

MINUTES
REGULAR MEETING OF
CANTON PLANNING & ZONING COMMISSION
7:00 P.M., MONDAY, FEBRUARY 12, 2007

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 present were Lynn Etheridge, Charles Huddle, Chris Howard and Elisa Heard. Member Scott Brooks was absent. Discussion and action were as follows:

1. CALL TO ORDER – Lynn Etheridge called the meeting to order at 7:01 p.m. and announced a quorum present.
2. APPROVAL OF MINUTES OF OCTOBER 9, 2006, MEETING – The Minutes of the Planning & Zoning Commission's October 9, 2006, meeting were unanimously approved upon motion by Charles Huddle and second by Elisa Heard.
3. DISCUSS AND CONSIDER RECOMMENDATION OF AN ORDINANCE EFFECTING A ZONING CHANGE FROM MULTIPLE FAMILY RESIDENTIAL (MF-1) TO GENERAL BUSINESS DISTRICT (B-2) ON THAT CERTAIN LOT LOCATED AT 680 WEST DALLAS STREET, CITY OF CANTON, TEXAS, CURRENTLY OWNED BY BILLY JACK DEEN – Debra Johnson reported three notices were sent to adjoining property owners. One response was received in favor of the change. Chris Howard made a motion to recommend an ordinance effecting a zoning change from Multiple Family Residential (MF-1) to General Business District (B-2) on that certain lot located at 680 West Dallas Street, City of Canton, Texas, currently owned by Billy Jack Deen. Charles Huddle seconded and all voted in favor.
4. ADJOURN – There being no further business to discuss, the meeting adjourned at 7:05 p.m. upon motion by Charles Huddle and second by Chris Howard.

Approved the 12th day of March, 2007.



Lynn Etheridge, Chairman

ATTEST:



Debra Johnson
Assistant City Secretary

**REGULAR MEETING OF
CANTON PLANNING & ZONING COMMISSION
7:00 P.M., MONDAY, MARCH 12, 2007**

**CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

MINUTES

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

1. CALL TO ORDER – Lynn Etheridge called the meeting to order at 7:08 p.m. and announced a quorum present.
2. APPROVAL OF MINUTES OF OCTOBER 23, 2006, AND FEBRUARY 12, 2007, MEETINGS – The Minutes of the Planning & Zoning Commission's October 23, 2006, and February 12, 2007, meetings were unanimously approved upon motion by Elisa Heard and second by Chris Howard.
3. DISCUSS AND CONSIDER PROPOSED AMENDMENT TO THE CITY OF CANTON 2004 COMPREHENSIVE PLAN REGARDING FUTURE LAND USE FROM RETAIL TO MIXED-USE NON-RESIDENTIAL IN THAT AREA LOCATED ON HIGHWAY 64 WEST OF THE CENTRAL BUSINESS DISTRICT OF THE CITY OF CANTON – Rick Malone explained that changing the Future Land Use plan from retail to mixed-use non-residential would give more freedom for land use. The area could still have retail zoning. He said there was nothing to prevent anyone from having a building in the area where trailers could be stored. The builder would have to come to the city for a permit. Elisa Heard expressed concern regarding the look of that area coming into the city. Rick Malone said the only place now where open storage is allowed would be B-2 or industrial. Now a screen has to be put up to hide the storage area. Rick Malone reminded everyone the Future Land Use plan was a guide for making zoning decisions. Chris Howard made a motion to change the Future Land Use plan from retail to mixed-use non-residential in that area bordered by Little Street to Flea Market Road on the north side of Highway 64 only. Elisa Heard seconded, and all voted in favor.
4. DISCUSS AND CONSIDER RECOMMENDATION OF AN ORDINANCE EFFECTING A ZONING CHANGE FROM MULTIPLE FAMILY RESIDENTIAL (MF-1) TO GENERAL BUSINESS DISTRICT (B-2) ON THAT CERTAIN LOT LOCATED AT 680 WEST DALLAS STREET, CITY OF CANTON, TEXAS, CURRENTLY OWNED BY BILLY JACK DEEN – Chris Howard made a motion to recommend to the Council the ordinance effecting a zoning change from Multiple Family Residential (MF-1) to General Business District (B-2) on that certain lot located at 680 West Dallas Street, City of Canton, Texas, currently owned by Billy Jack Deen. Elisa Heard seconded, and all voted in favor.
5. DISCUSS AND CONSIDER RECOMMENDATION OF AN ORDINANCE EFFECTING A ZONING CHANGE FROM RURAL AGRICULTURAL (RA) TO MULTIPLE FAMILY RESIDENTIAL (MF-1) ON THAT CERTAIN LOT LOCATED AT 1301 WEST COLLEGE STREET IN THE CITY OF CANTON, TEXAS, CURRENTLY OWNED BY G.E.

JAMESON – Rick Malone reported six letters were sent to adjoining property owners. Two responded in opposition and one in favor. The ones who responded against did not constitute 20% of the total property area. The area in question is on the west side of the apartments where the mobile home was located. Mr. and Mrs. Jameson were in attendance. Mr. Malone said the application was to build duplexes on the property. Elisa Heard said she felt the duplexes would be a good transition from the apartments to the houses. Calvin Carter, the developer, pointed out there would be thirty units with parking in the front. Rick Malone informed the members that impact fees did apply in this instance. He reminded them also that the size of the streets, etc. was something to look at during the site plan approval process. Mr. Malone explained MF-1 did not allow for apartments, only as much as quadplexes. Chuck Kotlarz expressed his concerns about the duplexes lowering his property value. He felt people in apartments were short-term people who do not care about the condition of the property. He felt the duplexes would also create more traffic and noise. Bill Pollock, 702 Kimberly Lane, had the same concerns as Mr. Kotlartz and requested the commission deny the request in the best interest of Canton as a whole. Calvin Carter said the target market for the development was 55 and up. He intended to build high-end duplexes with brick exteriors. The units would be sold to stable buyers. He planned the duplexes based on those behind Circle E. The average unit would be 2400 square feet. Elisa Heard said she was also pro Canton and she lived in this particular area. She felt there was a need for duplexes in Canton. She said she intended to hold the contractor's feet to the fire regarding the site plan. Mr. Carter said he would like to have a wall around the complex and have a community park. Mr. Carter intended to build 90% of the units at once before any sales are made. There would be a homeowners association. Chris Howard made a motion to recommend to the council an ordinance effecting a zoning change from Rural Agricultural (RA) to Multiple Family Residential (MF-1) on that certain lot located at 1301 West College Street in the City of Canton, Texas, currently owned by G.E. Jameson. Elisa Heard seconded, and all voted in favor. Chris Howard assured those in opposition the site plans would be in accordance with the developer's statements tonight.

6. ADJOURN – There being no further business to discuss, the meeting adjourned at 7:55 p.m. upon motion by Scott Brooks and second by Elisa Heard.

Approved the 9th day of April, 2007.


Lynn Etheridge, Chairman

ATTEST:


Debra Johnson
Assistant City Secretary

**REGULAR MEETING OF
CANTON PLANNING & ZONING COMMISSION
7:00 P.M., MONDAY, APRIL 9, 2007**

**CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

MINUTES

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

1. CALL TO ORDER – Lynn Etheridge called the meeting to order at 7:00 p.m. and announced a quorum present.
2. APPROVAL OF MINUTES OF MARCH 12, 2007, MEETING - The Minutes of the Planning & Zoning Commission's March 12, 2007, meeting were unanimously approved upon motion by Charles Huddle and second by Scott Brooks.
3. DISCUSS AND CONSIDER CHANGES TO ZONING ORDINANCE REGARDING OFF-STREET PARKING, OUTDOOR DISPLAYS AND REGULATIONS REGARDING RECREATIONAL VEHICLES – Scott Brooks and Charles Huddle both expressed reluctance to pass additional ordinances when they felt the ones currently in effect were not being enforced. Rick Malone explained the new building inspector, Coy Prather, would be attending code enforcement school in the next month and would take over the code enforcement duties for the city. Mr. Malone said the parking and outdoor display changes were previously approved by the Planning & Zoning Commission but not passed by the Council. Scott Brooks suggested under the parking language, something be added to reflect items 1-5 applied to businesses only. Elisa Heard said the regulations needed to be in place and then the city should get proactive about enforcement. Scott Brooks reiterated the City needed to be cleaned up. Elisa Heard requested language be added to Section D.6 that all portable and permanent basketball goals have to be in the boundary of the property. There was a brief discussion regarding the number of parking spaces required for particular types of businesses. It was decided that the new ordinance regarding outdoor displays should apply to everyone and not just new businesses. Mr. Malone pointed out exceptions to that included the sale or rental of construction or farm equipment, lawnmowers, building supplies and First Monday merchandise during First Monday. Richard Davis advised one of the questions to consider was the width of the sidewalks and how much room was needed for safe passage. Rick Malone suggested the language be changed to a minimum of thirty-two inches of sidewalk clearance. Scott Brooks clarified that the thirty-two inches should be from the street in and not from the business out, not inclusive of the stairs. Rick Malone stated certificates of occupancy would be required in order to occupy the building. Mr. Malone said fifth wheels could still be used as a job office for a construction site or for individuals who are having major home repairs done, with permission from the city. Elisa Heard pointed out Section 3.B. stated it would be unlawful to park any RV on a public street. Rick Malone explained If someone came to visit a resident, they could get permission from the City to park an RV in their driveway temporarily. Elisa Heard made

a motion that the proposed changes to the zoning ordinance be approved with the following amendments:

SECTION 1.6.D.4 – ADD: TEMPORARY AND/OR PERMANENT BASKETBALL GOALS MUST BE WITHIN THE CONFINES OF THE PROPERTY

SECTION 1 – 1-5 – APPLIES TO BUSINESSES.

SECTION 2 – C. CHANGE TO 32" CLEARANCE FROM THE OUTSIDE EDGE OF THE SIDEWALK, NOT INCLUDING STAIRS.

SECTION 2 – D. – CENTRAL BUSINESS DISTRICT ONLY.

Scott Brooks seconded, and all voted in favor.

4. ADJOURN – There being no further business to discuss, the meeting adjourned at 8:01 p.m. upon motion by Scott Brooks and second by Charles Huddle.

Approved the 7th day of May, 2007.



Lynn Etheridge, Chairman

ATTEST:



Debra Johnson
Assistant City Secretary

REGULAR MEETING OF
CANTON PLANNING & ZONING COMMISSION
7:00 P.M., MONDAY, MAY 7, 2007

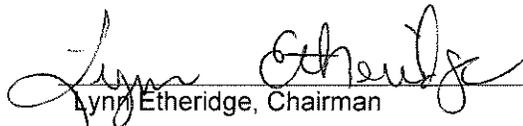
CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

MINUTES

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

1. CALL TO ORDER – Lynn Etheridge called the meeting to order at 7:06 p.m. and announced a quorum present.
2. APPROVAL OF MINUTES OF APRIL 9, 2007, MEETING - The Minutes of the Planning & Zoning Commission's April 9, 2007, meeting were unanimously approved upon motion by Scott Brooks and second by Elisa Heard.
3. DISCUSS AND CONSIDER CHANGES TO SUBDIVISION ORDINANCE NO. 94-04 REGULATING THE REPLATTING OF PROPERTY – Rick Malone explained in the past the state regulations had been followed for replatting property while the proposed ordinance set out the regulations and could be included in development books for contractors. The ordinance would allow the city to approve a replat of four lots or less. The Planning & Zoning Commission would be involved only if the replat required a road, water and sewer or any extensions thereto. Mr. Malone further explained the replatting had to meet all the criteria for the zoning of the property. He further stated that he had only four people subdivide their property in this manner in the last twelve years. Elisa Heard asked that the City require the sworn affidavit of the owner include that the replatting would not affect existing deed restrictions. Mr. Malone said the City was not responsible for deed restrictions. The special restrictions mentioned in the ordinance would be something like the duplexes on College having a homeowners association or someone sharing a well or a driveway. Chris Howard made a motion to recommend to the Council the changes to Subdivision Ordinance No. 94-04 regulating the regulating the replatting of property. Elisa Heard seconded, and all voted in favor.
4. ADJOURN – There being no further business to discuss, the meeting adjourned at 7:19 p.m. upon motion by Chris Howard and second by Scott Brooks.

Approved the 11th day of June, 2007.


Lynn Etheridge, Chairman

ATTEST:


Debra Johnson

Assistant City Secretary

**REGULAR MEETING OF
CANTON PLANNING & ZONING COMMISSION
7:00 P.M., MONDAY, JUNE 11, 2007**

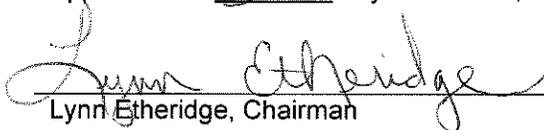
**CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

MINUTES

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

1. CALL TO ORDER – Lynn Etheridge called the meeting to order at 7:03 p.m. and announced a quorum present.
2. APPROVAL OF MINUTES OF MAY 7, 2007, MEETING - The Minutes of the Planning & Zoning Commission's May 7, 2007, meeting were unanimously approved upon motion by Scott Brooks and second by Charles Huddle.
3. DISCUSS AND CONSIDER RECOMMENDATION OF AN ORDINANCE EFFECTING A ZONING CHANGE FROM RURAL AGRICULTURAL (RA) TO GENERAL BUSINESS DISTRICT (B-2) ON THAT CERTAIN LOT LOCATED ON THE NORTH I-20 SERVICE ROAD AT FM 1255, RECENTLY ANNEXED INTO THE CITY OF CANTON, TEXAS, CURRENTLY OWNED BY HENRY LEWIS – Mr. Malone reported there were no neighboring property owners within the city limits to notify. Rick Malone pointed out the Future Land Use Plan for this area was designated Retail. Charles Huddle made a motion to recommend an ordinance effecting a zoning change from Rural Agricultural (RA) to General Business District (B-2) on that certain lot located on the North I-20 service road at FM 1255, recently annexed into the City of Canton, Texas, currently owned by Henry Lewis. Scott Brooks seconded and all voted in favor.
4. ADJOURN – There being no further business to discuss, the meeting adjourned at 7:05 p.m. upon motion by Scott Brooks and second by Charles Huddle.

Approved the 8th day of October, 2007.



Lynn Etheridge, Chairman

ATTEST:



Debra Johnson
Assistant City Secretary

NOTICE OF MEETING

REGULAR MEETING OF
CANTON PLANNING & ZONING COMMISSION
7:00 P.M., MONDAY, SEPTEMBER 10, 2007

CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

AGENDA

1. CALL TO ORDER
2. APPROVAL OF MINUTES OF JUNE 11, 2007, MEETING
3. DISCUSS AND CONSIDER PROPOSED AMENDMENT TO CITY OF CANTON 2004 COMPREHENSIVE PLAN REGARDING FUTURE LAND USE AT 2102 N. TRADE DAYS BOULEVARD IN THE CITY OF CANTON
4. DISCUSS AND CONSIDER RECOMMENDATION OF AN ORDINANCE EFFECTING A ZONING CHANGE FROM RURAL AGRICULTURAL (RA) TO PLANNED DEVELOPMENT (PD) FOR PHASE I ON THAT CERTAIN LOT LOCATED ON 2101 N. TRADE DAYS BOULEVARD IN THE CITY OF CANTON, TEXAS, CURRENTLY OWNED BY COTTAGE INVESTORS OF CANTON, LLC.
5. ADJOURN

ATTEST:

Posted on City Hall window on Friday, September 7, 2007, at 4:00 P.M.



Debra Johnson
Assistant City Secretary

Removed the 11th day of September, 2007, at 8:13 A.M.



Debra Johnson
Assistant City Secretary

**REGULAR MEETING OF
CANTON PLANNING & ZONING COMMISSION
7:00 P.M., MONDAY, OCTOBER 8, 2007**

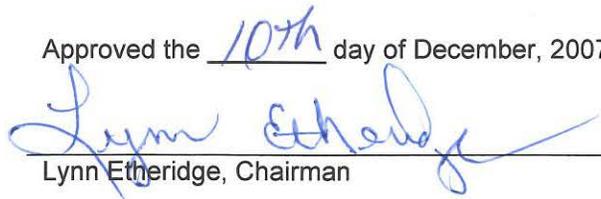
**CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

MINUTES

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

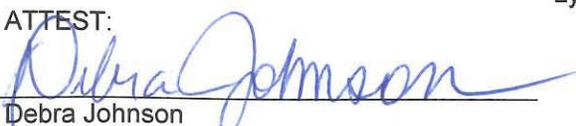
1. CALL TO ORDER – Lynn Etheridge called the meeting to order at 7:01 p.m. and announced a quorum present.
2. APPROVAL OF MINUTES OF JUNE 11, 2007, MEETING - The Minutes of the Planning & Zoning Commission's June 11, 2007, meeting were unanimously approved upon motion by Scott Brooks and second by Elisa Heard.
3. DISCUSS AND CONSIDER PROPOSED AMENDMENT TO CITY OF CANTON 2004 COMPREHENSIVE PLAN REGARDING FUTURE LAND USE AT 2102 N. TRADE DAYS BOULEVARD IN THE CITY OF CANTON - Scott Brooks made a motion to recommend to the City Council the amendment of the City of Canton 2004 Comprehensive Plan Regarding Future Land Use at 2102 N. Trade Days Boulevard in the City of Canton, Texas, from Low-Density Residential to Mixed-Use Non-Residential as defined in the City's Comprehensive Plan. Chris Howard seconded and all voted in favor.
4. DISCUSS AND CONSIDER RECOMMENDATION OF AN ORDINANCE EFFECTING A ZONING CHANGE FROM RURAL AGRICULTURAL (RA) TO PLANNED DEVELOPMENT (PD) FOR PHASE I ON THAT CERTAIN LOT LOCATED ON 2102 N. TRADE DAYS BOULEVARD IN THE CITY OF CANTON, TEXAS, CURRENTLY OWNED BY COTTAGE INVESTORS OF CANTON, LLC. – Rick Malone said the Planned Development Committee had reviewed the matter and recommended the Planned Development. He said they would work with the developers to prepare an emergency and safety plan to incorporate into the City's master emergency plan. Chris Howard made a motion to recommend to the Council the zoning change from Rural Agricultural (RA) to Planned Development (PD) for Phase I on that certain lot located at 2102 N. Trade Days Boulevard in the City of Canton, Texas, currently owned by Cottage Investors of Canton, LLC. Scott Brooks seconded and all voted in favor.
5. ADJOURN – There being no further business to discuss, the meeting adjourned at 7:07 p.m. upon motion by Chris Howard and second by Elisa Heard.

Approved the 10th day of December, 2007.



Lynn Etheridge, Chairman

ATTEST:



Debra Johnson
Assistant City Secretary

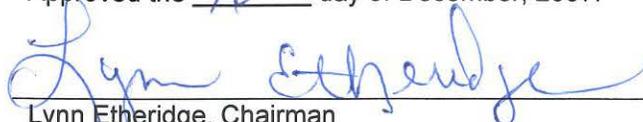
REGULAR MEETING OF
CANTON PLANNING & ZONING COMMISSION
7:00 P.M., MONDAY, NOVEMBER 12, 2007

CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS

MINUTES

Due to the fact that no quorum was present, no meeting was held.

Approved the 10th day of December, 2007.



Lynn Etheridge, Chairman

ATTEST:



Debra Johnson
Assistant City Secretary

**REGULAR MEETING OF
CANTON PLANNING & ZONING COMMISSION
7:00 P.M., MONDAY, DECEMBER 10, 2007**

**CITY HALL, 290 E. TYLER STREET
CANTON, TEXAS**

MINUTES

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

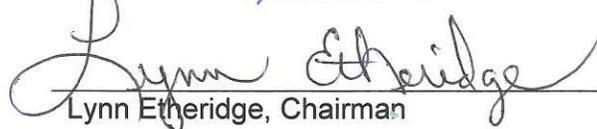
1. CALL TO ORDER – Lynn Etheridge called the meeting to order at 7:00 p.m. and announced a quorum present. Debra Johnson informed the commission that Chris Howard had submitted his resignation due to his relocating outside the city limits. She asked for any suggestions for replacements for consideration by the Council.
2. APPROVAL OF MINUTES OF OCTOBER 8, 2007 AND NOVEMBER 12, 2007, MEETINGS - The Minutes of the Planning & Zoning Commission's October 8, 2007 and November 12, 2007, meetings were unanimously approved upon motion by Scott Brooks and second by Charles Huddle.
3. DISCUSS AND CONSIDER AMENDMENT OF ORDINANCE 2004-01 REGULATING MINIMUM EXTERIOR STANDARDS FOR ALL STRUCTURES INSIDE THE CITY LIMITS AND ANY AND ALL SUBSEQUENT AMENDMENTS THERETO – Scott Brooks and Charles Huddle both expressed an interest in including wood for commercial buildings. Rick Malone explained wood was allowed for lots that are already platted. Mr. Malone said he had made no changes to the section regarding residential structures. He had changed commercial buildings to be 100% masonry front façade. He took out private roads under B.1. There was an agreement to add the following language under Section 2:1, part J to allow the use of wood as an accent material in commercial and industrial construction for B-1, B-2 and RPO and GI-1 can be used as long as it does not exceed 25% of the façade. There was a general discussion regarding whether or not the section on roof-mounted equipment screening was necessary. It was decided Section 5 on screening walls or visual barriers would have GI-1 added. Mr. Malone said Section 6 was changed to allow front yard fencing with specific requirements. Scott Brooks made a motion to recommend the Council pass the following amendment to Ordinance 2004-01 regulating minimum exterior standards for all structures inside the city limits and any and all subsequent amendments thereto with the following changes:
 - A. Add J to Section 2.1: Wood – For use in Commercial and General Industrial districts only. Wood accent materials may be utilized as an architectural accent material on the front façade only not to exceed 25% of the exterior surface. The accent material shall be a minimum of 1-1/2" in thickness and shall not be plywood, particle board or laminate and must be treated.
 - B. Section 2.2 under commercial and industrial, add the language regarding wood accents.

- C. Section 5. Add GI-1.
- D. Section 4.2. Roof-mounted Equipment. Add: A. Screening for roof-mounted equipment will come into play if the footprint for the mechanical device is larger than 45 s.f. The rest of the language would stay.

Charles Huddle seconded and all voted in favor.

- 4. DISCUSS AND CONSIDER APPROVAL OF SITE PLAN FOR WEST COLLEGE DUPLEXES LOCATED AT 1301 WEST COLLEGE STREET IN THE CITY OF CANTON, CURRENTLY OWNED BY TEQUILA MOON INC. – Mr. Malone said the plan had been reviewed by Coy Prather and Jerry Shamlin from the City staff. Mr. Prather had suggested moving the fire plug to one of the lot lines. Mr. Malone will request they loop the water in. There are thirteen total lots of pretty decent size. There would be underground electricity. Mr. Malone was going to suggest moving the sewer line. There would be a ten foot utility easement on both sides of the concrete street. Lynn Etheridge confirmed that the units would be sold, not rented. Mr. Malone said the water meters would straddle the lots.
- 5. ADJOURN – There being no further business to discuss, the meeting adjourned at 7:47 p.m. upon motion by Scott Brooks and second by Charles Huddle.

Approved the 10th day of March, 2008.


Lynn Etheridge, Chairman

ATTEST:


Debra Johnson
Assistant City Secretary