

FARMERSVILLE PLANNING & ZONING COMMISSION  
REGULAR SESSION MINUTES  
May 20, 2013

The Farmersville Planning and Zoning Commission met in regular session on May 20, 2013 at 6:30 p.m. at the City of Farmersville Council Chambers with the following members present:, Bill Nerwich, Mark Vincent, Craig Overstreet, Lee Warren and Tom Waitschies. Betty Sergent and Bryce Thompson were absent. 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 6:33pm. 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 APRIL 15, 2013 P&Z MEETING**

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

**Item II – B) DISCUSSION REGARDING REVISING THE SPECIFIC USE PERMIT PROCESS**

City Attorney Alan Lathrom stated the Ordinance presented was modified to fit the City of Farmersville which will assist the Commission with the Specific Use Permit process. Zoning issues were removed that did not apply and a more detailed process was included. The Ordinance presented allows a process for abandoned uses and the City's right to rezone and/or to remove the Specific Use Permit.

Craig Overstreet questioned the need for a site plan or if a site plan can be waived regarding an existing building. A stipulation has been included that allows the site plan to be waived by the City Manager for existing buildings with existing conditions. The City Manager can determine if the site plan is essential.

Lee Warren questioned the abandonment of a Specific Use Permit. Mr. Lathrom indicated there are no reversionary clauses in the Zoning Enabling Act. The next closest right and ability for the city is to initiate a rezoning of the land. Eliminating the SUP can be accomplished through public hearings and notifications of area properties.

Lee Warren also questioned the permit prices. Mr. Warren was informed that the fees are in a different location through a different ordinance. The ordinance presented is solely to facilitate the SUP process. Game Rooms are a different process and will be in a different section of another ordinance. Game Rooms will still be required to go through the SUP process; however the SUP will run with the land and repeat sessions will not be required.

It was clarified for Craig Overstreet regarding the variance process through the Board of Adjustment so that the P&Z and Council have final ruling of the Specific Use Permits and the Board of Adjustment will not have jurisdiction.

Section 2 (10) closes any potential issues regarding private clubs since they are handled differently through the Texas Alcohol and Beverage Code. The Commission gave no recommendations to alter the ordinance as presented.

**Item III – A) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT UPON AMENDING THE SIGN ORDINANCE REGARDING ELECTRONIC MESSAGING CENTER SIGNS**

Chairman Waitschies opened the Public Hearing at 6:50pm and asked for those to come forward to speak in favor of the Sign Ordinance amendment. With no one coming forward, Chairman Waitschies asked for those opposing the Sign Ordinance amendment to come forward. With no one coming forward, Chairman Waitschies closed the Public Hearing at 6:50:30pm.

Lee Warren questioned if we will obtain the necessary equipment that will test the 0.3 foot-candle brightness level. City Manager Ben White indicated that the City will lease, purchase or make other arrangements to have said testing equipment available.

Questions were raised as to the term lumens versus foot-candles. Mr. White explained that both are commonly used terms and both are lighting measurement conversions.

Craig Overstreet motioned to recommend the Council to approve the ordinance as presented with Lee Warren seconding the motion. Motion carried unanimously.

**Item IV) ADJOURNMENT**

Lee Warren motioned to adjourn with Craig Overstreet seconding the motion. P&Z Commission adjourned at 6:55 p.m.

ATTEST:

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Tom Waitschies, Chairman

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Edie Sims, City Secretary