it was hard for businesses to find a place to be. She stated she appreciated the thought put into the guidelines, and she'd like to see unsightly properties addressed and required to conform. Lynn Etheridge and Chris Howard explained all they could do was to set up guidelines so if the property was sold, the next owner had to conform. Mr. Malone said under current zoning, there could be more of those properties, but the proposed ordinance closes that gap. Julie Jackson explained the restrictions on square footage limited the potential for replatted large lots on which shopping strips could be built. Elisa Heard said it was a concept of how you wanted the corridor to look. Helps create business opportunities and protects the residential properties. Mike Hackney asked if property owners could apply for a variance allowing for 3,000 to 5,000 square feet. Elisa Heard said if it conformed with the ordinance and met all the requirements, the board would be compelled to recommend. Mr. Hagood said the planners were wrong if they were planning on single family dwellings in the future. Mr. Malone replied that was not the intent of the ordinance, that it was a pro-business ordinance which also allows for people to continue to live there. Elisa Heard added it was also trying to protect the integrity of the corridor for the future. Sandra Bullard asked about a home across from her business that appeared to have approximately fifteen people living in it. She also stated it was cost-prohibitive to renovate the homes for businesses, especially for the many homes in the area which were close to the end of their economic life. She also asked if the ordinance prohibited multiple family housing. Mr. Malone said it allowed duplexes but not apartments. Juanita Hackney voiced her concerns as a long-time resident on Eubank Street about the homes adjoining the back of her property and the 140 Eubank property which was included in the affected area

becoming professional which she stated did affect homes all day long. Richard Ray suggested starting the Gateway District at Church Street so that the Turner, Hackney, Ray, Hagood and Anderson properties would not be affected. Truett Ashworth said his property had been owned by his family since 1938 and he would like to see the area continue to be available for residential. He stated the proposed ordinance was trying to make it possible for someone to live
SKIPPED A LOT HERE. PICK UP.

The Public Hearing Closed at 7:51 p.m. Chris Howard moved to recommend the proposed amendment to the City of Canton Zoning Ordinance regarding the Gateway District, with the clarification of no outdoor storage allowed, the defined uses on page 6 to all be changed to allowable uses by right, rather than by specific use permit, and under architectural design the requirement of a minimum of two roof pitches to be changed to two roof pitches or roof elections.

PUBLIC HEARING AND DISCUSS AND CONSIDER REQUEST FROM MAMIE SHUMAN AND ALAN ROUSH FOR ZONING CHANGE OF 1006 SOUTH TRADE DAYS BLVD., FROM SINGLE FAMILY RESIDENTIAL (R-1) TO LOCAL BUSINESS DISTRICT (B-1)

PUBLIC HEARING AND DISCUSS AND CONSIDER AMENDMENT TO CITY OF CANTON ZONING ORDINANCE AMENDING PARKING REQUIREMENTS AND REGULATIONS

ADJOURN – There being no further business to discuss, the meeting adjourned at 8:34 p.m.

Approved the day of , 2004.

Lynn Etheridge, Chairman

ATTEST:

Julie Jackson, City Secretary

CANTON PLANNING & ZONING COMMISSION
6:00 P.M., MONDAY, DECEMBER 13, 2004
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

The Canton Planning & Zoning Commission met at the above-named date and time in the City Hall Council Chambers. Commission members Lynn Etheridge, Chris Howard, Charles Huddle and Scott Brooks were present. Elisa Heard was absent. Discussion and action were as follows:

CALL MEETING TO ORDER – Lynn Etheridge called the meeting to order at 6:08 p.m. and announced a quorum present.

APPROVAL OF MINUTES OF NOVEMBER 15, 2004 MEETING – Item tabled.

PUBLIC HEARING AND DISCUSS AND CONSIDER REQUEST FROM CANTON ECONOMIC DEVELOPMENT CORPORATION FOR ZONING CHANGE OF ALL THAT 26.24 ACRE TRACT OF LAND SITUATED IN THE Q. C. NUGENT SURVEY, A-618, LOCATED ON VZCR 2106 FROM RURAL AGRICULTURAL (RA) TO GENERAL INDUSTRIAL (GI-1) – Chris Howard made a motion not to accept the change in zoning. Motion died for lack of a second. Lynn Etheridge made a motion to recommend GI-1 zoning for a 26.24-acre tract located on VZCR 2106 owned by Canton Economic Development Corporation. Scott Brooks seconded. Motion passed with Lynn Etheridge, Scott Brooks, and Charles Huddle voting in favor and Chris Howard opposed.

DISCUSS AND CONSIDER APPROVAL OF AMENDMENT TO SITE PLAN FOR 1445 NORTH TRADE DAYS BLVD. (CANTON MARKETPLACE) – Scott Brooks made a motion to approve Storage A on the proposed site plan for 1445 North Trade Days Blvd., but not an open pavilion. Lynn Etheridge and Scott Brooks agreed it was not harmonious with the comprehensive plan. Charles Huddle seconded, and all voted in favor.

ADJOURN – There being no further business to discuss, the meeting adjourned at 6:30 p.m.

Approved the 7th day of January, 2005.



Lynn Etheridge, Chairman

ATTEST:



Julie Jackson, City Secretary