

CANTON PLANNING & ZONING COMMISSION
6:00 P.M., MONDAY, FEBRUARY 7, 2005
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, Scott Brooks and Elisa Heard were present. Charles Huddle 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 DECEMBER 13, 2004 MEETING – The Minutes of the Planning & Zoning Commission's December 13, 2004 were unanimously approved upon motion by Scott Brooks and second by Chris Howard.

DISCUSS AND CONSIDER A SUPPLEMENT TO 1985 CITY OF CANTON ZONING ORDINANCE ADDING SECTION 19 REGULATING SEXUALLY-ORIENTED BUSINESSES – Rick Malone explained the proposed ordinance repealed the provision for allowing sexually-oriented businesses (SOBs) in GI-1 zoning by Specific Use Permit and added them as a Permitted Use in GI-1 zoning, along with the addition of a new section establishing more guidelines for SOBs, mainly based on state and other cities' guidelines. He further explained the City had to allow SOBs, and the proposed amendment did that while also adding regulations of such. He confirmed a business owner had to identify this type of business when he applied for a permit, and it had to be renewed annually at a cost of \$250. The Commission discussed the limitation to only GI-1 zoned districts, a minimum of 1500 feet from schools and churches, and the restriction on rooms. Rick Malone pointed out changes to the proposed amendment on pages 9 and 10 under 19.20 License and on page 10 under number 7 where it refers to Section 113.05 which should be Section 19.05. Elisa Heard made a motion to recommend the proposed supplement to the zoning ordinance with the stipulated corrections. Scott Brooks seconded, and all voted in favor.

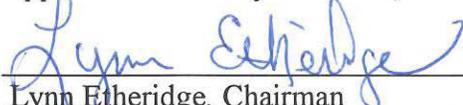
DISCUSS AND CONSIDER AMENDMENT TO 1985 CITY OF CANTON ZONING ORDINANCE AMENDING SECTION 11-2 TO ALLOW MEDICAL CLINICS AS A PERMITTED USE IN LOCAL BUSINESS DISTRICTS (B-1). – Julie Jackson explained that medical clinics were allowed in RPO with the restriction on the number of doctors and in B-2 with no restrictions along with hospitals, but any mention of medical clinics was omitted in B-1 zoning. She suggested inclusion of medical clinics in B-1 (not including hospitals). Scott Brooks made the motion to recommend adding medical clinics as a permitted use in B-1 zoning. Chris Howard seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE FROM SINGLE FAMILY DETACHED RESIDENTIAL (R-1) TO GENERAL BUSINESS DISTRICT (B-2) FOR THE TRACT LOCATED AT 921 WEST DALLAS, CANTON, TEXAS, OWNED BY KRIS INGRAM – Julie Jackson reported two replies in favor of the zoning change were received from the ten neighboring property owners notified, and that the requested change was consistent with the comprehensive plan. The Commission reviewed a site plan presented by Kris Ingram and discussed setbacks, and the 4312 square foot building they were proposing, along with future construction of a 6000 square foot professional complex and another 1800 square foot building. Chris Howard made a motion to recommend changing the zoning of the tract owned by Kris Ingram referred to as 921 West Dallas to B-1 if the amendment allowing medical clinics in B-1 passed, and B-2 if it did not. Dr. Ingram confirmed that was acceptable to him. Scott Brooks seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE FROM RURAL AGRICULTURAL DISTRICT (RA) TO GENERAL BUSINESS DISTRICT (B-2) FOR A 9.26 ACRE TRACT SITUATED IN THE JAMES DOUTHIT SURVEY, A-198, LOCATED ON HIGHWAY 243 EAST, CANTON, TEXAS, OWNED BY HACKNEY PARTNERS, LTD. – Julie Jackson reported that two neighboring property owners responded in favor of the change out of the three notified and that the requested zoning was consistent with the comprehensive plan. The recommendation to rezone the 9.26 acre tract on Highway 243 owned by Hackney Partners Ltd. from RA to B-2 was unanimously approved upon motion by Elisa Heard and second by Scott Brooks.

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

Approved the 7th day of March, 2005.



Lynn Etheridge, Chairman

ATTEST:



Julie Jackson, City Secretary

CANTON PLANNING & ZONING COMMISSION
6:00 P.M., MONDAY, MARCH 7, 2005
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, Scott Brooks and Charles Huddle were present. Elisa Heard was absent. Discussion and action were as follows:

CALL MEETING TO ORDER – Lynn Etheridge called the meeting to order at 6:01 p.m. and announced a quorum present.

APPROVAL OF MINUTES OF FEBRUARY 7, 2005 MEETING – The Minutes of the Planning & Zoning Commission's February 7, 2005 were unanimously approved upon motion by Scott Brooks and second by Chris Howard.

DISCUSS AND CONSIDER AMENDMENT OF ORDINANCE 2004-30 REGULATING MINIMUM EXTERIOR STANDARDS FOR STRUCTURES INSIDE THE CITY LIMITS – Charles Fenner apologized for any miscommunication during the previous consideration of the amendments to the ordinance. He pointed out one major issue raised for discussion was Section 2-2 Minimum Building Façade Standards (a) Residential (4) Accessory buildings over 300 sq. ft. shall conform to the exterior façade of the main building. He informed the Commission they could recommend it be removed or changed. Chris Howard asked how Lloyd Shinn was able to build a metal accessory structure. Rick Malone replied that he received a permit at the same time the amendment was adopted. Scott Brooks brought up the cost involved in building brick or stone homes and asked how many young adults could afford a \$100,000 home. Mr. Malone explained the ordinance was aimed at new subdivisions and only required the exterior requirements on residences being built on lots not already platted. Mr. Fenner said the idea of requiring 75% masonry was to encourage design and allow people to use more materials. Chris Howard asked if homebuilders could ask for a variance for a colonial home. Mr. Fenner explained there were different standards in Planned Development Districts (PD) which supercede the building restrictions ordinance and its purpose was to allow for that type variation. He added most subdivisions would rather go through the PD process than through the variance process for each property. Mr. Fenner said the Commission could recommend allowing 100% hardiplank if it so desired, but they were content with the planned development district option.

The conversation then turned to accessory structures. Chris Howard said he was more concerned with the size of the accessory structure in proportion to the lot size, rather than it being a metal building. The Commission discussed size limits in proportion to lot size and height limits, including allowing heights tall enough to house an RV. They also discussed acceptable materials when in the open versus covered by a fence. Mr. Fenner noted that one of the concepts was that if the accessory structure was a garage, it should conform to the main structure. Scott Brook made the motion to remove Section 2.2 (a) (4) from the ordinance. Mr. Howard said he recommended a restriction relative to lot coverage and Charles Huddle suggested a height restriction instead. Mr. Malone suggested the restriction could be 30-35% of the dwelling size. Charles Huddle then seconded Mr. Brooks' motion and all voted in favor. Mr. Howard said he wanted to add a height restriction of 14' measured from the eave, allowing a 13' door. Lynn Etheridge said she wouldn't want to see a lot of high buildings, but it wouldn't be as bad behind a house. Mr. Fenner stated he would rather see lot coverage restrictions addressed in the zoning ordinance along with setbacks and maximum heights.

Scott Brooks made a second motion to clear up a typing error on page two by amending Section 2-1. Building Materials (i) Exterior Insulation and Finish System (EIFS) to read "...installed four (4') feet above ground level." Chris Howard seconded, and all voted in favor.

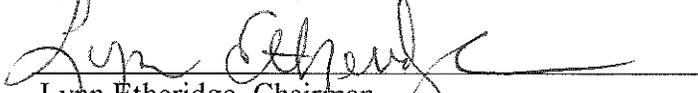
Mr. Howard stated the masonry requirement should depend on where the accessory structure was located and related discussion followed. He then made a motion to add Section 2.2 (a) (4) Any accessory structure not contained in the rear 30% of the yard from any adjoining street must have a masonry front, if unobstructed. The motion was seconded by Scott Brooks and all voted in favor.

The Commission then discussed Section 2.2 (h) which allows cement based planks or paneling to be used as an architectural accent not to exceed 50% of any exterior surface. They decided to leave it alone as options were available through Planned Development zoning.

The next item discussed was Section 2.2 (b) regarding exterior standards in commercial zoning districts. They specifically addressed John Logsdon's request for a variance from the exterior standards at Canton Marketplace. They agreed they did not want to amend the ordinance for this case but recommended a variance.

ADJOURN – There being no further business to discuss, the meeting adjourned at 7:25 p.m. upon motion by Scott Brooks and second by Chris Howard.

Approved the 9th day of May, 2005.


Lynn Etheridge, Chairman

ATTEST:

Julie H. Seymore, City Secretary

CANTON PLANNING & ZONING COMMISSION
6:00 P.M., MONDAY, MAY 9, 2005
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, Scott Brooks, Charles Huddle and Elisa Heard were present. Chris Howard was absent. Discussion and action were as follows:

CALL MEETING TO ORDER – Lynn Etheridge called the meeting to order at 6:02 p.m. and announced a quorum present.

APPROVAL OF MINUTES OF MARCH 7, 2005 MEETING – The Minutes of the Planning & Zoning Commission's March 7, 2005 meeting were unanimously approved upon motion by Scott Brooks and second by Charles Huddle.

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE FROM RURAL AGRICULTURAL (RA) TO MULTIPLE FAMILY RESIDENTIAL (MF-1) FOR THE 8.18-ACRE TRACT SITUATED IN THE Q.C. NUGENT SURVEY, A-618, LOCATED ON FM 859, CANTON, TEXAS, OWNED BY ROBERT A. REESE, JR. - Julie Seymore reported notifying four adjoining property owners and receiving one response from CEDC in favor of the requested change. Rick Malone explained the recently-annexed property contained two single family homes and the owner was considering selling it for or developing seniors' duplexes similar to Wade Whitaker's development behind Circle E Restaurant. Elisa Heard asked if Mr. Reese were planning to keep the existing homes, to which he answered he eventually would not. He noted the houses were already served by city water and that sewer was available at the front of the property. He clarified a larger water line would be necessary, but it was accessible. Ms. Heard pointed out that multi-family zoning opened the door for apartments. Mr. Malone explained there would be height and lot coverage restrictions and the property would have to either be re-platted for a planned development or the owner would have to present a site plan for approval. He further explained an assisted/managed living development with someone on site and a club house would fit on the property. The Commission noted the City's comprehensive plan called for the future land use of this property as industrial and the plan would first need to be amended in order to grant this request. Ms. Heard asked about the tank and Mr. Reese said he would probably keep it and add a fountain. Elisa Heard then made a motion to recommend Robert Reese's request for zoning change from RA to MF-1 on the 8.18-acre tract located on FM 859 be granted subject to amendment of the comprehensive plan. Charles Huddle seconded, and all voted in favor.

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE FROM RURAL AGRICULTURAL (RA) TO PLANNED DEVELOPMENT/SINGLE FAMILY RESIDENTIAL SUBDIVISION (PD) FOR THE 15.5-ACRE TRACT LOCATED ON HIGHWAY 243 WEST, CANTON, TEXAS, OWNED BY DONALD SOUTHERLAND – Julie Seymore reported notifying six neighboring property owners and receiving one response from Henry Lewis opposed to the zoning change. Rick Malone pointed out the City's Comprehensive Plan called for the area to be estate, low-density housing and that a comprehensive plan amendment for high-density housing would be required. He said the owners were requesting it be zoned a planned development district and referenced the proposed plan. He explained the specific proposed plan elements would be addressed during the process of creating a planned development district ordinance. Garland Willis, president of the development company, stated they were open to negotiations. Elisa Heard asked about the width of the street proposed. Mr. Willis said it would be at least forty-five feet wide. He noted the engineering would be done by Benchmark out of Tyler and they would work with TxDOT. The commission then discussed maintenance of the gated entrance and common areas.

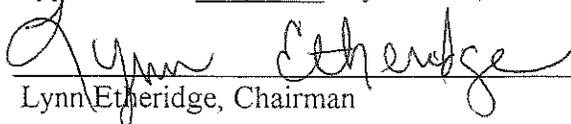
Mr. Willis said they could have a homeowners association, but they had also discussed adding approximately \$1,000 to the price of each house to maintain it and that it would be up to the homeowners to maintain it after that money was gone. Ms. Heard asked if the \$37,000 would be in escrow and managed by Covenant Homes. Mr. Willis so affirmed. Regarding maintenance of the park areas, Ms. Heard expressed her concern that the homeowners be responsible rather than the City, especially since it would be gated. She noted the future problems associated with City maintenance of spot parks in development areas. Lynn Etheridge raised the question of water and sewer availability. Rick Malone stated access to water was not problem, but a sewer study would be required to determine if it could be connected to the line at Huddle Steel Buildings on Highway 198. Charles Huddle asked if it could handle the capacity and Mr. Malone confirmed it could.

Scott Brooks asked about California rolled curbs and Mr. Willis explained it was a lay-down curb that did not require cutting to put in a driveway. Lynn Etheridge asked about the size of the lots and Mr. Willis said they felt like they were offering options with smaller and larger lots and that the smaller lots required less personal upkeep. He said the proposed plan contained thirty-seven lots of which eighteen had sixty-foot fronts. He noted that if all were sixty-foot fronts, they could have forty to forty-two lots on the property. He pointed out the sixty-foot lots were prevalent in Mesquite and Plano. Mr. Malone noted that all the lots exceeded the minimum size requirements for R-3 zoning. Ms. Heard stated the 60'x110' R-3-zoned lots in River Oaks Addn. sold well and a demand for the smaller lots existed. She noted that Canton had larger lots offerings in the Grace Homes and Lake Meadows additions, and that the City needed to offer a variety for homebuilders. Lynn Etheridge said she would like to see small lots on one side of the street and larger lots on other side.

Mr. Malone explained that this was the beginning stage in the process for developing a Planned Development ordinance and that if the Commission recommended and the Council approved the request, the process of negotiation would begin and a final zoning ordinance would return to the Commission and the Council for final adoption. He noted the plan called for a minimum of 1500 sq. ft. homes which might require reduced setbacks in certain areas, but the planned development allowed creativity with the plans. Garland Willis noted that Mike Blake, who was building Etheridge Farms Addition, was a partner and that Etheridge Farms only had fourteen lots remaining which they expected to sell by the end of the summer. He said they wanted to start building in the new development by September. Mr. Malone reiterated that 10", 8" and 6" water lines were across the street, but a survey would be required to determine if the development could be sewerred to the front. He noted that to gravity flow, it would probably have to go off the back side. Mr. Willis confirmed they were aware of the potential need for a lift station and of their responsibility to run the water and sewer lines. He added their engineer was already working on it. Scott Brooks then made a motion to recommend the City begin negotiations with Covenant Homes to develop a Planned Development District Ordinance for the 15.5-acre tract situated on Highway 243 owned by Donald Southerland, subject to amendment of the comprehensive plan. Elisa Heard seconded, and all voted in favor.

ADJOURN – There being no further business to discuss, the meeting adjourned at 6:32 p.m.

Approved the 13 day of June, 2005.


Lynn Etheridge, Chairman

ATTEST:


Julie H. Seymore, City Secretary

CANTON PLANNING & ZONING COMMISSION
6:00 P.M., MONDAY, JUNE 13, 2005
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, Scott Brooks, and Charles Huddle were present. Chris Howard and Elisa Heard were absent. Discussion and action were as follows:

CALL MEETING TO ORDER – Lynn Etheridge called the meeting to order at 6:05 p.m. and announced a quorum present.

APPROVAL OF MINUTES OF MAY 9, 2005 MEETING – The Minutes of the Planning & Zoning Commission's May 9, 2005 meeting were unanimously approved upon motion by Scott Brooks and second by Charles Huddle.

DISCUSS AND CONSIDER PROPOSED AMENDMENT TO CITY OF CANTON 2004 COMPREHENSIVE PLAN REGARDING FUTURE LAND USE OF 8.18 ACRE-TRACT SITUATED IN Q.C. NUGENT SURVEY, A-618, LOCATED ON FM 859, CANTON, TEXAS, OWNED BY ROBERT A. REESE, JR. - Scott Brooks made the motion to recommend the future land use of the above described property be changed from industrial to high density residential in the City's Comprehensive Plan. Charles Huddle seconded, and all voted in favor.

DISCUSS AND CONSIDER PROPOSED AMENDMENT TO CITY OF CANTON 2004 COMPREHENSIVE PLAN REGARDING FUTURE LAND USE OF 15.5-ACRE TRACT LOCATED ON HIGHWAY 243 WEST, CANTON, TEXAS, OWNED BY DONALD SOUTHERLAND – Scott Brooks made the motion to recommend the future land use of the above described property be changed from estate residential to low density residential in the City's Comprehensive Plan. Charles Huddle seconded, and all voted in favor. Scott Brooks and Elisa Heard were nominated to serve on the planning committee for the proposed planned development.

DISCUSS AND CONSIDER PROPOSED AMENDMENT TO ORDINANCE 2004-30 REGULATING MINIMUM EXTERIOR STANDARDS FOR ALL STRUCTURES INSIDE THE CITY LIMITS BY ESTABLISHING MAXIMUM FENCE HEIGHTS IN RESIDENTIAL DISTRICTS – Upon motion by Charles Huddle and second by Scott Brooks, the Commission unanimously approved recommending the following amendment to Ordinance 2004-30 Regulating Minimum Exterior Standards for all structures inside the city limits: That Section 6. General Fence and Wall Regulations (c) be amended to read:

- c. In residentially zoned districts (R-1, R-2, R-3, R-4, MF-1, MH-1) walls and wood fences may not exceed 8' in height and chain link and all others may not exceed 6' in height, and where a corner lot has two front yards, the second front yard may be fenced in the same manner as any other side yard adjacent to a street. The fence shall not be erected further than the front corner of the house.

ADJOURN – There being no further business to discuss, the meeting adjourned at 6:15 p.m.

Approved the _____ day of July, 2005.

ATTEST:

Lynn Etheridge, Chairman

Julie H. Seymore, City Secretary

CANTON PLANNING & ZONING COMMISSION
6:00 P.M., MONDAY, JULY 11, 2005
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, Scott Brooks, and Charles Huddle, and Elisa Heard were present. Chris Howard was absent. Discussion and action were as follows:

CALL MEETING TO ORDER – Lynn Etheridge called the meeting to order at 6:02 p.m. and announced a quorum present.

APPROVAL OF MINUTES OF JUNE 13, 2005 MEETING – The Minutes of the Planning & Zoning Commission's June 13, 2005 meeting were unanimously approved upon motion by SCOTT brooks @nd scott brooks>

DISCUSS AND CONSIDER AMENDMENTS TO CITY OF CANTON ZONING ORDINANCE CREATING A MULTIPLE FAMILY 2 DISTRICT (MF-2) FOR DEVELOPMENTS OF RESIDENTIAL DWELLINGS LARGER THAN FOUR-PLEXES AND AMENDING MULTIPLE FAMILY 1 DISTRICT (MF-1) TO DUPLEX TO FOUR-PLEX UNITS

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE FROM SINGLE FAMILY DETACHED RESIDENTIAL (R-1) TO MULTIPLE FAMILY 1 DISTRICT (MF-1) OF LOT 5, JONES ADDITION, LOCATED AT THE CORNER OF NICHOLS AND OLD KAUFMAN ROAD, CANTON, TEXAS, OWNED BY BILLY JACK AND LUCIA DEEN – Julie Seymore reported two of the sixteen neighboring property owners notified responded, one in favor and one against the requested zoning.

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE FROM RURAL AGRICULTURAL (RA) TO GENERAL BUSINESS DISTRICT (B-2) OF FOUR NEWLY-ANNEXED TRACTS LOCATED ON I-20 NORTH SERVICE ROAD (TWO EAST OF FM 859 AND TWO WEST OF FM 859) AND ONE NEWLY-ANNEXED TRACT LOCATED ON I-20 SOUTH SERVICE ROAD WEST OF FM 859, CANTON, TEXAS, OWNED BY HENRY LEWIS – Julie Seymore reported having notified one neighboring property owner with no response.

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE FROM RURAL AGRICULTURAL (RA) TO GENERAL BUSINESS DISTRICT (B-2) OF ONE NEWLY-ANNEXED TRACT LOCATED ON I-20 NORTH SERVICE ROAD WEST OF THE LEWIS PROPERTY ON THE WEST SIDE OF FM 859, CANTON, TEXAS, OWNED BY CANTON ECONOMIC DEVELOPMENT CORPORATION – Julie Seymore reported having notified one neighboring property owner with no response.

DISCUSS AND CONSIDER REQUEST FOR ZONING CHANGE FROM SINGLE FAMILY RESIDENTIAL (R-2) TO A SINGLE FAMILY DETACHED RESIDENTIAL PLANNED DEVELOPMENT DISTRICT OF A 2.6-ACRE TRACT OF LAND LOCATED ON EAST FOSTER, CANTON, TEXAS, OWNED BY JERE AND BETTY McCANN – Julie Seymore reported of the thirty-four property owners notified of the requested change, four responded in favor.

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

Approved the _____ day of August, 2005.

ATTEST:

Lynn Etheridge, Chairman

Julie H. Seymore, City Secretary

**CANTON PLANNING & ZONING COMMISSION
ADVISORY COMMITTEE ON IMPACT FEE
CITY OF CANTON, TEXAS
6:00 P.M., MONDAY, SEPTEMBER 19, 2005
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

The Impact Fee Advisory Committee consisting of the members of the Canton Planning & Zoning Commission and Allen Thompson representing the Extra-territorial Jurisdiction met at the above-named date and time in the City Hall Council Chambers. Members present were Lynn Etheridge, Chris Howard, Elisa Heard, Charles Huddle, Scott Brooks and Allen Thompson.

Discussion and action were as follows:

CALL TO ORDER AND ANNOUNCE QUORUM – Lynn Etheridge called the meeting to order at 6:03 p.m. and declared a quorum present.

DISCUSS AND CONSIDER 2005 WATER AND WASTEWATER IMPACT FEE PROPOSAL AND PREPARE WRITTEN COMMENTS FOR CITY COUNCIL – Gary Burton described the Chapter 395 LGC procedure by which a city adopts impact fees on new development. A fee is assessed on new houses, commercial buildings and industrial facilities to help the City offset the cost of providing water and wastewater service to that development. The city adopts a land-use plan and estimates the population for the next ten years. Based on those projected populations, the city would decide what water and wastewater infrastructure improvements are necessary to serve the increased population. A discount is given for the 20% of the lines which are existing customers. Growth after the project 10-year period is not eligible for the impact fee. All these factors are taken into consideration for the calculation of the impact fees.

The discount for the existing population is used to develop the total eligible cost which is then used to calculate the meter/unit equivalent based on a typical residential ¾" meter. The calculation can be adjusted to figure in a commercial facility which needs more than a ¾" meter. The meter/unit equivalent figure is multiplied by so many additional meter/unit equivalents. Mr. Burton stated his firm has calculated what the maximum impact fee would be and requested the Planning & Zoning Commission make the recommendation to the City Council. Mr. Burton indicated that as of today, Grapevine had revised their fee to \$1696 for water and \$1082 for wastewater, a total of \$2700-2800. Mr. Burton advised Waxahachie had proposed a total fee of \$4685, but only half that amount was adopted--\$1357 for water and \$985 for sewer for a total of \$2342. Terrell charges \$1384 for water and \$1055 for wastewater as well as a road impact fee of \$1161. Terrell's total for a residential impact fee is \$3600 includes the road impact fee.

Chris Howard asked if the number could be adjusted from time to time. Gary Burton instructed the plan could be reviewed every five years so the commission could project the next ten years out.

Gary Burton suggested the board discuss the following issues: (1) whether or not they felt the land use assumption and capital improvement plans were fair and if they concurred with them;

- (2) whether or not they had concerns about how the fees will affect development in the area; and
- (3) what fee the board would deem appropriate.

Rick Malone indicated the number given by Mr. Burton did not include the price of a water tap. Mr. Malone reported it cost less than \$1000 for both taps for a typical home. Chris Howard noted Canton was already behind in water and sewer. Rick Malone indicated Canton needed to expand in those areas. Gary Burton predicted if Canton's growth occurred as projected, plant expansions would be required within the ten-year period.

Julie Seymore reported the developer of the subdivisions begun on Hwy. 243 had been informed he would be affected by the impact fees. Elisa Heard explained the impact fees usually take effect in 6-9 months and are on a sliding scale to help the developers already committed to projects. Ms. Heard further explained Crandall started with a \$4800 fee and went to a \$1500 fee for residential after having an 18-month period with no building permits. Ms. Heard stated the ordinance needed to specify if the fee was for new development or any permit. Rick Malone suggested the ordinance state "existing platted lots are exempt." Rick Malone also suggested "where lots are already platted but no utilities are there." However, both Lake Meadows and Granada Square would be exceptions because the taps there are in waiting to have a meter installed.

Rick Malone explained that most big lots have not yet been platted. Elisa Heard pointed out on I-20 where Mother Frances and the water park are located, they would have to file a plat. Rick Malone indicated that the impact would affect both of those developments. Elisa Heard noted that businesses have revenue to offset the cost of the fee, homeowners do not.

Chris Howard pointed out the developer of the water park would be blindsided with an additional \$92,000. Elisa Heard felt the City would develop a bad reputation if they treated developers that way. Both Rick Malone and Elisa Heard indicated the developer would have to have a preliminary site approval or a preliminary plat to the City by the end of six months not to be affected by the impact fee. Elisa Heard asked what size meter would be required to have a sprinkler system. She did not want the homeowner to be punished for having a sprinkler system. Rick Malone explained most homeowners get a 1.5-2" meter. Rick Malone explained if a developer presented a site plan, they would have 30 days to present a preliminary plat and in 30-60 days could break ground. Mr. Malone believed a plat is good for a one-year period. After one year, the Planning & Zoning Commission would have to review.

Elisa Heard pointed out Section 14, Item A, stated no building permit shall be issued until all impact fees have been paid. In other places, it was just identified it as a new development. Gary Burton suggested adding language for lots platted after the effective date. Elisa Heard wanted the language where it mentioned building plats in the ordinance to also be related to the new development.

Elisa Heard commented the flip side was having to be taxed to put in all the infrastructure. Charles Huddle responded if the developers don't pay it, the City will. Chris Howard suggested establishing an impact fee which would be high enough to slow down growth to a manageable

level. Mr. Howard suggested a \$3000 impact fee for a total fee of \$4000. Rick Malone advised a ¾" water tap and 4" sewer tap is \$700 for a total fee of \$3700.

Elisa Heard stated she wanted Canton to be development friendly in their comprehensive plan but the City needed to be competitive if it wants to grow. Allen Thompson asked how the impact fee would affect residents of annexed property when Canton becomes a home rule city. Gary Burton responded the impact fee is just for new construction. Chris Howard said he did not want to see people with existing homes annexed in if they are forced to tap on. Allen Thompson remarked a sewer fee might be required if annexed within a certain period of time.

Gary Burton explained the purpose of the impact fee is to pay for infrastructure. If that required the extension of service, that was new infrastructure.

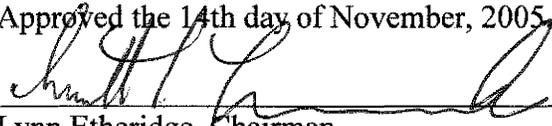
Lynn Etheridge felt the \$4400 number for the fee was too high. Charles Huddle suggested 50% of that. Elisa Heard suggested \$3000, which kept the City on the high end but did not kick it out of the ball game. Rick Malone said if the impact fee were \$2000, the cost to the developer would be \$2700 including taps. Chris Howard suggested the fee start out at \$3000. If that amount became a problem, the matter could be revisited. Rick Malone proposed the City might negotiate a payment plan. Scott Brooks recommended \$3000. Lynn Etheridge thought \$2800 sounded better. Allen Thompson thought \$4400 would be too high and would impede growth and that the fee should start at \$2800-3000. Rick Malone advised that water and sewer rates needed to be set. Gary Burton reported some cities did separate residential and commercial rates. Chris Howard suggesting looking at the proportion to \$3000 then dropping the rates down to whatever the split comes down to proportionally.

There was a consensus of the committee that the total impact fee would be \$3000 with \$1500 being charged after May 1, 2006, and \$3000 after January 1, 2007. Elisa Heard commented that the City had to be competitive. Julie Seymore agreed to draft the advisory board's written comments to the City Council proposing the \$3000 impact fee and to poll the committee for their approval.

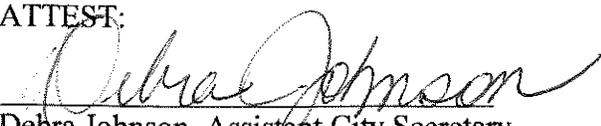
Rick Malone stated he would schedule committee meetings for the proposed planned development districts the week of September 27.

ADJOURN - There being no further items for discussion, the meeting adjourned at 7:24 p.m. upon motion by Chris Howard and second by Charles Huddle.

Approved the 14th day of November, 2005.


Lynn Etheridge, Chairman

ATTEST:


Debra Johnson, Assistant City Secretary

CANTON PLANNING & ZONING COMMISSION
6:00 P.M., MONDAY, NOVEMBER 14, 2005
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 Scott Brooks, Charles Huddle, Chris Howard and Elisa Heard were present. Also present was Richard Davis. Lynn Etheridge was absent. Discussion and action were as follows:

CALL MEETING TO ORDER – Elisa Heard called the meeting to order at 6:14 p.m. and announced a quorum present.

APPROVAL OF MINUTES OF SEPTEMBER 12, 2005 MEETING – The Minutes of the Planning & Zoning Commission's September 12, 2005, meeting were unanimously approved upon motion by Chris Howard and second by Charles Huddle.

DISCUSS AND CONSIDER REQUEST BY EDGAR JIMENEZ FOR ZONING CHANGE FROM SINGLE FAMILY DETACHED RESIDENTIAL (R-1) TO RESTRICTED PROFESSIONAL AND OFFICE DISTRICT (RPO) AT 547 S. BUFFALO, CANTON, TEXAS – Debra Johnson reported notifying nineteen adjoining property owners and receiving three responses. Two were opposed and one was in favor. Beth Hilliard was present to answer questions for the Advocacy Committee. Ms. Hilliard explained she would be the only one in the office for a year and then they hoped to add clerical staff. Earl Brown, 513 S. Buffalo, thought parking would be a problem because the driveway also services the apartment behind the house. Mr. Brown also asked about the type of signage to be placed at the building, whether or not any economic impact statement had been filed and what would happen after the lease expired for the Advocacy Center. Rick Malone explained a zoning change from R-1 to restricted professional office (RPO) would stay with the property. Mr. Malone suggested applying for a specific use permit instead of changing the zoning to RPO because the specific use permit would end when the Advocacy Center moved. Elisa Heard inquired about the amount of parking required for this location. Rick Malone responded that six parking spaces would be required for that business. Earl Brown mentioned there have already been problems with the sewer line in the yard. Beth Hilliard explained the sewer problems had been checked by Mr. Jimenez and they were on the city's side. Beth Hilliard further explained that the Advocacy Center did not want any signage. After further discussion, Earl Brown suggested Mr. Jimenez send out an additional letter notifying them of the specific use permit. Chris Howard mentioned he had an issue about the parking spaces being in the front yard. Beth Hilliard said they would not be parking in the front yard. Elisa Heard pointed out the number of parking spaces was determined by the size of the building. Beth Hilliard set out the schedule of meetings for the center, stating there would probably never be more than eight vehicles there at one time. Chris Howard suggested getting a written agreement from the United Methodist Church to use their parking lot during meetings. There was a discussion about whether or not Mr. Box would be willing to put additional parking in the back of the building. Ms. Hilliard did not think he would be open to that idea. Scott Brooks made the motion to recommend the zoning change from R-1 to RPO be denied at this time. Chris Howard seconded the motion to deny the request for RPO, three voted in favor and Charles Huddle opposed. Chris Howard wanted to include that the commission recommended Mr. Jimenez seek a specific use permit. Mr. Howard suggested that the church be contacted about using their parking lot for additional parking. Mr. Malone stated he would be fine with that if he had a written statement from the church stating they agreed. Mr. Malone told Ms. Hilliard

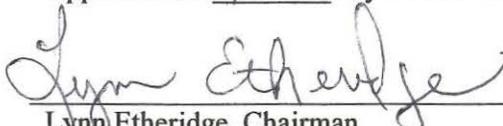
once she had the parking worked out with the church, they could apply for a specific use permit. He informed Ms. Hilliard they would also have to have a ramp from the side of the house to the front porch to be compliant with the ADA. He explained the ramp had to be to code, which would include a non-slip surface of wood, concrete or asphalt.

DISCUSS AND CONSIDER SITE PLAN APPROVAL FOR SPLASH KINGDOM WATER PARK ON I-20 NORTH SERVICE ROAD AT FM 859 – Rick Malone showed the members the site plan for the water park. He explained the duty of the Commission was to look at the parking, setbacks, etc. for the site. Mr. Malone stated that the city staff had reviewed the plan and had suggested more be done regarding ambulance access, which he will have the owner add to the plan. Mr. Malone explained that the parking which seemed to be two spaces wide was for ambulance use. He further explained that the plan noted a “proposed property line” because the property had to be replatted. Scott Brooks questioned whether there was enough handicapped parking. Mr. Malone said it met the Texas requirement. Elisa Heard asked if the runoff would go south toward the interstate. Mr. Malone responded most of it would go toward the south. He pointed out the locations for sewer manholes and fireplugs. After a review of the plan, Chris Howard made a motion to approve the site plan for Splash Kingdom Water Park on I-20 North service road at FM 859. The motion was seconded by Scott Brooks and all voted in favor.

DISCUSS AND CONSIDER SITE PLAN APPROVAL FOR TRINITY MOTHER FRANCES MEDICAL CLINIC ON I-20 AT FM 859 – Rick Malone presented the site plan for the Trinity Mother Frances Clinic. He referred them to C-5, the home base, and pointed out the alternatives for the helio pad and the utility plan. Elisa Heard noted the location of the retention pond. Mr. Malone explained the city staff requested another fireplug. He showed them the location set aside for expansion. He stated the site included approximately seven acres. Mr. Malone explained the parking situation was tight. Mr. Malone stated he felt this would be a very nice facility. It was designed like the one built in Mineola or Lindale. Chris Howard made a motion to approve the site plan for Trinity Mother Frances Medical Clinic on I-20 at FM 859. Charles Huddle seconded, and all voted in favor.

ADJOURN – There being no further business to discuss, the meeting adjourned at 6:50 p.m. upon motion by Chris Howard and second by Charles Huddle

Approved the 12th day of December, 2005.


Lynn Etheridge, Chairman

ATTEST:


Debra Johnson
Assistant City Secretary

CANTON PLANNING & ZONING COMMISSION
6:00 P.M., MONDAY, DECEMBER 12, 2005
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 Scott Brooks, Lynn Etheridge, Charles Huddle, and Chris Howard were present. Also present was Richard Davis. Elisa Heard was absent. Discussion and action were as follows:

CALL MEETING TO ORDER – Lynn Etheridge called the meeting to order at 6:15 p.m. and announced a quorum present.

APPROVAL OF MINUTES OF NOVEMBER 14, 2005 MEETING – The Minutes of the Planning & Zoning Commission's November 14, 2005, meeting were unanimously approved upon motion by Charles Huddle and second by Scott Brooks.

DISCUSS AND CONSIDER REQUEST BY EDGAR JIMENEZ FOR SPECIFIC USE PERMIT IN AREA ZONED SINGLE FAMILY DETACHED RESIDENTIAL (R-1) TO ALLOW CHARITABLE ORGANIZATION TO OPERATE AT 547 S. BUFFALO, CANTON, TEXAS – Debra Johnson reported that of the 19 notices sent to adjoining property owners, there were three responses. All were opposed. Rick Malone explained that the property owner had the right to find someone who would allow them to use parking to alleviate any parking issue. Mr. Malone further explained that if a specific use permit were allowed for this particular business, the property itself would still be zoned R-1. This new location would allow the facility to be located in the county seat instead of Grand Saline. It would be easier on the officers involved and would serve the county as a whole. Charles Huddle made a motion that the Planning & Zoning Commission recommend the council approve the request by Edgar Jimenez for a specific use permit in the area zoned single family detached residential (R-1) to allow a charitable organization to operate at 547 S. Buffalo, Canton, Texas, with the following restrictions: (1) the specific use permit would be granted for the operation of the Children's Advocacy Center and would be revoked upon the Center's discontinued use of the property; (2) the Center would not require additional on-site street parking; (3) the parking requirements would be waived as long as the First United Methodist Church agreed to allow parking on their property and the Center does not require street parking; and (3) no signage would be erected at this location. Scott Brooks seconded, and all voted in favor.

DISCUSS AND CONSIDER LANDSCAPE SITE PLAN APPROVAL FOR SPLASH KINGDOM WATER PARK ON I-20 NORTH SERVICE ROAD AT FM 859 – Rick Malone presented the proposed landscape site plan for the Splash Kingdom Water Park. Mr. Malone confirmed to Mr. Huddle that the plan met all landscape requirements. Mr. Malone further explained the owners planned to do 35-40% above the minimum landscaping requirements. Chris Howard made a motion to approve the landscape site plan for Splash

Kingdom Water Park on I-20 North Service Road at FM 859. Upon a second by Charles Huddle, all voted in favor.

DISCUSS AND CONSIDER LANDSCAPE SITE PLAN APPROVAL FOR TRINITY MOTHER FRANCES MEDICAL CLINIC ON I-20 AT FM 859 – Rick Malone presented the proposed landscape site plan for the Trinity Mother Frances Medical Clinic on I-20 at FM 859. Mr. Malone explained the owners were leaving quite a few trees on the property. They will have crepe myrtles in the islands and would also install a fire plug in one of the islands. Lynn Etheridge questioned whether or not the plan met the standards for previous developments. Mr. Malone assured her that it did. Chris Howard mentioned that a nice job had been done with the landscaping for the Athens’ facility. Charles Huddle added that the facility in Lindale was very nice. Rick Malone explained the area would be hydro-mulched and would have good sod. Scott Brooks made a motion that the landscape site plan for the Trinity Mother Frances Medical Clinic on I-20 at FM 859 be approved. Upon a second by Charles Huddle, all voted in favor except for Chris Howard who abstained.

DISCUSS AND CONSIDER AMENDMENT TO SUBDIVISION ORDINANCE REGARDING RESIDENTIAL CURB NUMBERING – Rick Malone mentioned that an issue had arisen with the Driven Life Church which had caused him to look at the guidelines for street numbering. The proposed ordinance applies only to subdivisions and does not remove the requirement for the houses to be numbered. The ordinance would require all newly-constructed homes to have a number on the curb and sets the standard for the numbers at 3 inches high with a ¾ inch stroke. The numbers must be black with a white background. Chris Howard made a motion that the amendment to the subdivision ordinance regarding residential curb numbering be approved. Scott Brooks seconded, and all voted in favor.

ADJOURN – There being no further business to discuss, the meeting adjourned at 6:30 p.m. upon motion by Scott Brooks and second by Charles Huddle

Approved the _____ day of February, 2006.

Lynn Etheridge, Chairman

ATTEST:

Debra Johnson
Assistant City Secretary