

**AGENDA
PLANNING AND ZONING COMMISSION
MEETING
CITY OF FERRIS
A GENERAL LAW MUNICIPAL CORPORATION OF THE
STATE OF TEXAS, ELLIS COUNTY
AT THE
COUNCIL CHAMBERS
215 W. SIXTH STREET, FERRIS, TEXAS 75125
6:00 P.M. THURSDAY, JULY 24, 2014**

NOTICE IS HEREBY GIVEN THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF FERRIS WILL MEET IN REGULAR SESSION AT 6:00 P.M. ON THE 24TH DAY OF JULY, 2014 AT THEIR REGULAR MEETING PLACE AT 215 W. SIXTH STREET, FERRIS, TEXAS FOR THE PURPOSE OF CONSIDERING:

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
	INVOCATION	
	PLEDGE OF ALLEGIANCE	
	<u>COMMISSION BUSINESS</u>	
1.	Call to order.	0
2.	Roll call to determine the presence of a quorum.	1
	<u>APPROVAL OF MINUTES</u>	
3.	Consider approval of meeting minutes for the Planning and Zoning meetings of August 22, 2013 and September 16, 2013.	2

NEW BUSINESS

4. Discussion, consideration, and action as may be appropriate regarding the recommendation to the Ferris City Council of the amendment to Division 185-Section 1 and Division 190 of the current Zoning Ordinance (Ordinance O-12-743) to change the regulations for Message Board Signs.

8

CLOSING

5. Adjourn.

0

Executive Session Reservation

The Planning and Zoning Commission reserve the right to convene into an Executive Session (closed to the public) as authorized by Section 551.071(2) of the TEXAS GOVERNMENT CODE, for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

Disability Assistance and Accommodation

Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at (972) 544-2110 two working days prior to the meeting so that appropriate arrangements can be made.

I, DESTINY LUSK WRIGHT, HEREBY CERTIFY THE FOREGOING NOTICE WAS POSTED ON OR BEFORE THE 18TH DAY OF JULY, 2014 BY 5 P.M.



**DESTINY LUSK WRIGHT
CITY SECRETARY**



PLANNING AND ZONING COMMISSION

MEETING ATTENDANCE RECORD

2013-2014

PLANNING AND ZONING COMMISSION			Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July
Place	Name	Title	22	16	24	-	26	23	27	27	24	22	26	24
Place 1	Jim Kay	Chair	P	P	-	-	-	-	-	-	-	-	-	-
Place 2	Rudy Amor		A	A	-	-	-	-	-	-	-	-	-	-
Place 3	Bill Malloy		P	P	-	-	-	-	-	-	-	-	-	-
Place 4	David Sacha		A	A	-	-	-	-	-	-	-	-	-	-
Place 5	Charlie Hatfield	Vice	P	P	-	-	-	-	-	-	-	-	-	-
Place 6	Christi Farish		-	-	-	-	-	-	-	-	-	-	-	-
Place 7	Rick Barrett		-	-	-	-	-	-	-	-	-	-	-	-
Total Present:			3	3	-	-	-	-	-	-	-	-	-	-

A quorum of the commission is 4 members.

City Staff		Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July
Title	Name	22	16	24	-	26	23	27	27	24	22	26	24
City Manager	Dennis Burn	P	P	-	-	-	-	-	-	-	-	-	-
City Secretary	Destiny Wright	P	A	-	-	-	-	-	-	-	-	-	-
Building Official	Bill Jordan	-	-	-	-	-	-	-	-	-	-	-	-
Total Present:		2	1	-	-	-	-	-	-	-	-	-	-

Chairman- "Will the Secretary please call the roll."
 The Secretary calls each member's position and name.
 They respond if they are present.
 Secretary- "A quorum is present."

P	Present
A	Absent
R	Resigned
D	Deceased
E	End of Term

**STATE OF TEXAS
COUNTY OF ELLIS**

THE FERRIS PLANNING AND ZONING COMMISSION MET IN A SPECIAL CALLED SESSION, AUGUST 22, 2013 AT 6:00 P.M. IN THE COUNCIL CHAMBERS LOCATED AT 215 W. SIXTH STREET, FERRIS, TEXAS.

MEMBERS PRESENT

Jim Kay, Place 1
Bill Malloy, Place 3
Charles Hatfield, Place 5

STAFF PRESENT

Dennis Burn, City Manager
Destiny Wright, Secretary to C.M.

MEMBERS ABSENT

Rudy Amor, Place 2
David Sacha, Place 4

STAFF ABSENT

COMMISSION BUSINESS

1. Call to Order.

Jim Kay called the meeting to order at 6:02 p.m.

2. Roll Call to determine the presence of a quorum.

The roll was called and a quorum was determined to be present.

APPROVAL OF MINUTES

3. Consider approval of the meeting minutes for the Planning and Zoning meeting of June 27, 2013 and August 8, 2013.

Bill Malloy moved to approve the meeting minutes for the Planning and Zoning meeting of June 27, 2013 and August 8, 2013. Seconded by Charlie Hatfield. For: Unanimous. The motion carried 3-0-0.

DISCUSSION

4. Discussion, consideration, and action as may be appropriate regarding the Comprehensive Plan.

Dan Sefco began with highlight topics for the meeting including: FLUP map, 3% growth rate, transportation, and zoning related recommendations. Bill Malloy would like the consultants to review the following regarding the the Comprehensive Plan Draft:

1. Page 3 of Draft -- Verify population for accuracy
2. Page 5 of Draft -- Verify racial and ethnic distribution for accuracy
3. Page 47 of Draft -- Transportation plan to show FM 664 re-route and Loop 9.

Dan Sefco informed the commission that they have the option to recommend the Comprehensive Plan to council “subject to” the above criteria. He assured the commission that the Comprehensive Plan is not final at this point and modifications can still be made. The commission asked if there have been final decisions made regarding the Loop 9 location and the boundary outcome of Ferris vs. Wilmer lawsuit. Dennis Burn informed the commission that there has been no final outcome of either issue; however, we will have more information on both available next week. Commission members expressed concern regarding recommending the Comprehensive Plan to the City Council as-is. Members would feel more comfortable recommending the plan after receiving more information on the Loop 9 location and the boundary outcome of the Ferris vs. Wilmer lawsuit. Therefore, Dan Sefco suggested the Planning and Zoning Commission and the City Council hold a joint session at the next scheduled Council Meeting on September 16, 2013. At this meeting, if decisions have been made on the Loop 9 location and the boundary outcome of the Ferris vs. Wilmer lawsuit, an up-to-date map and Draft will be presented and comments and requests for revisions can be made. Jim Kay announced to the commission they will next meet on September 16, 2013 for a joint meeting with the City Council.

5. Adjourn.

With no further business to come before the board, Jim Kay adjourned the meeting. Meeting adjourned at 6:45 p.m.

APPROVED THIS THE 24TH DAY OF JULY, 2014.

ATTEST:

Dennis Burn
City Manager

Jim Kay
Chair

**STATE OF TEXAS
COUNTY OF ELLIS**

**THE FERRIS CITY COUNCIL AND PLANNING AND ZONING
COMMISSION MET IN A JOINT SESSION, SEPTEMBER 16, 2013
AT 6:00 P.M. IN THE COUNCIL CHAMBERS LOCATED AT 215 W.
SIXTH STREET, FERRIS, TEXAS.**

MEMBERS PRESENT

Bill Pardue, Mayor
Gary Ross, Mayor Pro Tem
Jay Walsh, Alderman Place #2
Micheal Driggars, Aldeman Place #3
Carol Wright, Alderman Place #5

Jim Kay, Chairman P&Z
Bill Malloy, P&Z
Charlie Hatfield, P&Z

MEMBERS ABSENT

Jim Starr, Alderman Place #1

Rudy Amor, P&Z
David Sacha, P&Z

STAFF PRESENT

Dennis Burn, City Manager
Pat Bradley, City Secretary
Melissa Garcia, Finance Dir
Kathy Harrington, Librarian
Sam Love, Police Chief
Jason Birdwell, Asst. Fire Chief
Charles Brewer, Public Works Dir
Chuck Dart, EDC/Main St Dir
Doug Childers, IT

STAFF ABSENT

Mark Goldstucker, City Attorney

INVOCATION

The invocation was given by Mayor Pro Tem Ross.

PLEDGE OF ALLEGIANCE

COUNCIL AND COMMISSION BUSINESS

1. Call to Order.

Mayor Pardue called the meeting to order at 6:01 pm.

2. Roll Call of the City Council to determine the presence of a quorum.

City Secretary Bradley called roll and determined that a quorum was present of the City Council.

3. Roll call of the Planning and Zoning Commission to determine the presence of a quorum.

City Secretary Bradley called roll and determined that a quorum was not present of the Planning and Zoning Commission.

APPROVAL OF MINUTES

4. Consideration by the City Council regarding the approval of meeting minutes for the City Council meeting of September 3, 2013.

Mayor Pro Tem Ross moved to approve the City Council meeting minutes of September 3, 2013. Seconded by Alderman Driggars. For: Unanimous. Motion carried 4-0-0.

5. Consideration by the Planning and Zoning Commission regarding approval of meeting minutes for Planning and Zoning Commission meeting of August 22, 2013.

No action on this item due to no quorum present.

APPROVAL OF EXPENDITURES

6. Consider ratification of expenditures for the periods ending August 30, 2013 and September 6, 2013.

Alderman Wright moved to ratify the August 30th and the September 6, 2013 expenditures. Seconded by Alderman Walsh. For: Unanimous. Motion carried 4-0-0.

NEW BUSINESS

7. Discussion, consideration, and action as may be appropriate regarding closing North Main Street between 4th and 5th Street to thru traffic.

This item was discussed and a non-binding agreement was reached to approve the possible closing on North Main Street between 4th and 5th Street to thru traffic.

PRESENTATION

- 8. Presentation by The Wallace Group regarding the 2013 Comprehensive Plan.**

TRAINING

- 9. Training conducted by Doug Childers, Information Technology Director, for the new electronic voting system for the City Council.**
- 10. Adjourn.**

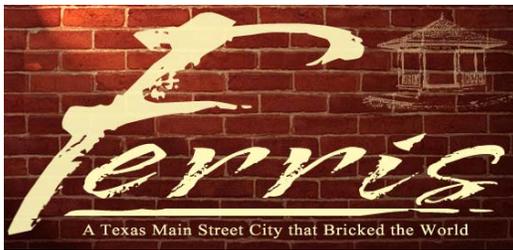
With no further business to come before the Council, Alderman Driggars moved to adjourn the meeting. Seconded by Mayor Pro Tem Ross. For: Unanimous. Motion carried 4-0-0. Mayor Pardue adjourned the meeting at 7:48 pm.

APPROVED THIS THE 24TH DAY OF JULY, 2014.

ATTEST:

Dennis Burn
City Manager

Jim Kay
Chair



MEMORANDUM

DATE: July 24, 2014
FROM: Chief Building Official, Bill Jordan
TO: Planning & Zoning Commission

SUBJECT: Consideration of approving the amendment of Division 185 Section 1 and Division 190 of the Ferris Zoning Ordinance to change the regulations for Message Board Signs.

SUMMARY:

Reference: Division 185 Section 1 of the Ferris Zoning Ordinance regulates the placement and operation of electronic message board signs within the city. Division 190 is the permanent sign use chart.

Background: The city has been approached by the Ferris ISD as well as by religious organizations who are seeking to erect message board signs. Currently, the Ferris zoning ordinance restricts these types of signs to C-C, I-L, and I-H zoning districts, and only on property in those districts that has frontage along Interstate 45. The purpose of this restriction is to limit the amount of distracting advertisements from affecting motorists and to prevent lighted signage from becoming a nuisance to residential areas. With these recent requests, however, staff has reviewed the need to disseminate frequently changing information indicative to educational, religious, and other organizations that have large social impacts on the community. As these organizations are civic in nature, their use of message boards would be inherently informative, thus would not include commercial advertisements. As such, staff has prepared amendments to the message board sign restrictions to allow for a broader application of message board signs.

Changes: A complete strikethrough/underline of changes to the message board regulations are included in your packet. Key changes are as follows:

- Zoning restrictions relaxed to allow Message Board Signs in any zoning district
- Permit requirements increased to require an SUP
- Signs restricted to only be allowed in conjunction with educational, religious governmental, or other non-profit uses
- I-45 frontage restriction relaxed to allow along any State roadway

- Sign construction restricted to monument-type only
- Size restricted to 50SqFt

FINANCIAL IMPACT:

This ordinance will have no impact on the City's budget.

SUPPORTING MATERIALS:

- Proposed Changes
- Underline/Strikethrough Copy
- Photos Identifying current signs and existing signs that are similar in construction, display, and location to the proposed ordinance as well as the ISD proposals for new message board signs.

RECOMMENDATION:

Staff recommends approval of this amendment.

DIVISION 185: SPECIAL SIGN TYPES

Section 1: Message Board Signs

Message board signs are ~~subject to the same size and location restrictions as other signs regulated by this article. A message board sign may be constructed in lieu of the primary or secondary freestanding sign (either pole or monument sign). In addition, a message board sign is allowed by SUP in any zoning district~~ subject to the following restrictions:

A. Message board signs shall only be used on the premises of, and in conjunction with an educational, religious, governmental or other not-for-profit use for which a valid Certificate of Occupancy has been issued;

~~B. Message board signs shall only be allowed to be placed in areas zoned "C-C," "I-L" or "I-H" with frontage along the right-of-way of Interstate 45 located on a lot which has an adjacency to a state road or highway, and the sign must be placed adjacent to such road or highway;~~

C. Message board signs shall not name, display a logo or photo of, or otherwise in any form, advertise any for-profit business or product;

D. Message Board Signs shall not exceed fifty square feet (50SqFt) in size;

E. Message board signs shall be setback a minimum of 10 feet (10ft) from the property line which fronts the state road or highway and a minimum of 50 feet from any property line adjoining another property;

F. A message board sign must be a monument sign, however a message board sign may exceed the monument sign height restrictions and/or reduce the base width if approved as a condition of the SUP;

G. Message board signs shall be considered as the primary freestanding sign and may not be placed in addition to any existing freestanding sign;

A H. Any change of pictures or information on the message board sign shall not produce the illusion of moving objects, expanding or contracting shapes, rotation or any similar effect of animation;

B I. Any change of pictures or information on the message board sign shall not change more often than once each three seconds for those portions of the sign which convey time or temperature, or once each 20 seconds for all other portions of a sign;

~~D J. All applications for message board signs must be accompanied with a certificate of approval of such sign from the Texas Department of Transportation in accordance with state law;~~

E K. The determination of a health or safety hazard caused by a lighted sign or a message board sign shall be made by the ~~Public Works Director~~ Chief Building Official for the city and shall be controlling;

F L. Any electrical wiring required for a sign to be lighted shall meet the electrical code of the city as determined by the ~~Chief bBuilding eOfficial~~ or a designated representative;

Ⓔ M. No lighted sign or message board sign shall have a luminance of greater than 300 foot-candles, nor shall any such sign have a luminance greater than 200 foot-candles for any portion of the sign within a circle two feet in diameter. The restriction of luminance in this section shall be determined from any other premises or from any public right-of-way. If in the opinion of the Chief Building Official a message board sign constitutes a distraction to traffic, he shall order the sign be dimmed or otherwise altered regardless of the foot-candle reading.

DIVISION 190: PERMANENT SIGNS CHART

PERMANENT SIGNS					
TYPE Of SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT	NUMBER OF SIGNS	REQUIREMENTS
....					
Message Board	Non-residential C-O to I-H with I-45 frontage <u>SUP in all districts</u>	Same as pole sign regulations <u>50 S.F.</u>	Same as pole sign regulations <u>7 ft.</u>	Same as pole sign regulations <u>1</u>	<u>See Section 44-A</u> <u>See Division 185;</u> <u>Section 1</u>
....					

Current Sign



Current Sign



Current Sign



Current Sign



Sign Similar in Construction to Proposed Ordinance



Sign Similar in Construction to Proposed Ordinance



Sign Similar in Construction to Proposed Ordinance



Ferris ISD Proposals



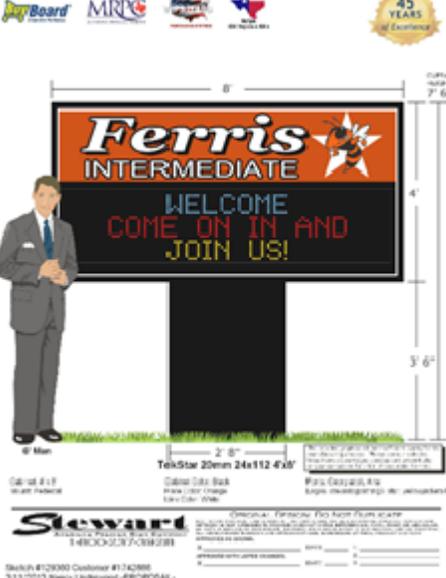
McDonald ELEMENTARY
WELCOME
COME ON IN AND
JOIN US!

8' Max
7' 6" (Total Height)
4' (Sign Face)
3' 6" (Post)

TekStar 20mm 24x112 4x8'

Steward
4400-237-319-230

Sketch #12039 Customer #174282
3112013 Nancy Underwood -PROPOSAL



Ferris INTERMEDIATE
WELCOME
COME ON IN AND
JOIN US!

8' Max
7' 6" (Total Height)
4' (Sign Face)
3' 6" (Post)

TekStar 20mm 24x112 4x8'

Steward
4400-237-319-230

Sketch #12039 Customer #174282
3112013 Nancy Underwood -PROPOSAL



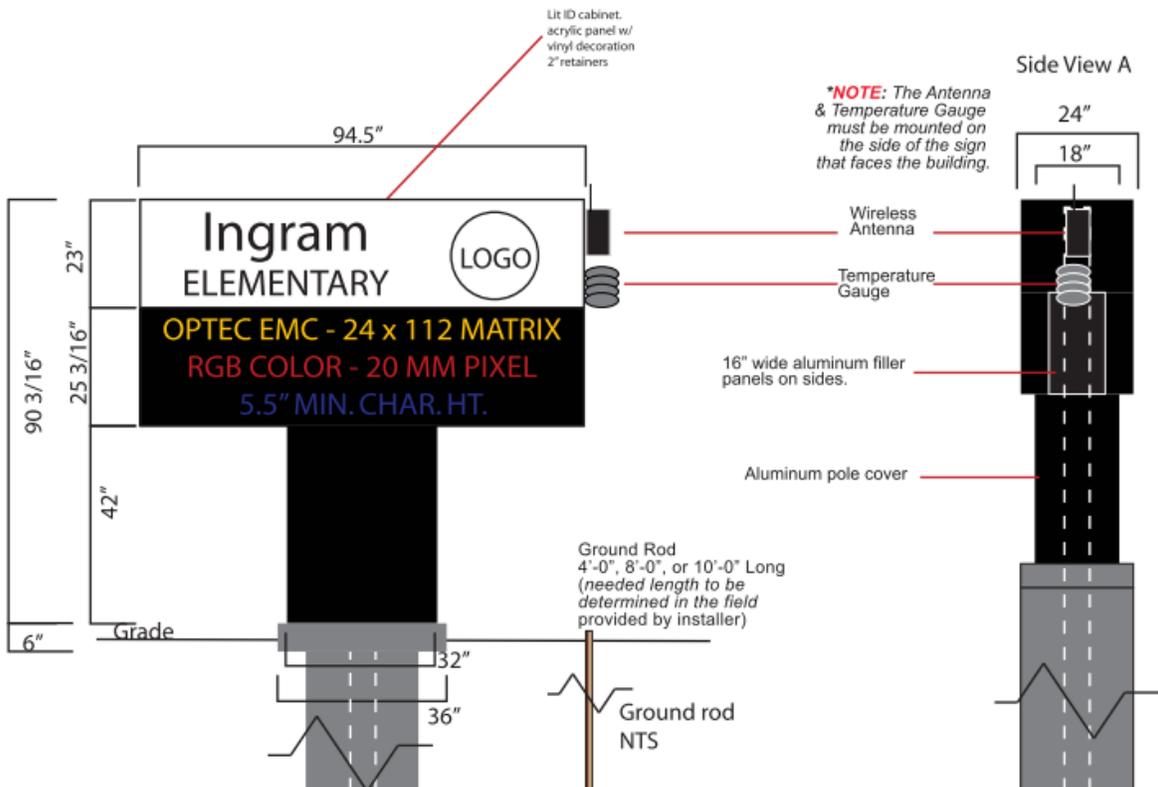
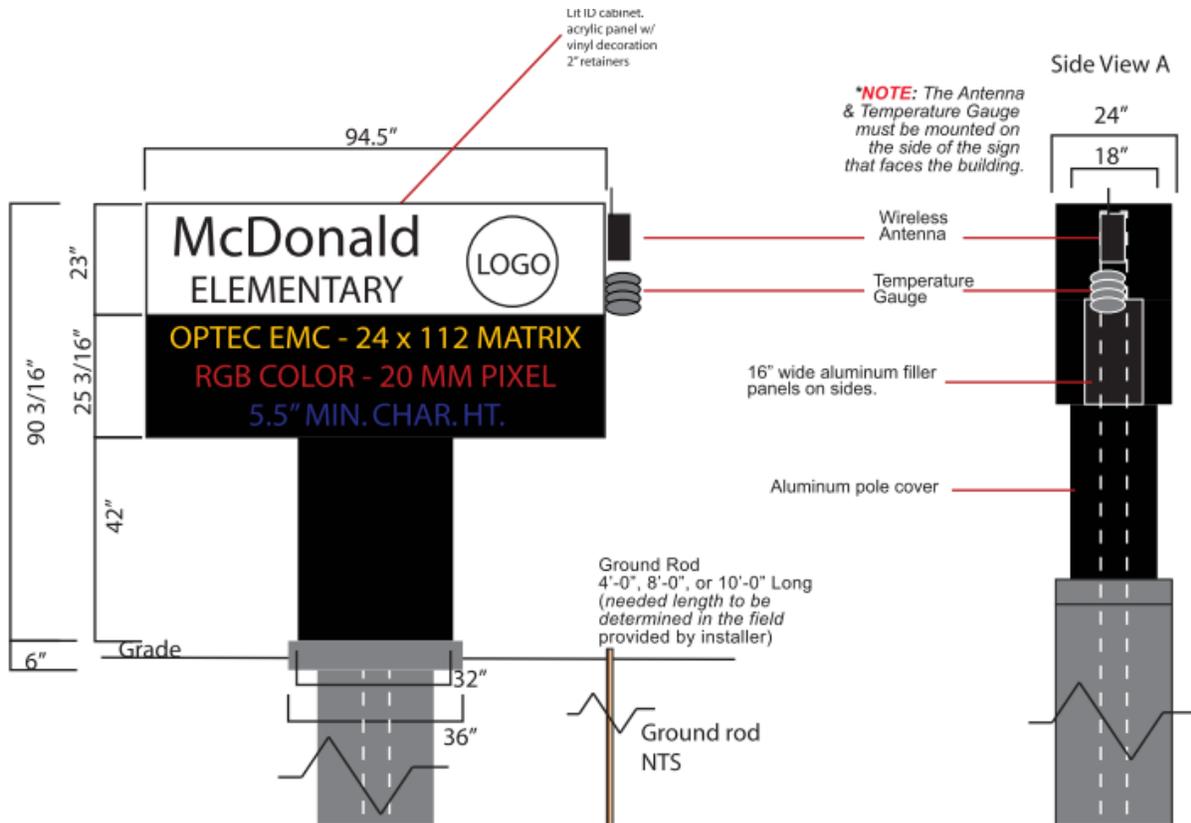
FERRIS JUNIOR HIGH SCHOOL
WELCOME
COME ON IN AND
JOIN US!

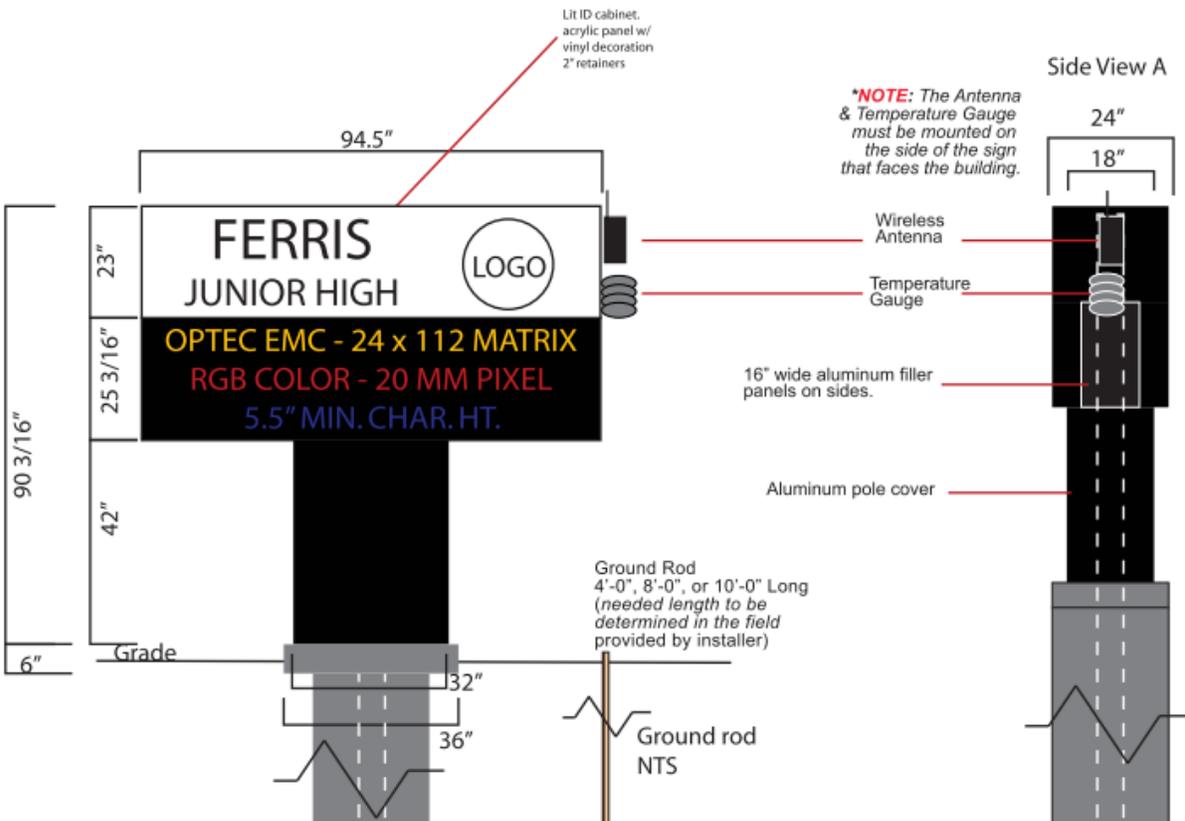
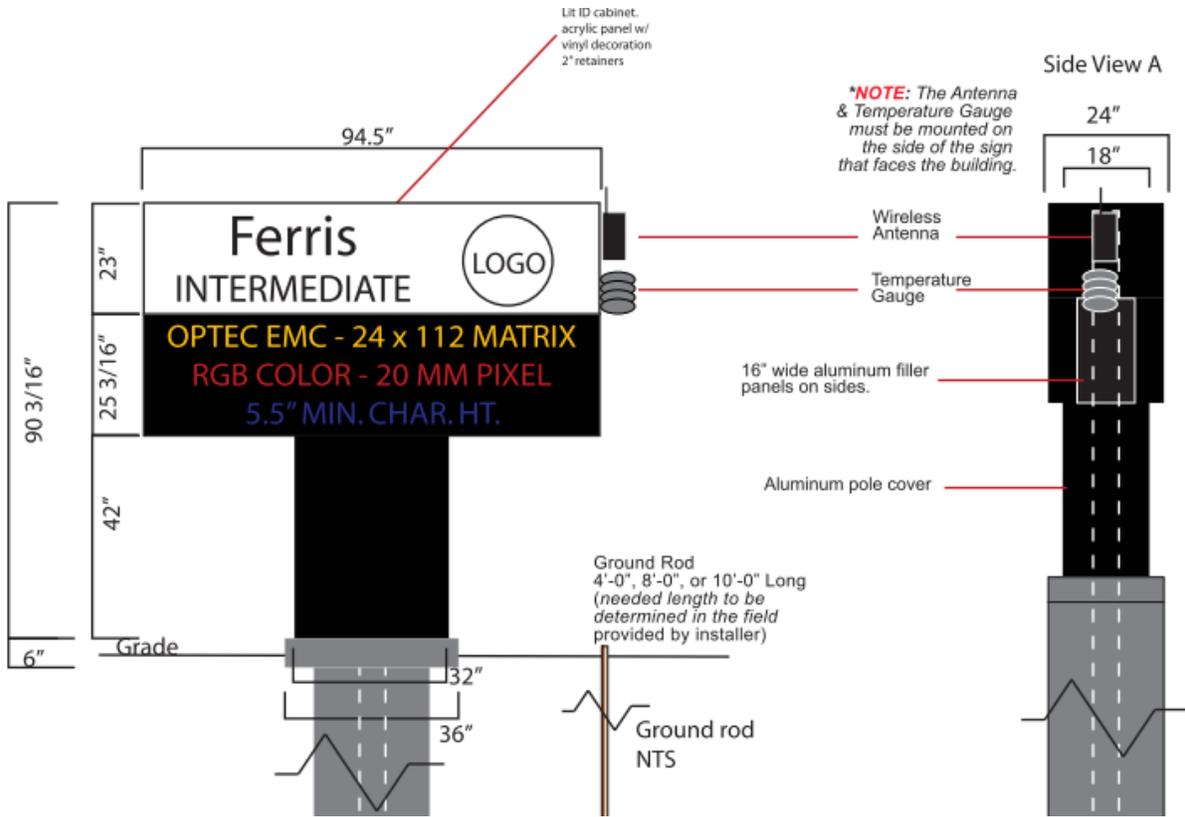
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Steward
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Sketch #12039 Customer #174282
3112013 Nancy Underwood -PROPOSAL





DIVISION 185: SPECIAL SIGN TYPES

Section 1: Message Board Signs

Message board signs are allowed by SUP in any zoning district subject to the following restrictions:

- A. Message board signs shall only be used on the premises of, and in conjunction with an educational, religious, governmental or other not-for-profit use for which a valid Certificate of Occupancy has been issued;
- B. Message board signs shall only be located on a lot which has an adjacency to a state road or highway, and the sign must be placed adjacent to such road or highway;
- C. Message board signs shall not name, display a logo or photo of, or otherwise in any form, advertise any for-profit business or product;
- D. Message Board Signs shall not exceed fifty square feet (50SqFt) in size;
- E. Message board signs shall be setback a minimum of 10 feet (10ft) from the property line which fronts the state road or highway and a minimum of 50 feet from any property line adjoining another property;
- F. A message board sign must be a monument sign, however a message board sign may exceed the monument sign height restrictions and/or reduce the base width if approved as a condition of the SUP;
- G. Message board signs shall be considered as the primary freestanding sign and may not be placed in addition to any existing freestanding sign;
- H. Any change of pictures or information on the message board sign shall not produce the illusion of moving objects, expanding or contracting shapes, rotation or any similar effect of animation;
- I. Any change of pictures or information on the message board sign shall not change more often than once each three seconds for those portions of the sign which convey time or temperature, or once each 20 seconds for all other portions of a sign;
- J. All applications for message board signs must be accompanied with a certificate of approval of such sign from the Texas Department of Transportation in accordance with state law.
- K. The determination of a health or safety hazard caused by a lighted sign or a message board sign shall be made by the Chief Building Official for the city and shall be controlling;
- L. Any electrical wiring required for a sign to be lighted shall meet the electrical code of the city as determined by the Chief Building Official or a designated representative;
- M. No lighted sign or message board sign shall have a luminance of greater than 300 foot-candles, nor shall any such sign have a luminance greater than 200 foot-candles for any portion of the sign within a circle two feet in diameter. The restriction of luminance in this section shall be determined from any other premises or from any public right-of-way. If in the opinion of the Chief Building Official a message board sign constitutes a distraction to traffic, he shall order the sign be dimmed or otherwise altered regardless of the foot-candle reading.

DIVISION 190: PERMANENT SIGNS CHART

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TYPE Of SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT	NUMBER OF SIGNS	REQUIREMENTS
....					
Message Board	SUP in all districts	50 S.F.	7 ft.	1	See Division 185; Section 1
....					