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**PLANNING & ZONING COMMISSION**

**June 19, 2006**

**Minutes**

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Members Present: Eddie Boykin  
Ovelia Campos  
Jack Harkins  
Lydia M. Long  
Jeff Luther  
Tim McClarty

Staff Present: Jon James, Director, Planning and Development Services  
Dan Santee, First Assistant City Attorney  
Jeff Armstrong, Development Services Manager  
Gloria Brownell, Planner I  
JoAnn Sczech, Executive Secretary (Recording)

Others Present: Tim Ritter  
Chris Stokes  
Mark Bunsey  
David McMeekan  
Bob Hammond

Media Present: Sarah Kleiner, Abilene Reporter-News  
Cam Tran, KTXS TV  
Scott Mawes, KTXS TV

**Item One: Call to Order**

Ms. Campos called the meeting to order at 12:03 p.m. and declared a quorum present.

**Item Two: Invocation**

Ms. Campos gave the invocation.

**Item Three: Community Appearance Regulations**

Presentation, discussion, and direction to staff on proposed Community Appearance Regulations.

Mr. Jon James, Director of Planning and Development Services, stated that today's meeting would address community appearance issues. Staff will present community appearance issues and request direction from the Planning and Zoning Commission in order for staff to move forward to develop an ordinance related to community appearance (signs, landscaping, urban design, etc.). Focus group meetings were held regarding community appearance and much consensus was obtained from these meetings. However, many questions also came about as a result of these meetings. At the Commission's last meeting each Commissioner was provided a questionnaire regarding this issue. The questionnaire provided to the Commissioners was a shorter list of the questions provided to the focus groups. Where there was consensus among that focus group, those questions were deleted from the Commissioner's questionnaire and this information is being presented today as staff recommendations.

The Comprehensive Plan for the City of Abilene addresses Community Appearance and enhancing the appearance of the community. Results from the survey are as follows:

- 87% - Supported Landscaping Requirement
- 79% - Supported the regulation of signs
- 73% - Supported regulation of buildings or architectural designs

The first issue addresses signs. The City of Abilene currently has a Sign Ordinance in place. A summary of the proposed requirements include:

1. Require sign plan accompanying the site plan (indicating the location on the site of all signs)
2. Attached signs (wall) signs affixed to the building would be limited to between 5-10% of the façade (depending on zoning district)
3. Streamers, pennants, and utilizing parked vehicles as a sign would be prohibited

Mr. Harkins stated that there is a fine line between vehicles used for a business and vehicles utilized for signage. Mr. James stated that this issue can be addressed and staff will research how other cities are handling this situation.

Mr. James stated that another of the recommendations that seemed to be well received was the idea of allowing group signs (such as the sign at the Shops At Abilene). In lieu of placing multiple signs on a property, a shopping center could be allowed a larger sign if they combine all signage into a group sign with additional height and square footage for doing this.

Mr. James began the discussion with question three on the questionnaire:

3. Signs on other streets?

**The Planning and Zoning Commission agreed unanimously with staff's recommendation of monument signs only on collector or smaller streets.**

2. Signs on arterial streets?

**Most of the responses from Commissioners (3) for this question agreed with staff's recommendation of a 20-foot height limit or less on arterials. Mr. James stated that staff would like a consensus recommendation regarding this issue.**

1. How tall should interstate pole signs be? (Other freeways will be 5'-10' less)

**Responses from the Commissioners for this question covered a wide range (as to sign height). The consensus of the Commissioners was a height limit of 50 foot signs on the interstate highway and a 40-foot height limit on other freeways.**

Mr. James stated that the recommendations for questions 1., 2., and 3., listed above, will be placed in the proposed sign ordinance; however, this information will be brought back to this Commission for final review.

4. How should we treat portable signs?

**Mr. James stated that in response to this question, all but one Commissioner felt that portable signs should be prohibited altogether. This is also staff's recommendation.**

## 5. Billboards?

Mr. James stated that the two options provided by the focus groups were to prohibit new billboards, or, allowing large billboards on freeways only; small on arterials; with limits. It seems to be the consensus of this group that the second choice, large billboards on freeways only and small billboards on arterials, with limits, was the best option. Mr. James stated that further discussion would be required on this issue to develop a consensus among the Commissioners. Four of the Commissioners stated that they would opt for billboards on freeways only. This would apply to new billboards only.

## 6. How to treat “nonconforming signs”?

The survey provided four options for “nonconforming signs”:

Ensure proper maintenance

Signs should be removed when a business closes

Sign should come into compliance when business changes or sign is replaced

No new signs should be allowed on a property with nonconforming signs?

A majority of the Commissioners selected all four of the options. There was also a question regarding historic signs. Mr. James stated that language could be included in the ordinance to address this issue.

## Landscaping

### 7. How much landscaping to require? \_\_\_\_\_

0 = No Regulation

5 = Moderate Regulation (staff recommends 7.5)

10 = Aggressive Regulation

Mr. James added that of all the issues being discussed today, landscaping is possibly the most important issue. Staff is proposing that a landscaping plan be submitted with the site plan; landscaping a minimum percentage of site (varying by zoning district); and, minimum sizes at planting.

There was discussion regarding the detail required on the landscaping plan. Mr. James stated that the intent of submitting a landscaping plan with the site plan is to determine the location and percentage of landscaping on the site.

Ms. Brownell recommended that on the preliminary landscaping plan submitted with the site plan, the minimum number of plantings and the areas for these plantings could be identified (not designate a specific location for each planting). When the proponent applies for the Certificate of Occupancy, the final detailed landscaping plan could be submitted. At this point, the landscaping plan and the final planting and locations would have to match when the zoning official does a site inspection to verify landscaping, sidewalks, etc., in order for a Certificate of Occupancy to be issued. Mr. James stated that a temporary CO could be provided in situations where the time of year (seasonal variations) is not conducive for planting.

Mr. James stated that staff has identified four (4) areas for landscaping:

- Within the Parking Lot (or within five [5] feet of the edge of the parking lot)

Mr. McClarty stated that at least 10 feet would be required from the edge of the parking lot for trees.

- Streetscape – minimum amount of landscaping

There was discussion regarding the inclusion of this area as a percentage of the landscaping required for the property. Staff is proposing 10% landscaping but Council is leaning toward 5% landscaping.

➤ **Building Foundation**

Mr. Harkins stated that careful consideration must be given to requiring landscaping or planting along the foundation because foundation problems occur due to irrigation – particularly within five (5) feet of the foundation.

Mr. James stated that based on the discussion of the focus group, this may be one issue omitted completely from the ordinance as a requirement.

➤ **Yard Area**

8. Require landscaping irrigation?

Mr. James stated that there are many different options for irrigation systems (below ground, hose attachment within landscaped area, etc.).

Mr. McClarty stated that this should be an automatic requirement. Mr. Boykin stated that he did not feel the landscaping would be maintained unless an irrigation system is required.

9. Streetscape requirements?

Mr. James stated that the response to this question was mixed. One-half of the Commissioners agreed with streetscape requirements on arterial streets and larger and the other half agreed with streetscape requirements on collector streets and larger. The consensus of the Commissioners was streetscape requirements on collector streets or larger.

Most of the landscaping requirements would not apply to single family residences and duplexes, but is intended for non-residential and multi-family development. Also, some of the percentages and/or number of trees would vary depending on the zoning district.

10. Tree preservation requirements?

Mr. James stated that most of the Commissioners answered this question, “Yes, but only for “significant trees” and/or tree clusters (trees over a certain minimum size and of certain species, etc.). (This does not apply to residentially zoned areas.)

11. Should we have relaxed standards for redevelopment and infill?

A majority of the Commissioners answered, “Yes” to this question (includes landscaping). Mr. James asked the Commissioners the type of incentives that should be provided. Peer cities will be investigated to determine the type of incentives they provide.

Mr. McClarty stated that the Commission should meet to discuss only the issue of infill development and the type of incentives to be offered for development. Also, the Commission must develop a “shopping list” to recommend to the Council pertaining to infill development.

**Fencing and Screening Requirements:**

Mr. James stated that staff is recommending limiting the use of chain link fencing, barbed wire and razor wire, particularly adjacent to streets. Also prohibiting the use of these materials (barbed wire and razor wire) in all but industrial or agricultural areas.

**Dr. Long asked if the areas utilizing these materials would be grandfathered or would they be given a period of time to come into compliance.**

**Mr. James stated that because the details of the ordinance have not been finalized, this situation could go either way – grandfathered or given time frame to come into compliance.**

**Mr. Santee stated that in some of the areas being discussed (Butternut Street) there is the potential for a corridor overlay. This might be an area where the use is not grandfathered and an amortization period is provided to bring the property into compliance.**

**Mr. James stated that if staff is given the directive from this Commission to write an ordinance that states “any commercial area that has razor or barbed wire over chain link fencing would be provided (length of time) to remove this wire” this would be done.**

**The consensus of the Commissioners was to amortize the removal of these materials as fencing. Also chain link fencing can be utilized but not on a street front.**

**Mr. Luther stated that he does not have a problem with chain link fencing or barbed wire. Replacing a chain linked fence with wrought iron (or another material) is not going to solve the problem – there is much more involved, particularly with unattractive businesses, than just the fence (signs, banners, pennants, barbed wire, etc.).**

**Mr. James stated that from staff’s perspective, the problem is not so much the chain link fence as the barbed wire/razor wire on top of the fence.**

**This issue will be presented to the Commission at a future meeting for a vote and consensus.**

**Mr. James stated that staff is proposing to require screening of all mechanical equipment, loading docks, refuse containers, etc. Staff is also recommending some limits on outdoor storage and display.**

### **Urban Design**

**12. Should we limit the use of certain colors for commercial and industrial development?**

**Staff is proposing to limit the use of all metal siding on building to Industrial and Heavy Commercial areas; requiring masonry/stucco/brick in commercial areas.**

**Mr. Luther stated that this requirement needs to be worded carefully because there are metal siding materials that are very attractive. If all metal siding is eliminated (except in the zoning districts mentioned above), these materials would also be prohibited.**

**Mr. James stated that staff is proposing an alternative design review by staff. If staff denies use of the desired material, the proponent could appeal to the Planning and Zoning Commission.**

**Mr. James stated that the consensus of the Commissioners and that of the focus group was that the use of certain colors should not be limited.**

**13. Should we require the following for large commercial buildings?  
(select as many as apply)**

**Mr. James stated that staff recommends that these regulations apply to “big box” structures only: building articulation (both vertical and horizontal); variations in color and texture; and, architectural design. Mr. James asked the Commissioners if staff should be looking at the architecture of the building at all (minimum standards)?**

**Mr. Harkins stated that this standard should be performance not prescriptive so that the City is not dictating design. Mr. Harkins stated that he would keep the requirements at bare minimum.**

**Ms. Campos stated that it seems the Commissioners are in agreement to require staff to work with developers – not dictate materials to be used or colors to be utilized.**

**Staff will submit information to Commissioners at a later date that will avoid requiring the bare minimum – set some standards that negate having a structure that is completely undesirable and yet does not place numerous limitations on the type of construction desired.**

14. How to define “big box”?

**Mr. James stated that the consensus that these regulations should apply to buildings 50,000 square feet or bigger.**

15. Should we have limits on street-facing garages in single-family residential areas?

**The consensus of this Commission and the focus group is that the City should not regulate residential garages.**

16. Should utility lines, electric, telephone, cable, etc., be required to be underground or in rear utility easements/alleys?

**Mr. James stated that the consensus of the focus group and the Commissioners seemed to be consistent – utilities should be buried in new development and adoption of a Model Lighting Ordinance that would eliminate “spillover” lighting onto adjacent properties (shielded lighting).**

**Mr. James stated that staff will submit the Commission’s recommended changes to City Council for their input prior to writing an ordinance. Following the meeting with the City Council, an ordinance will be drafted and brought back to this Commission for the formal adoption process (including public hearings). This draft should be completed within the next two (2) months.**

**Item Four: Adjourn**

There being no further business, the meeting was adjourned at 3:00 p.m.

Approved: \_\_\_\_\_, Chairman