

FARMERSVILLE PLANNING & ZONING COMMISSION  
REGULAR SESSION MINUTES  
April 15, 2013

The Farmersville Planning and Zoning Commission met in regular session on April 15, 2013 at 6:30 p.m. at the City of Farmersville Council Chambers with the following members present:, Bill Nerwich, Mark Vincent, Craig Overstreet, Betty Sergent, Lee Warren, Tom Waitschies and Bryce Thompson. Staff members present was City Manager Ben White, City Attorney Alan Lathrom and City Secretary Edie Sims. Council Liaison Michael Carr was not present.

**CALL TO ORDER AND RECOGNITION OF CITIZENS/VISITORS**

Chairman Tom Waitschies called the meeting to order at 6:32pm. Edie Sims called roll and announced that a quorum was present. Craig Overstreet offered the invocation and the Pledge of Allegiance.

**Item II – A) CONSIDER, DISCUSS AND ACT UPON MINUTES FROM MARCH 18, 2013 P&Z MEETING**

Lee Warren motioned to approve the minutes as presented with Bryce Thompson seconding the motion. Motion carried unanimously.

**Item II – B) CONSIDER, DISCUSS AND ACT TO AMEND SECTION 56-31 OF THE SIGN ORDINANCE PERTAINING TO DIGITAL SIGNS**

City Manager Ben White came before the Commission stating he has presented the potential electronic messaging sign ordinance to existing businesses that would be affected by the changes made. Brookshire's has 3 electronic messaging signs. Mr. White stated he looked at the ordinance and interpreted as being restrictive on a per instance basis. However, City Attorney Alan Lathrom stated the Sign Ordinance does not allow for more than 1 sign per business per lot.

The biggest change to the ordinance as presented is Section 2, Item 3(7). Previously, the ordinance prohibited allowing electronic message center signs; however with Item 3(7), an electronic message sign will be grandfathered if the sign has been in continuous use for at least 6 months prior to this ordinance.

Questions were raised about the dimming technology for existing signs prior to this ordinance. Item 3(9) states all signs must conform either manually or automatically if changed, upgraded or retrofit.

Craig Overstreet stated that Section 2, Item 1 does not define projecting sign. Also clarification needs to be written in regarding the size of an electronic message sign which sets atop a monument sign. City Attorney Alan Lathrom indicated these measurements exist in the Sign Ordinance being 64 square feet for a 5 acre lot and 150 square foot maximum for lots of less size. With the ordinance presented, the 50 square feet allowed for the electronic message sign would be incorporated into the overall square footage of the allowed sign size.

A discussion ensued regarding double faced signs and signs that meet at an angle. As long as one face of the sign can be looked upon, it is considered to be allowed 50 square feet per side. Each side should be measured separately. If both sides can be visualized at the same time, then 50 square feet will apply to the total sign.

Based on a detailed discussion, Section 2, Item 3(9) is to be deleted then interpretation will be clear. Craig Overstreet stated thought the ordinance presented was too restrictive and the square footage was too large. With further discussions, the Commission gave the consensus to delete Item 3(9), leaving the scrolling and all other items as presented.

**Item II – C) CONSIDER, DISCUSS POSSIBLE AMENDMENT OF THE SPECIFIC USE PERMIT PROCESS WITHIN THE CITY OF FARMERSVILLE CODE OF ORDINANCES IN REGARD TO USES REQUIRING A SPECIFIC USE PERMIT**

City Attorney Alan Lathrom came before the Commission with a draft that will need modification, but an example that will help create a process for a standard Specific Use Permit and separate game rooms from the existing policy. SUP's usually have a negative impact on uses in the area which is why they are specific to a certain type of use and location. The SUP is to make sure the use is compatible with the location and safeguards the adjoining properties.

An SUP will still be required for a game room at a particular location and must meet spacing requirements; but the whole process is to have a permit for game rooms. A provision should be added to suspend game room licenses when can then lead to revocation of the license. The permitting process will handle restrictions of game rooms. This process is more appropriate for permitting than having an Specific Use Permit. Also the need of buffering residential areas is another important factor to be considered.

Bill Nerwich stated we should handle tattoo parlors simultaneously.

Craig Overstreet recognized Ben White as Citizen of the Year and gave congratulations.

**Item III) ADJOURNMENT**

Bryce Thompson motioned to adjourn with Lee Warren seconding the motion. P&Z Commission adjourned at 7:33 p.m.

ATTEST:

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Tom Waitschies, Chairman

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Edie Sims, City Secretary