



AGENDA
PLANNING AND ZONING COMMISSION MEETING
TUESDAY, SEPTEMBER 6, 2022 - 6:00 PM
KAUFMAN CITY HALL COUNCIL CHAMBERS
209 SOUTH WASHINGTON STREET,
KAUFMAN, TEXAS 75142

PLEDGE OF ALLEGIANCE US FLAG

TEXAS FLAG

"HONOR THE TEXAS FLAG. I PLEDGE ALLEGIANCE TO THEE, TEXAS ONE STATE UNDER GOD, ONE AND INDIVISIBLE".

INVOCATION

CALL MEETING TO ORDER Chairman calls the Meeting to order, states the date and time, states members present, and declares a quorum present.**

CITIZENS COMMENTS / REQUEST TO SPEAK ON AGENDA ITEMS (5 MINUTES) Comments about any of the agenda items may be taken into consideration at this time or during the agenda item. Comments are limited to five (5) minutes per individual unless additional time is otherwise required by law for translation. Speaking time is not transferable. Citizens may address the P&Z Commission on any subject but must first complete a Request to Speak Form so that the Chairman may call your name to speak at the appropriate time on the Agenda. Comments must be directed to the P&Z Commission as a whole. **When addressing the P&Z Commission, please step forward to the speaker's podium, state your name and address, and direct your comments to the Chairman and P&Z Commission.**

CONSENT AGENDA "All matters listed under the Consent Agenda, are considered to be routine by the Planning and Zoning Commission and will be enacted by one motion. There will not separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately. For a citizen to request removal of an item, a request must be submitted to the Planning and Zoning Commission Secretary."

1. Consider and take appropriate action on the minutes of the August 2, 2022 Planning and Zoning Commission meeting.

END OF CONSENT AGENDA

PUBLIC HEARING

2. Conduct a public hearing and make a recommendation to City Council on the **Replat of Kaufman Original, Block 33, Lots 4 – 6**, being a replat of a portion of Block 33 of Kaufman Original to create 3 residential lots. The subject property consists of 0.557 acres situated in the J.B. Cole Survey, Abstract No. 84, City of Kaufman, Kaufman County, Texas, generally located on the east side of N. Madison St., the south side of E. 1st North St., and the west

side of N. Monroe St. (Parcel ID 28567) and currently addressed as 406 N. Madison St. (Case No. FRP-02-22)

3. Conduct a public hearing and make a recommendation to City Council on a request to **rezone** approximately 1.3 acres from A-O Agriculture/Open District to HC Highway Commercial District. The property is generally located at **3533 East Highway 175** (Parcel ID 407), situated in the Charles Askins Survey, Abstract No. 2, City of Kaufman, Kaufman County, Texas. (Case No. Z-07-22)
4. Conduct a public hearing and make a recommendation to City Council on a request to **rezone** approximately 3.626 acres from A-O Agriculture/Open District to C Commercial District. The property is generally located at **3260 East Highway 175** (Parcel ID 49003), situated in the Charles Askins Survey, Abstract No. 2, City of Kaufman, Kaufman County, Texas. (Case No. Z-08-22)
5. Hold a public hearing, discuss and make a recommendation to City Council for a text amendment to the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, and Chapter 118, "Zoning" of the City of Kaufman's Code of Ordinances, to allow **murals and ghost signs in the Central Business District (CBD)** by amending Section 25.4 "Central Business District (CBD) – Design Criteria", Section 44.3 "Sign Regulations – Definitions", and Section 44.8 "Attached Sign Regulations" (Case No. Z-06-22)

DISCUSSION/ACTION ITEMS

6. Consider the resignation of the Planning and Zoning Commission Chairman and consider and take appropriate action to select a new Chairman.

ANNOUNCEMENTS AND REPORTS FROM DEVELOPMENT SERVICES DIRECTOR

BOARD INQUIRY If a member of the board makes a spontaneous inquiry about a subject not on this agenda, then the board or an appropriate staff member may make a statement of factual information or policy in response to such an inquiry. However, in accordance with Open Meetings Act Section 551.042, the Planning and Zoning Commission cannot discuss issues raised or make any decisions on that subject at that time. Issues raised may be referred to Staff for research and possible future action.

ADJOURNMENT

I, ANDREW BOGDA, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE WINDOW AT KAUFMAN CITY HALL, 209 S. WASHINGTON, KAUFMAN, TEXAS, A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES AND SAID NOTICE WAS POSTED AT THE KAUFMAN CITY HALL, 209 S. WASHINGTON, KAUFMAN, TEXAS AT 5:00 P.M. ON FRIDAY, SEPTEMBER 2, 2022 AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.



ANDREW BOGDA
PLANNING MANAGER

THE BUILDING IN WHICH THE ABOVE MEETING WILL BE CONDUCTED IS WHEELCHAIR ACCESSIBLE AND PARKING SPACES FOR THE MOBILITY IMPAIRED ARE AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, OR LARGE PRINT ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT 972-932-2216 AT LEAST TWO (2) WORKING DAYS PRIOR TO THE TIME OF THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.



MINUTES
PLANNING AND ZONING COMMISSION MEETING
TUESDAY, AUGUST 2, 2022 - 5:30 PM KAUFMAN
CITY HALL COUNCIL CHAMBERS
209 SOUTH WASHINGTON STREET,
KAUFMAN, TEXAS 75142

PLEDGE OF ALLEGIANCE US FLAG

TEXAS FLAG

"HONOR THE TEXAS FLAG. I PLEDGE ALLEGIANCE TO THEE, TEXAS ONE STATE UNDER GOD, ONE AND INDIVISIBLE".

INVOCATION

CALL MEETING TO ORDER Chairman calls the Meeting to order, states the date and time, states members present, and declares a quorum present.

Vice-Chairman Richard Dunn called the meeting to order at 5:32 p.m. on Tuesday, August 2, 2022. Commissioners present were Vice-Chairman Richard Dunn, Commissioner Dennis Berry, Commissioner Burton Brown, Commissioner Darril Deaton, and Commissioner Kathy Thorpe. City of Kaufman staff present were Planning Manager Andrew Bogda, Planning Technician Joy Henderson, and Economic Development Director Stewart McGregor. Present in the audience were Jim Meara, Pann Sribhen, Jesus Jimenez, Frankie Jimenez and Aunt Jimenez.

PLANNING AND ZONING COMMISSION TRAINING WILL BE FROM 5:30 P.M. TO 6:30 P.M.

City Attorney Patricia Adams presented a training session, by Zoom, for the Planning and Zoning Commissioners and staff.

ADJOURN TO EXECUTIVE SESSION In accordance with the Texas Government Code, Section 551.001, et seq., the Planning and Zoning Commission will recess into Executive Session (closed meeting) to discuss the following: § 551.071: Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter re: Planning and Development Processes

RETURN FROM EXECUTIVE SESSION. PLANNING AND ZONING COMMISSION REGULAR MEETING STARTS AT 7:11 P.M.

CITIZENS COMMENTS / REQUEST TO SPEAK ON AGENDA ITEMS (5 MINUTES)

Comments about any of the agenda items may be taken into consideration at this time or during the agenda item. Comments are limited to five (5) minutes per individual unless additional time is otherwise required by law for translation. Speaking time is not transferable. Citizens may address the P&Z Commission on any subject but must first complete a Request to Speak Form so that the Chairman may call your name to speak at the appropriate time on the Agenda. Comments must be directed to the P&Z Commission as a whole. When addressing the P&Z Commission, please step forward to the speaker's podium, state your name and address, and direct your comments to the Chairman and P&Z Commission.

CONSENT AGENDA "All matters listed under the Consent Agenda, are considered to be routine by the Planning and Zoning Commission and will be enacted by one motion. There will not separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately. For a citizen to request removal of an item, a request must be submitted to the Planning and Zoning Commission Secretary."

1. Consider and take appropriate action on the minutes of the June 27, 2022 Planning and Zoning Commission meeting.

END OF CONSENT AGENDA

Burton Brown requested the additional information be added to the approved minutes. They are as follows:

In reference to the minutes of the special called Planning and Zoning Commission meeting called by the city, on June 27th. Instead of what would have been its July 5th regular meeting.

Item #3 on the Agenda was "Consider and make a recommendation to City Council on the Land Study and Preliminary Plat of Windsor Park 2, being a tract of land containing approximately 134.12 acres (Property IDs 5270 & 198786), situated in the D. Falcon Survey, Abstract No. 151, Kaufman County, Texas. The property is generally located on the south side of SH 34 and the west side of FM 1388 (S. Houston St.) within the City of Kaufman's Extra-Territorial Jurisdiction (ETJ). The preliminary plat is for 447 residential lots and 11 common area lots. (Case No. PP-01-22)". The minutes state that a motion was made to table this item, it was seconded and then unanimously passed 4-0. This is true.

However, because this special called meeting happened to be on the exact day of an extension agreement expiration date, or "shot clock date", this tabling vote was actually ruled null and void. Unbeknown to the Commissioners, the tabling vote was considered to be "no action taken" and only the options of approval or disapproval were acceptable. And in its place, by law, an approval vote was inserted for the preliminary plat, thus overriding their vote.

This act to change the vote, was deemed legal by the city attorney and City

Manager, after Executive Session during the special called Council meeting, which immediately followed the P&Z meeting, and to which they referred to Article 2, section 5, of the Subdivision Ordinance.

Therefore, the Council, receiving a "unanimous approval" from the P&Z, and because of the expiration date or "shot clock" deadline that was pending, on this specially called meeting date, they were therefore compelled or pressured to vote to approve the Preliminary Plat also.

The motion to approve the consent agenda for item 1 was made by Commissioner Brown and seconded by Commissioner Berry, with Commissioner Berry, Commissioner Brown, Commissioner Deaton, and Commissioner Thorpe voting YES and Vice-Chairman Dunn voting NO. The motion passed 4-1.

PUBLIC HEARING

2. Conduct a public hearing and make a recommendation to City Council on the **Replat of Kings Fort Addition, Phase II, Block B, Lots 1R-1A, 1R-1B, 2R-1A, and 2R-1B**, being a replat of Lots 1R-1 and 2R-1, Block B of Kings Fort Addition, Phase I. The subject property consists of 2.394 acres situated in the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas and is generally located on the east side of Tabor Parkway, the north side of Kings Fort Parkway, and the west side of Walton Drive (Parcel IDs 190025, 190026, 202578). The replat will subdivide 2 lots into a total of 4 lots. The replat includes requests for variances to the side and rear yard setbacks of some of the lots. (Case No. FRP-01-22)

The Public Hearing was opened at 7:18 p.m.

Planning Manager Andrew Bogda presented a report on the Replat of Kings Fort Addition, Phase II, Block B, Lots 1R-1A, 1R-1B, 2R-1A, and 2R-1B. Details of the case can be found in report FRP-01-22 dated 08-02-2022.

The Public Hearing was closed at 7:21 p.m.

The motion was made by Commissioner Deaton, to approve the Replat of Kings Fort Addition, Phase II, Block B, Lots 1R-1A, 1R-1B, 2R-1A, and 2R-1B with the following variances:

- a. Variance to allow a 10' rear yard setback for Lot 1R-1A, a 5' rear yard setback for Lot 2R-1A, and a 15' rear yard setback for Lot 2R-1B (the requirement is 20')
- b. Variance to allow 5' side yard setbacks for Lots 2R-1A and 2R-1B (the requirement is 15')

The motion was seconded by Commissioner Berry. The motion passed 5-0

3. Conduct a public hearing and make a recommendation to City Council on a request by Jesus Jimenez for a **Specific Use Permit (SUP-52)** on approximately 0.1148 acres for the sale of alcoholic beverages in conjunction with a restaurant on property zoned Central Business District (CBD). The property is generally located at 101 West Mulberry Street (Parcel ID 28501) on Lot 1 of Block 17 of Kaufman Original, City of Kaufman, Kaufman County, TX. (Case No. Z-05-22)

The Public Hearing was opened at 7:24 p.m.

Planning Manager Andrew Bogda presented a report on a Specific Use Permit (SUP-52) for the sale of alcoholic beverages in conjunction with a restaurant at 101 West Mulberry Street. Details of the case can be found in report Z-05-22 dated 08-02-2022.

Stewart McGregor stated the EDC has been working with the applicant and they are the first business to receive their matching grant. The matching grant is a way of attracting new business to the downtown area. The sale of alcohol in conjunction with a restaurant has helped to revitalize the downtown area. There is Latham Bakery, which was formerly Doe Belly's that sold alcohol. My Loves After Hours sell food and alcohol in the evenings.

Commissioner Brown asked if there is a structural problem with the building. Mr. Bogda stated he was not aware of any and that the Building Official has been inspecting the site regularly and has not reported any structural issues.

Commissioner Berry asked who regulates the not less than fifty percent (50%) of sales shall be from food. Mr. Bogda stated that this is regulated by the Texas Alcoholic Beverage Commission.

Commissioner Deaton asked what their hours will be. Jesus Jimenez stated the hours will be from 11 am to 9 pm Monday to Thursday and from 11 am to 10 pm on Friday and Saturday and closed on Sunday.

The Public Hearing was closed at 7:29 p.m.

The motion was made by Commissioner Berry, to approve a Specific Use Permit-52 (SUP-52) for the sale of alcoholic beverages in conjunction with a restaurant at 101 West Mulberry Street with the following conditions:

1. Applicant must have, and keep, a current Texas Alcoholic Beverage Commission (TABC) Private Club license for this property.
2. Applicant must have, and keep, a current City of Kaufman Alcohol Permit for this property.
3. All sales of alcoholic beverages are for on-premise consumption only.

4. No building, premise, or land used under SUP-52 (alcoholic beverage sales in conjunction with a restaurant) may be enlarged, modified, structurally altered, or otherwise significantly changed unless an amendment to SUP-52 is first approved by City Council. The current size of the first floor of the establishment is 4,975 SF.
5. Not less than fifty percent (50%) of sales shall be from food.
6. Owner will obtain an agreement with the connecting property owner giving them access to the back of the building for removal of grease from the grease trap on a regular basis.
7. The owner will participate in coming to a solution with the Downtown Committee regarding the location of dumpsters.

The motion was seconded by Commissioner Deaton. The motion passed 5-0.

BOARD INQUIRY If a member of the board makes a spontaneous inquiry about a subject not on this agenda, then the board or an appropriate staff member may make a statement of factual information or policy in response to such an inquiry. However, in accordance with Open Meetings Act Section 551.042, the Planning and Zoning Commission cannot discuss issues raised or make any decisions on that subject at that time. Issues raised may be referred to Staff for research and possible future action.

ANNOUNCEMENTS

Planning Manager Andrew Bogda stated we will be having a Planning and Zoning Commission meeting on Tuesday, September 6th at 6:00 p.m.

ADJOURNMENT

A motion to adjourn was made by Commissioner Thorp and seconded by Commissioner Deaton. The motion passed 5-0. The meeting adjourned at 7:47 pm.

APPROVED:

**RICHARD DUNN
VICE-CHAIRMAN**

ATTEST:

**JOY HENDERSON
PLANNING TECHNICIAN**



Planning and Zoning Commission Report

Meeting Date: September 6, 2022

SUBJECT: Conduct a public hearing and make a recommendation to City Council on the **Replat of Kaufman Original, Block 33, Lots 4 – 6**, being a replat of a portion of Block 33 of Kaufman Original to create 3 residential lots. The subject property consists of 0.557 acres situated in the J.B. Cole Survey, Abstract No. 84, City of Kaufman, Kaufman County, Texas, generally located on the east side of N. Madison St., the south side of E. 1st North St., and the west side of N. Monroe St. (Parcel ID 28567) and currently addressed as 406 N. Madison St. (Case No. FRP-02-22)

SUMMARY:

The subject property is located on the east side of N. Madison St., the south side of E. 1st North St., and the west side of N. Monroe St. in the Original Kaufman plat. The property includes 0.557 acres and previously included a house and garage fronting on Madison St.; the house and garage have been removed and the property is currently vacant. The purpose of the replat is to subdivide the property to create three residential lots, which will front on E. 1st North St. The property is zoned SF-6 Single-Family Residential and all three lots meet the minimum lot area, width, depth, and setbacks for the zoning district.

RECOMMENDATION:

Staff recommends approval of the Replat of Kaufman Original, Block 33, Lots 4 – 6.

ATTACHMENTS:

1. Location Map
2. Replat of Kaufman Original, Block 33, Lots 4 – 6
3. Previously Approved Plat

Andrew Bogda, AICP, Planning Manager
972-932-2216 ext. 117 abogda@kaufmantx.org

Location Map

Replat of 406 N Madison

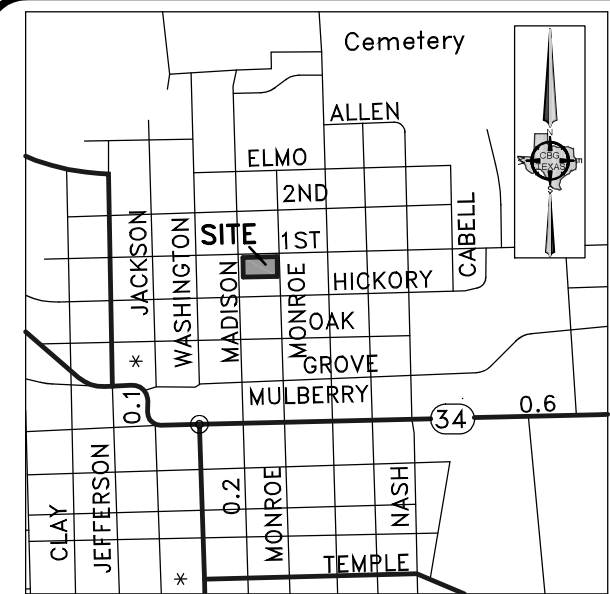


8/9/2022, 1:53:40 PM

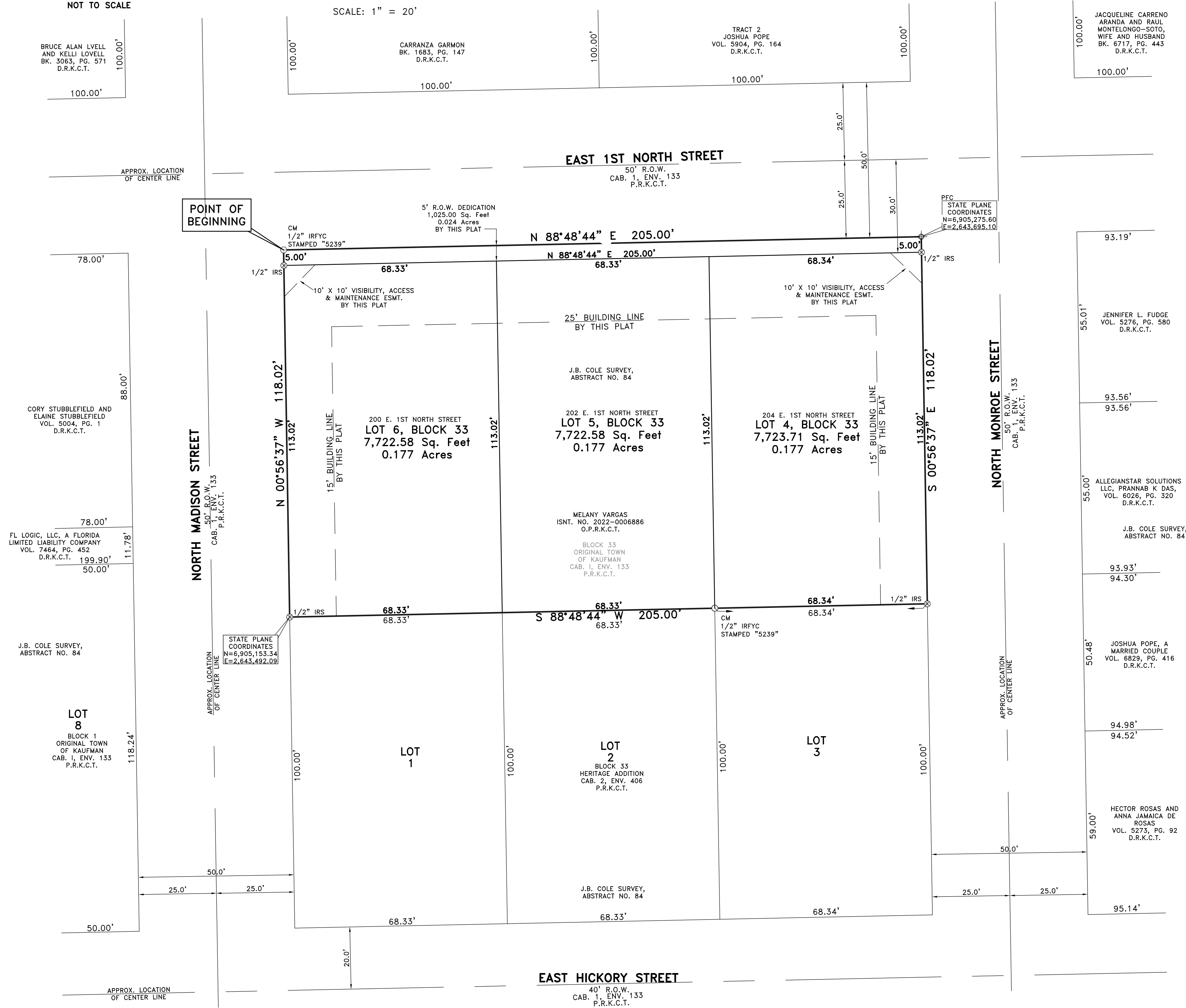
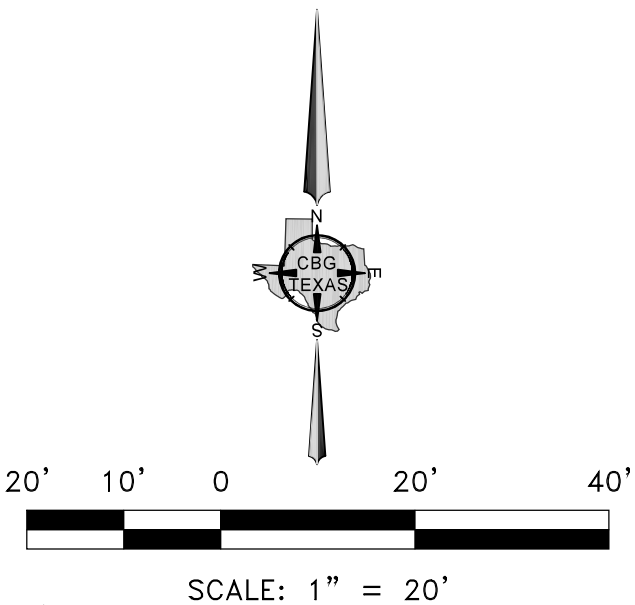
 Parcels

1:1,128
0 0.01 0.01 0.03 mi
0 0.01 0.03 0.05 km
Esri Community Maps Contributors, Baylor University, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, Kaufman County Appraisal District, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.



VICINITY MAP
NOT TO SCALE



GENERAL NOTES

- 1) BASIS OF BEARINGS ARE BASED ON STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (2011).
- 2) THE PURPOSE OF THIS PLAT IS TO CREATE 3 LOTS.
- 3) NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- 4) THIS PLAT DOES NOT ALTER OR REMOVE EXISTING DEED RESTRICTION, IF ANY, ON THIS PROPERTY.
- 5) THE AREA OR AREAS SHOWN ON THE PLAT AS "VAM" (VISIBILITY, ACCESS AND MAINTENANCE) EASEMENT(S) ARE HEREBY GIVEN AND GRANTED TO THE CITY, ITS SUCCESSORS AND ASSIGNS, AS AN EASEMENT TO PROVIDE VISIBILITY, RIGHT OF ACCESS FOR MAINTENANCE UPON AND ACROSS SAID VAM EASEMENT. THE CITY SHALL HAVE THE RIGHT BUT NOT THE OBLIGATION TO MAINTAIN ANY AND ALL LANDSCAPING WITHIN THE VAM EASEMENT. SHOULD THE CITY EXERCISE THIS MAINTENANCE RIGHT, THEN IT SHALL BE PERMITTED TO REMOVE AND DISPOSE OF ANY AND ALL LANDSCAPING IMPROVEMENTS, INCLUDING WITHOUT LIMITATION, ANY TREES, SHRUBS, FLOWERS, GROUND COVER AND FIXTURES. THE CITY MAY WITHDRAW MAINTENANCE OF THE VAM EASEMENT AT ANY TIME. THE ULTIMATE MAINTENANCE RESPONSIBILITY FOR THE VAM EASEMENT SHALL REST WITH THE OWNERS. NO BUILDING, FENCE, SHRUB, TREE OR OTHER IMPROVEMENTS OR GROWTHS, WHICH IN ANY WAY MAY ENDANGER OR INTERFERE WITH THE VISIBILITY, SHALL BE CONSTRUCTED IN, ON, OVER OR ACROSS THE VAM EASEMENT. THE CITY SHALL ALSO HAVE THE RIGHT BUT NOT THE OBLIGATION TO ADD ANY LANDSCAPE IMPROVEMENTS TO THE VAM EASEMENT, TO ERECT ANY TRAFFIC CONTROL DEVICES OR SIGNS ON THE VAM EASEMENT AND TO REMOVE ANY OBSTRUCTION THEREON. THE CITY, ITS SUCCESSORS, ASSIGNS, OR AGENTS SHALL HAVE THE RIGHT AND PRIVILEGE AT ALL TIMES TO ENTER UPON THE VAM EASEMENT OR ANY PART THEREOF FOR THE PURPOSES AND WITH ALL RIGHTS AND PRIVILEGES SET FORTH HEREIN

LEGEND

D.R.K.C.T. = DEED RECORDS, KAUFMAN COUNTY, TEXAS
P.R.K.C.T. = PLAT RECORDS, KAUFMAN COUNTY, TEXAS
VOL. = VOLUME
PG. = PAGE
CM = CONTROLLING MONUMENT
R.O.W. = RIGHT-OF-WAY
CAB. = CABINET
PFC = POINT FOR CORNER
1/2" IRF = 1/2 INCH IRON ROD FOUND
3/8" IRF = 3/8 INCH IRON ROD FOUND
1/2" IRS = 1/2 INCH IRON ROD SET WITH YELLOW CAP
STAMPED "CBG SURVEYING"

OWNER'S CERTIFICATE:

STATE OF TEXAS §
COUNTY OF KAUFMAN §

WHEREAS, Melany Vargas, is the owner of a 0.555 acre tract of land situated in the J.B. Cole Survey, Abstract No. 84, City of Kaufman, Kaufman County, Texas, being a replat of a portion of Block 33 of Kaufman Original, an addition to the City of Kaufman, as recorded in Cabinet 1, Envelope 133 of the Plat Records of Kaufman County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found with yellow cap stamped "5239" for corner, said corner being in the intersection of the East right of way line of North Madison Street (a public right-of-way) and the South right of way line of East 1st North Street (a public right-of-way);

THENCE North 88 degrees 48 minutes 44 seconds East, along the South right of way line of said East 1st North Street, a distance of 205.00 feet to a point for corner, said corner being in the intersection of the South right of way line of said East 1st North Street and the West right of way of North Monroe Street a (a public right-of-way);

THENCE South 00 degrees 59 minutes 37 seconds East, along the West right of line of said North Monroe Street, a distance of 118.02 feet to a 1/2 inch iron rod set with yellow cap stamped "CBG Surveying" for corner, said corner being along the West right of way line of said North Monroe Street, same being the Northeast corner of Lot 3, Block 33, Heritage Addition, an Addition to the City of Kaufman, Kaufman County, Texas, according to the Plat thereof recorded in Cabinet 2, Envelope 406, Plat Records, Kaufman County, Texas;

THENCE South 88 degrees 48 minutes 44 seconds West, along the North line of said Lot 3, a distance of 205.00 feet to a 1/2 inch iron rod set with yellow cap stamped "CBG Surveying" for corner, said corner being the Northwest corner of Lot 1, Block 33, of said Heritage Addition, same being along the East right of way line of said North Madison Street;

THENCE North 00 degrees 56 minutes 37 seconds West, along the East right of way line of said North Madison Street, a distance of 118.02 feet to the POINT OF BEGINNING and containing 24,193.88 square feet and or 0.555 acres of land.

Approved By: Planning and Zoning Commission
City of Kaufman, Texas

By: _____
Chairman Date

Approved By: City Council
City of Kaufman, Texas

By: _____
Mayor Date

Attest: _____
City Secretary Date

The County Tax Assessor hereby certifies that all taxes and assessments have been made, and all taxes paid.

By: _____
County Tax Assessor, Kaufman County, Texas Date

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, Melany Vargas, does hereby adopt this plat designating the hereinabove described property as **Lots 4 – 6, Block 33, Kaufman Original**, an addition to the City of Kaufman, Texas, and does hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, fire lanes, drive aisles, parking spaces, parks, and trails, and to the public use forever easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains, and other utilities and facilities, and any other property necessary to serve the plat and to implement the requirements of the subdivision regulations and other City codes and do hereby bind ourselves, our heirs, successors and assigns to warrant and to forever defend the title on the land so dedicated. Further, the undersigned covenants and agrees that he/she shall maintain all easements and facilities in a state of good repair and functional condition at all times in accordance with City codes and regulations. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over, or across the easements as shown, except that landscape improvements may be installed, if approved by the City of Kaufman. At no point shall any overhead utilities be installed on the subject property. The City of Kaufman and public utility entities shall have the right to access and maintain all respective easements without the necessity at any time of procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Kaufman, Texas.

WITNESS, my hand, this the _____ day of _____, 20____.

Melany Vargas (Owner)

STATE OF TEXAS §
COUNTY OF _____ §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Melany Vargas, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 20____.

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS:

That I, Bryan Connolly, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Kaufman, Texas.

RELEASED FOR REVIEW 09/02/2022 PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Bryan Connolly
Texas Registered Professional Land Surveyor No. 5513

STATE OF TEXAS §
COUNTY OF KAUFMAN §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Bryan Connolly, Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 20____.

Notary Public in and for the State of Texas

REPLAT
KAUFMAN ORIGINAL
LOTS 4-6, BLOCK 33
BEING A REPLAT OF A PORTION OF BLOCK 33
OF KAUFMAN ORIGINAL
0.555 ACRES SITUATED IN THE J.B. COLE
SURVEY, ABSTRACT NO. 84
CITY OF KAUFMAN
KAUFMAN COUNTY, TEXAS
3 LOTS

DATE OF PREPARATION 4/29/2022
DATE OF REVISION 09/02/2022

PLANNING & SURVEYING
Main Office
11413 East I-30 Suite 7
Garland, Texas 75043
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbgtxllc.com



OWNER: MELANY VARGAS
3044 WINDFORD DRIVE
PLANO, TEXAS 75025
469-558-3340
PROJECTINHOUSEINC@GMAIL.COM

SCALE: 1"=200' / DATE: 08/25/2022 / JOB NO. 2122740 / DRAWN BY: JLA



Planning and Zoning Commission Report

Meeting Date: September 6, 2022

SUBJECT: Conduct a public hearing and make a recommendation to City Council on a request to **rezone** approximately 1.3 acres from A-O Agriculture/Open District to HC Highway Commercial District. The property is generally located at **3533 East Highway 175** (Parcel ID 407), situated in the Charles Askins Survey, Abstract No. 2, City of Kaufman, Kaufman County, Texas. (Case No. Z-07-22)

BACKGROUND/SUMMARY:

The request to rezone 1.3 acres from A-O Agriculture-Open District to HC Highway Commercial District was submitted by the owner, Saro Ventures LLC. Despite being developed with a commercial building, the property was given the base zoning designation A-O Agriculture-Open District when it was annexed into the City of Kaufman. The property previously housed a light manufacturing business, but is currently vacant and is being marketed to commercial users. Since the property has become vacant, the property has lost its legal nonconforming status to allow commercial uses under the A-O zoning. As such, the property owner is requesting the Highway Commercial zoning designation to allow for commercial and light industrial uses.

Staff notes that the location of the existing building and parking may limit the uses of the property or may require variances, acquisition of adjacent property, or other mitigation in order to meet City requirements depending on the use. Alternatively, the property may need to be redeveloped to make more productive use of the site. However, the Highway Commercial zoning would allow for the property to be used for a variety of commercial and light industrial uses (subject to meeting requirements) and is consistent with the Highway Commercial zoning that has recently been applied to other properties in this block. The requested zoning is also consistent with the Future Land Use Plan.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	A-O	Vacant land
South:	A-O	Vacant land
East:	ETJ	Single-family residence and vacant land
West:	A-O	US 175; Mueller Inc. (metal supplier) across the highway



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designated the land use of the subject property as Future Commercial. The requested Highway Commercial zoning designation is compatible with the 2014 Future Land Use Plan designation.

Thoroughfare Plan:

The Thoroughfare Plan designates East Highway 175 as a "Type AA", Major Regional Arterial, requiring a future right-of-way width of 240 feet. Any additional necessary right-of-way dedication is done during the platting process. A plat is not required during the rezoning process.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 10 property owners within 300 feet of the subject property. The State requires a 200-foot notification and the City of Kaufman notifies an extra 100-foot radius for every notification required in the Comprehensive Zoning Ordinance. The results are as follows:

- Number of property owners who returned letter in agreement with the request: 0
- Number of property owners who returned letter in opposition of the request: 0
- Number of property owners have not responded: 10

If 20% of the area within 200 feet of the request objects to the application, then a favorable vote of $\frac{3}{4}$ of all members of the City Council (which is 6 members) shall be required to approve any change in zoning. The 20% rule is a State law.

RECOMMENDATION:

Staff recommends approval of Z-07-22 to rezone 1.3 acres from A-O Agriculture-Open District to HC Highway Commercial District, said property generally located at 3533 East Highway 175, situated in the Charles Askins Survey, Abstract No. 2, City of Kaufman, Kaufman County, Texas (Parcel ID 407).

ATTACHMENTS:

1. Location Map
2. Legal Description/Survey
3. Floor Plan

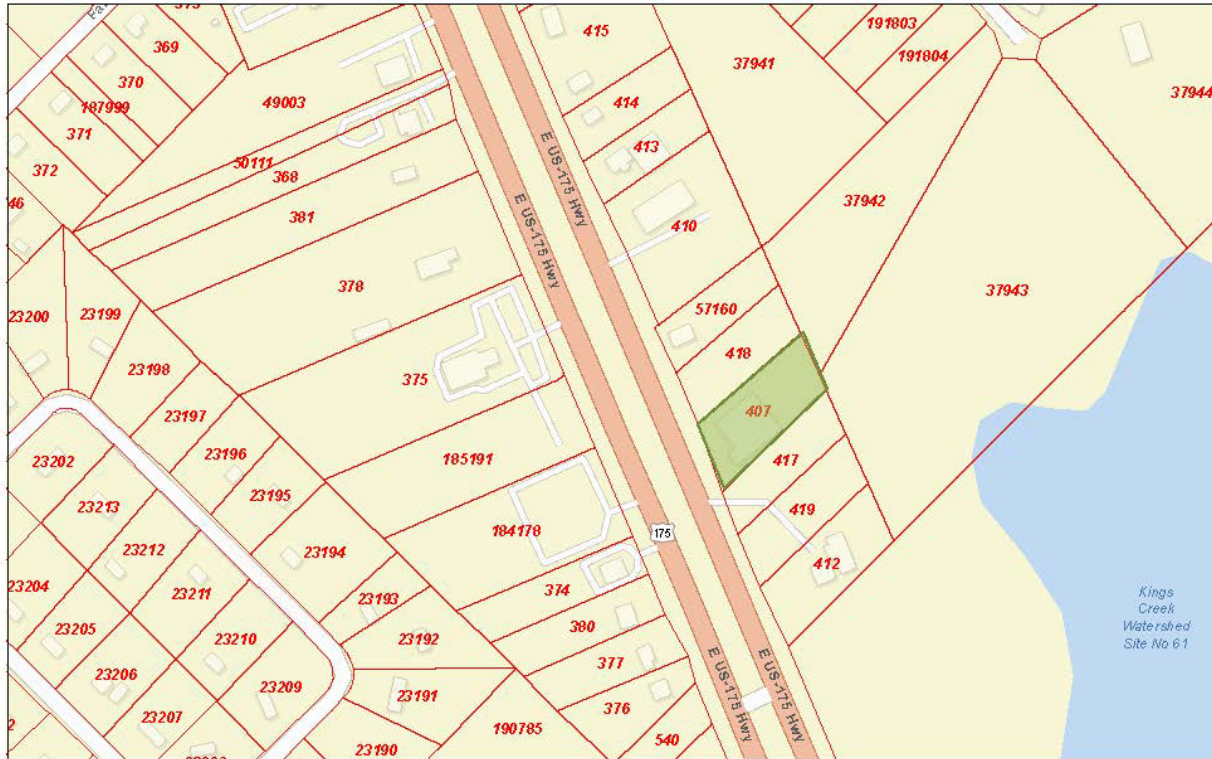
Andrew Bogda, AICP, Planning Manager

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abogda@kaufmantx.org

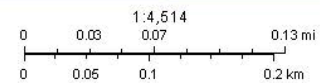
Location Map

Rezone for 3533 E. Highway 175



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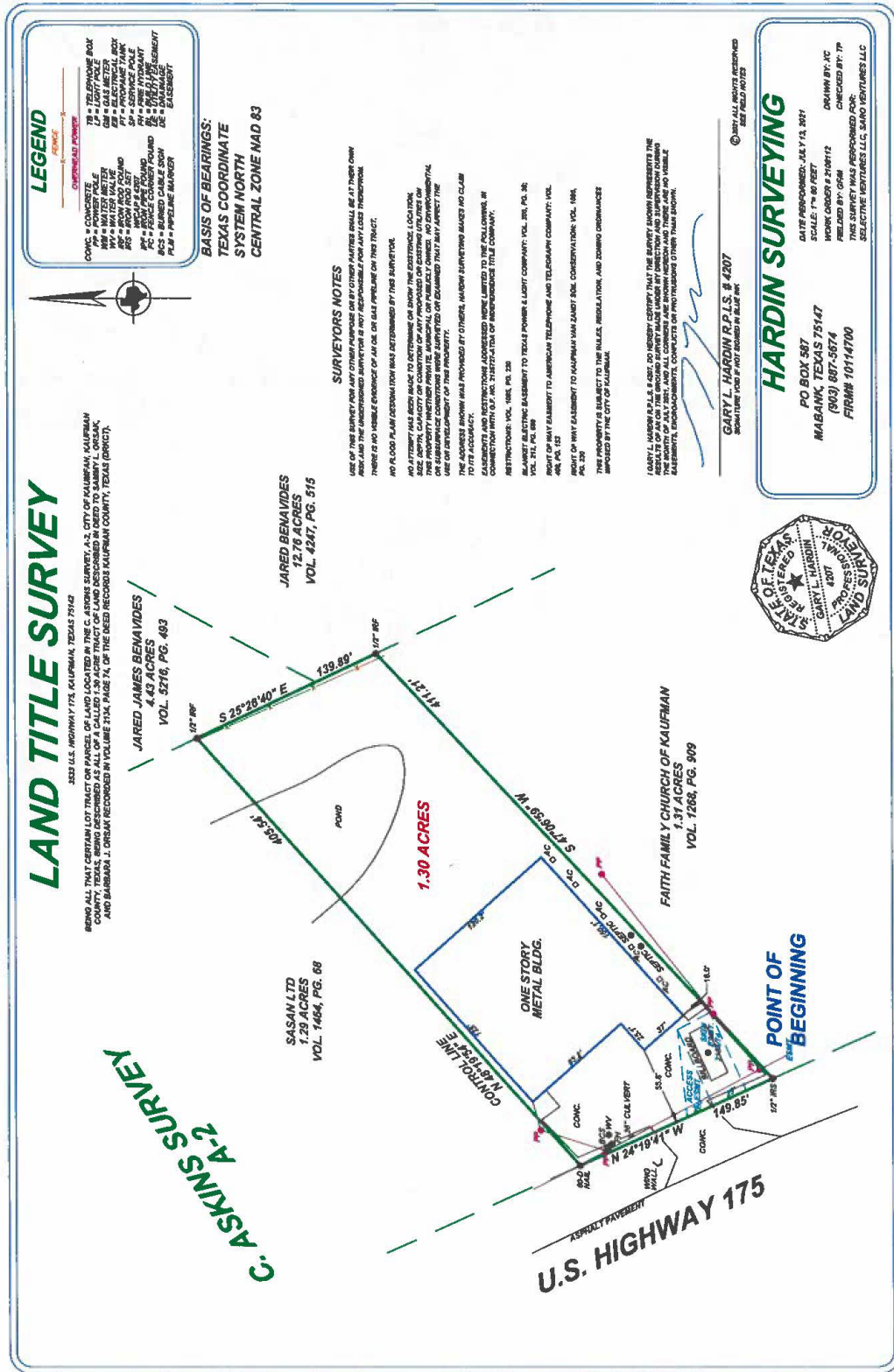
Parcels



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Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

Legal Description/Survey

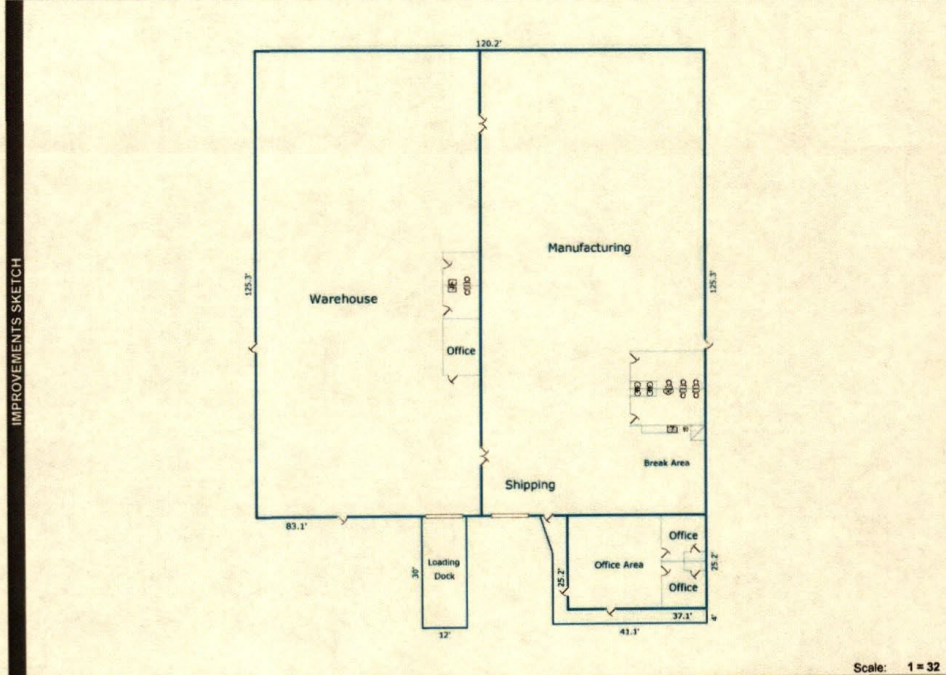


Floor Plan

DESCRIPTIVE INFORMATION

SKETCH/AREA TABLE ADDENDUM

Property Address	3533 E. Highway 175	County	Kaufman	State	TX	Zip	75142
City	Kaufman						
Borrower	N/A						
Lender/Client	Sam Orsak	L/C Address	P. O. Box 428, Mabank, TX 75147-0428				
Appraiser Name	Richard M. Tharp	Appr Address	P. O. Box 8983, Greenville, TX 75404				



AREA CALCULATIONS SUMMARY				BUILDING AREA BREAKDOWN		
Code	Description	Net Size	Net Totals	Breakdown	Subtotals	
GBA1	Manufacturing Area	7530.5		Manufacturing Area		
	Warehouse Area	7530.5		60.1 x 125.3	7530.5	
	Office Area	934.9	15996.0	Warehouse Area		
OTH	Cvd & Opn Cnc Walk	281.7		60.1 x 125.3	7530.5	
	Conc Loading Dock	360.0	641.7	Office Area	37.1 x 25.2	934.9
Net BUILDING Area		(rounded)	15996	3 Items	(rounded)	15996



Planning and Zoning Commission Report

Meeting Date: September 6, 2022

SUBJECT: Conduct a public hearing and make a recommendation to City Council on a request to **rezone** approximately 3.626 acres from A-O Agriculture/Open District to C Commercial District. The property is generally located at **3260 East Highway 175** (Parcel ID 49003), situated in the Charles Askins Survey, Abstract No. 2, City of Kaufman, Kaufman County, Texas. (Case No. Z-08-22)

BACKGROUND/SUMMARY:

The request to rezone 3.626 acres from A-O Agriculture-Open District to C Commercial District was submitted by the owner, J Tres Properties. Despite being developed with a commercial building, the property was given the base zoning designation A-O Agriculture-Open District when it was annexed into the City of Kaufman. The property previously housed a dance studio, but is currently vacant and is being marketed to commercial users. Since the property has become vacant, the property has lost its legal nonconforming status to allow commercial uses under the A-O zoning. As such, the property owner is requesting the Commercial zoning designation to allow for commercial uses.

Staff notes that the survey shows the property as 4.088 acres, but 0.46 acres is outside the City limits; as such, the acreage to be rezoned is only 3.626 acres.

Staff also notes that the requested Commercial zoning is consistent with the Commercial zoning that has been applied to other properties in this block and is also consistent with the Future Land Use Plan.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	C	Kaufman Lumber
South:	C	Steve's Diesel & Automotive
East:	A-O & C (w/ SUP)	US 175; Premier Diesel Engine and Sunbelt Vacuum Service (across the highway)
West:	ETJ	Single-family residences



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designated the land use of the subject property as Future Commercial. The requested Commercial zoning designation is consistent with the 2014 Future Land Use Plan designation.

Thoroughfare Plan:

The Thoroughfare Plan designates East Highway 175 as a “Type AA”, Major Regional Arterial, requiring a future right-of-way width of 240 feet. Any additional necessary right-of-way dedication is done during the platting process. A plat is not required during the rezoning process.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 20 property owners within 300 feet of the subject property. The State requires a 200-foot notification and the City of Kaufman notifies an extra 100-foot radius for every notification required in the Comprehensive Zoning Ordinance. The results are as follows:

- Number of property owners who returned letter in agreement with the request: 0
- Number of property owners who returned letter in opposition of the request: 0
- Number of property owners have not responded: 20

If 20% of the area within 200 feet of the request objects to the application, then a favorable vote of $\frac{3}{4}$ of all members of the City Council (which is 6 members) shall be required to approve any change in zoning. The 20% rule is a State law.

RECOMMENDATION:

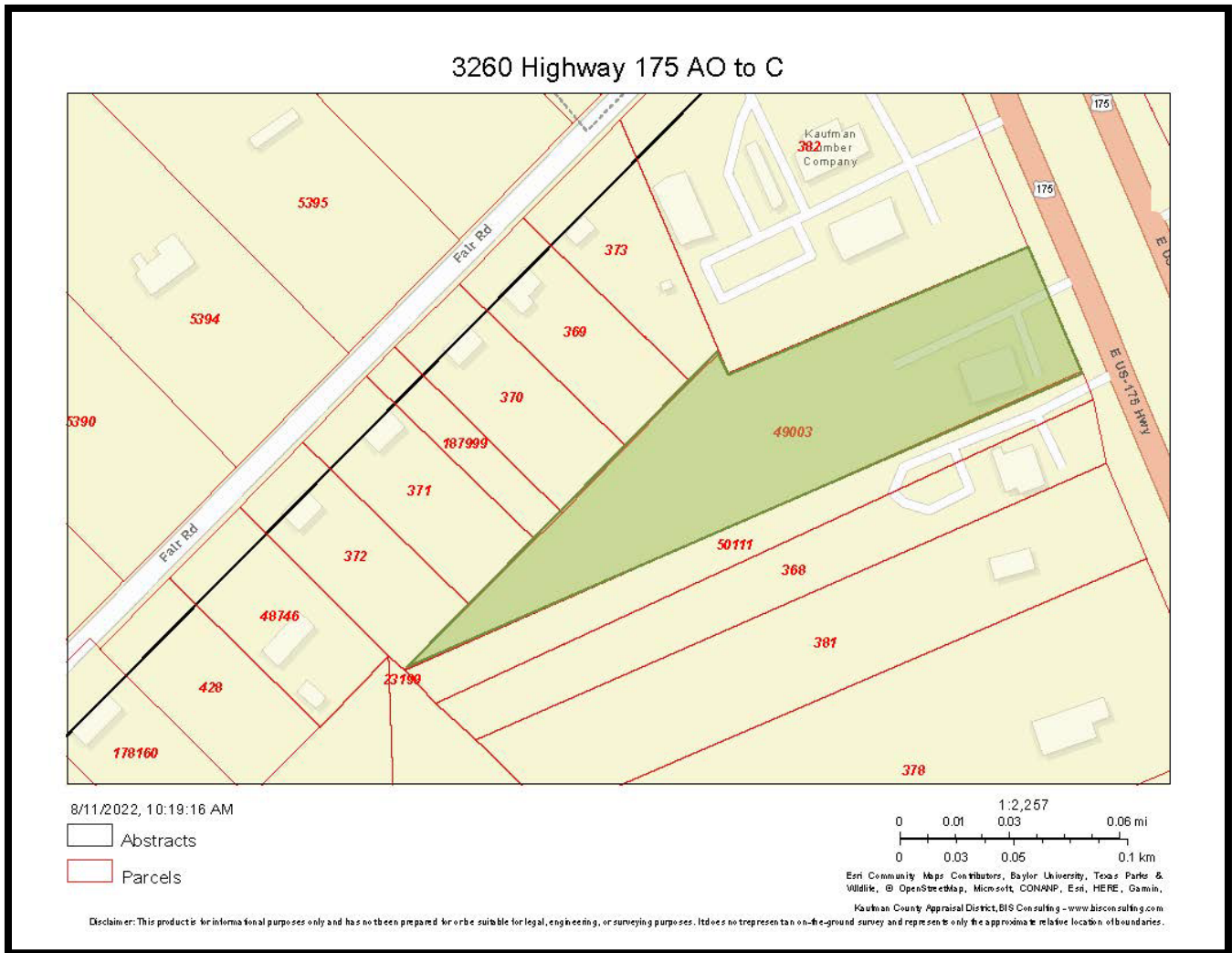
Staff recommends approval of Z-08-22 to rezone 3.626 acres from A-O Agriculture-Open District to C Commercial District, said property generally located at 3260 East Highway 175, situated in the Charles Askins Survey, Abstract No. 2, City of Kaufman, Kaufman County, Texas (Parcel ID 49003).

ATTACHMENTS:

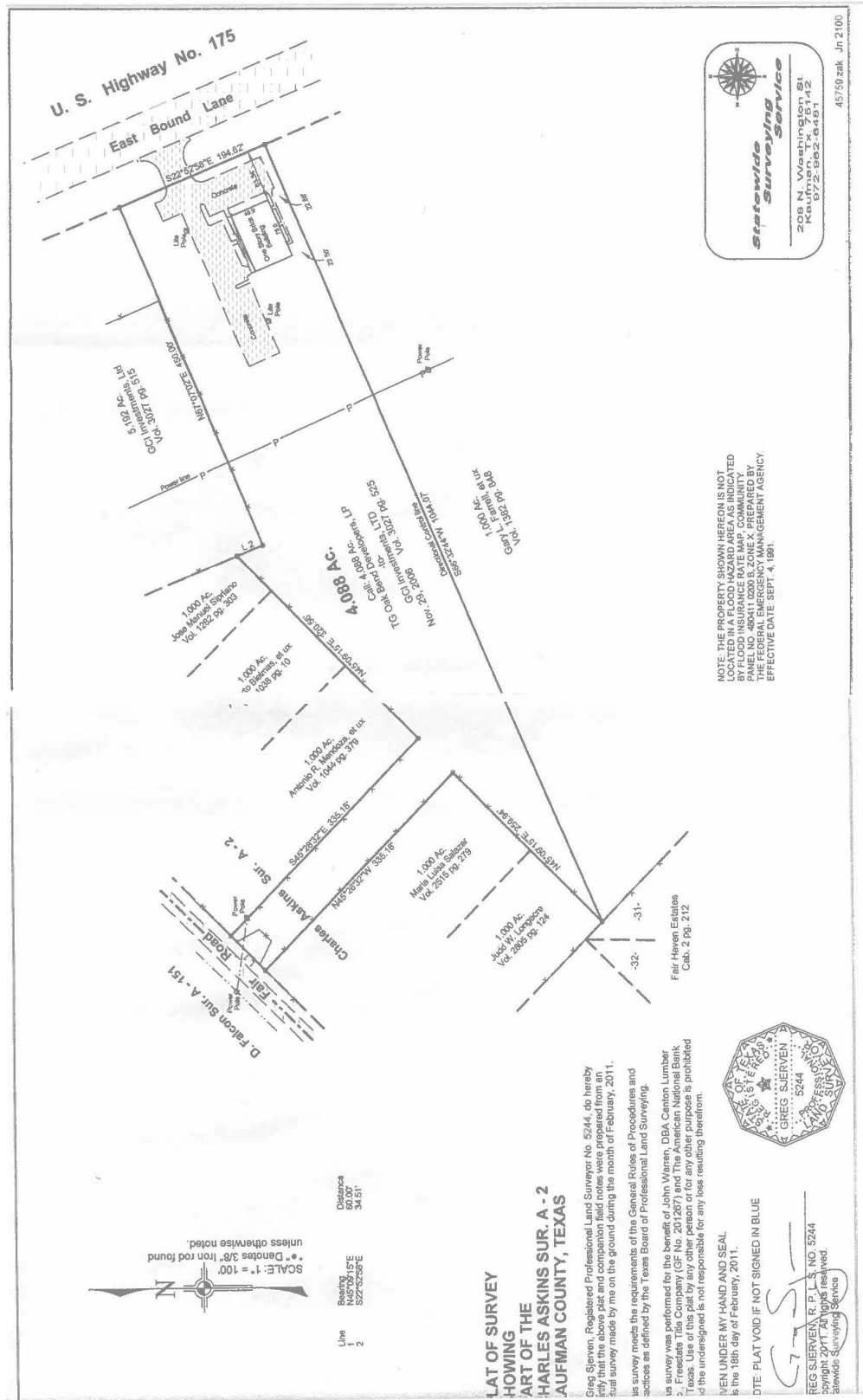
1. Location Map
2. Legal Description/Survey

Andrew Bogda, AICP, Planning Manager
972-932-2216 ext. 117
abogda@kaufmantx.org

Location Map



Legal Description/Survey





Planning and Zoning Commission Report

Meeting Date: September 6, 2022

SUBJECT: Hold a public hearing, discuss and make a recommendation to City Council for a text amendment to the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, and Chapter 118, "Zoning" of the City of Kaufman's Code of Ordinances, to allow **murals and ghost signs in the Central Business District (CBD)** by amending Section 25.4 "Central Business District (CBD) – Design Criteria", Section 44.3 "Sign Regulations – Definitions", and Section 44.8 "Attached Sign Regulations" (Case No. Z-06-22)

BACKGROUND/SUMMARY:

In early 2022, some business owners and residents approached City officials and staff regarding a desire to install murals in the Central Business District (CBD). Numerous research studies suggest that murals can contribute to a positive community atmosphere, add character to a neighborhood, celebrate local culture and community identity, and can even enhance property values. In addition, the restoration of ghost signs (historical, faded, painted signs) can contribute to historic preservation and restoration efforts.

As an initial step towards a more comprehensive public art program, staff is proposing the adoption of Guidelines for Murals and Ghost Sign Restoration, as well as amending the Zoning Ordinance to provide definitions and regulations pertaining to murals and ghost signs.

RECOMMENDATION:

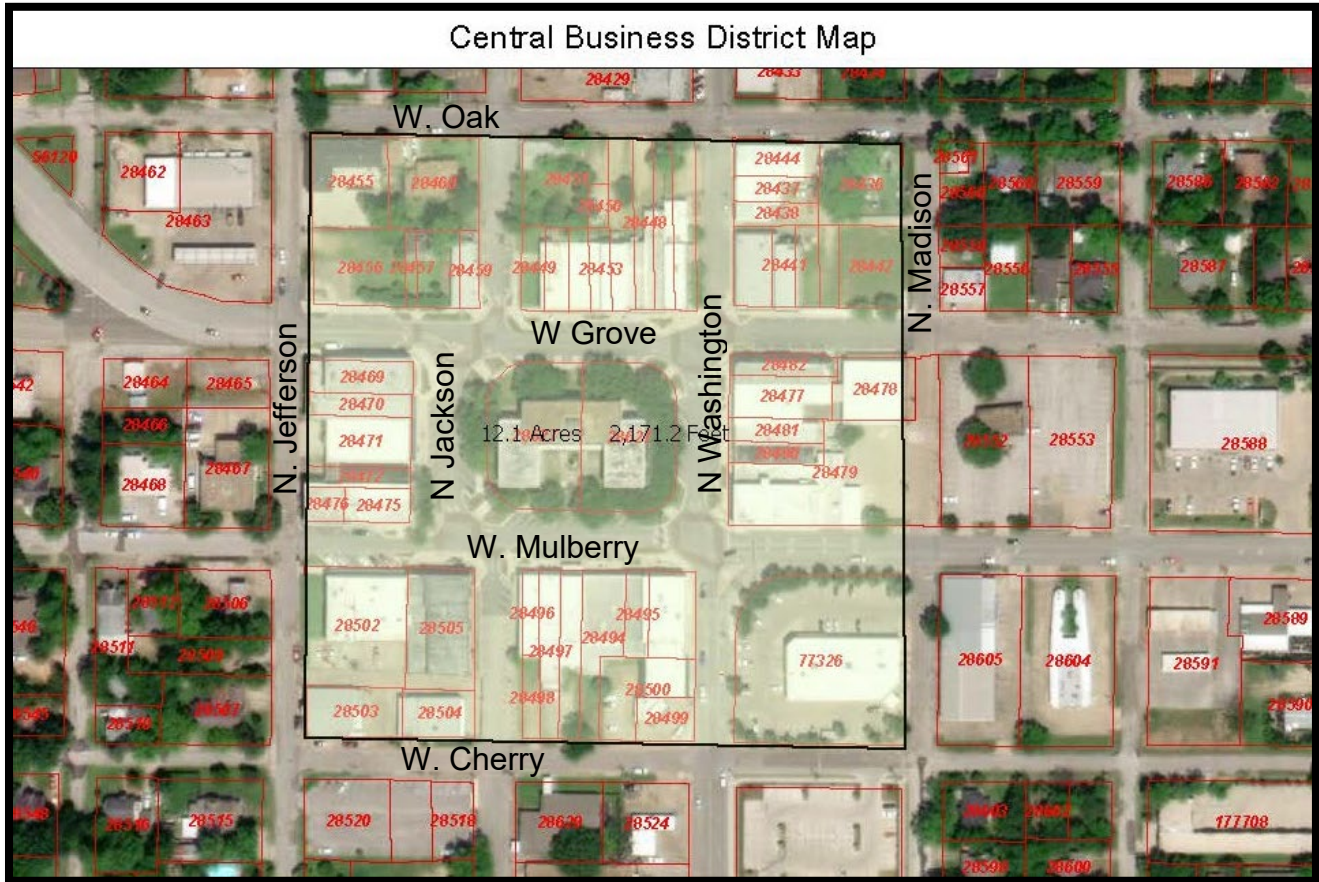
Staff recommends adoption of the Guidelines for Murals and Ghost Sign Restoration and approval of case Z-06-22, for a text amendment to the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, and Chapter 118, "Zoning" of the City of Kaufman Code of Ordinances, to allow murals and ghost signs in the Central Business District (CBD) by amending Section 25.4 "Central Business District (CBD) – Design Criteria", Section 44.3 "Sign Regulations – Definitions", and Section 44.8 "Attached Sign Regulations".

ATTACHMENTS:

1. Central Business District Location Map
2. Guidelines for Murals and Ghost Sign Restoration
3. Proposed amendment to Section 25.4, "Central Business District (CBD) – Design Criteria"
4. Proposed amendment to Section 44.3, "Sign Regulations – Definitions"
5. Proposed amendment to Section 44.8, "Attached Sign Regulations"

Andrew Bogda, AICP, Planning Manager
972-932-2216 ext. 117
abogda@kaufmantx.org

Central Business District Location Map





GUIDELINES FOR MURALS AND GHOST SIGN RESTORATION

Background

In early 2022, some business owners and residents approached City officials and staff regarding a desire to install murals in the downtown area. Numerous research studies suggest that murals can contribute to a positive community atmosphere, add character to a neighborhood, celebrate local culture and community identity, and can even enhance property values. In addition, the restoration of ghost signs (historical, faded, painted signs) can contribute to historic preservation and restoration efforts. As an initial step towards a more comprehensive public art program, the City of Kaufman Zoning Ordinance was amended (Ordinance No. _____) to allow mural signs and the restoration of ghost signs within the Central Business District (CBD).



Review and Approval Process

The applicant for a new mural or ghost sign restoration shall be either the owner of the property where the sign is to be located or their authorized agent.

1. An applicant for a new mural or restoration of a ghost sign shall first meet with the Downtown Development Advisory Board to review their plans (including a dimensioned rendering of the proposed sign, current photos of the building with the mural location indicated, a map or site plan of the location, information on materials to be used, and contractor/artist information). Assuming the proposed mural or ghost sign restoration complies with applicable regulations and guidelines, a Certificate of Appropriateness shall be issued within 5 business days.
2. After the Certificate of Appropriateness is issued, the applicant shall apply for a sign permit for the mural or ghost sign restoration. Sign permits are typically processed in 1-3 business days.

Guidelines for New Murals

Mural artwork will be assessed for the following:

- Originality: Murals should be original works of art.
- Non-commercial: Murals should not contain a commercial message, including name, logo, slogan, service/product, etc. associated with a business, except as part of an approved sponsorship and limited to no more than 5% of the mural.

Guidelines for Murals and Ghost Sign Restoration

- Aesthetic or cultural value: As they will be located in the Central Business District, murals will be highly visible to the public and should add beauty and interest to the location in which they are placed. While artistic freedom and expression is encouraged, murals are strongly encouraged to reflect the community's character, culture, heritage, or identity in some way, even if done in a subtle manner.
- Public art: As public art, the mural should be designed for the public realm and suitable for all audiences. Signs that are considered to be offensive to the average person or which display a political message are prohibited.
- Context: The mural should be designed to site conditions and may reflect on the local history or culture associated with the specific location. The mural should be durable to withstand weathering, should be appropriate for the building on which it is located, should not detract from the historic character or architectural attributes of a building, and should be designed for vehicular and pedestrian traffic alike.

Sponsorship/Dedication and Artist Attribution

Signs can be sponsored by, or dedicated to, an individual, entity, or group. The location and design of the sponsorship or dedication recognition shall be included in the application materials and approved along with the sign permit. The sponsorship or dedication recognition shall be limited to "Sponsored by" or "Dedicated to", along with the sponsor name and/or logo and/or the name of the individual, entity, or group the mural is dedicated to. In addition, the name and/or signature of the mural artist and their business name are allowed to be included on the mural. Combined, the sponsorship/dedication recognition and artist attribution shall be limited to no more than 5% of the total surface area of the mural.

Application of Murals

- Surface Preparation: To ensure long-term durability of the mural, the surface on which it is placed should be carefully inspected for peeling or loose paint, broken or loose concrete, cracked stucco, or any signs of water damage. Any issues should be remedied by an appropriate professional prior to installation of the mural. Safety hazards and access challenges should be considered as well.
- Appropriate Surfaces: Appropriate surfaces include painting directly on the building (in certain circumstances) or the application of pre-painted panels, boards, or sheets to a building.
 - Paint may be applied directly to:
 - Concrete or cinder block walls
 - Stucco walls
 - Cementitious fiber, wood, or metal siding
 - Wood paneling
 - Previously-painted brick walls.

Guidelines for Murals and Ghost Sign Restoration

A special primer may need to be applied to protect the integrity of certain materials (such as metal, stucco, or wood) and ensure the durability of the mural.

Unpainted brick is discouraged from being directly painted on, particularly if the building is eligible for historic designation or if directly painting on the building would negatively affect the integrity of the building material. Unpainted brick may be directly painted on if the building is not eligible for historic designation or if directly painting the brick would not result in negative impacts to the integrity of the building material. Alternatives to painting directly on the surface include:



- Aluminum panels/sheets
- Aluminum composite sheets
- Cement board
- Digitally-printed polyester fabric

These alternatives have several advantages, including lessening the chance of moisture damage to the building surface, easier access and fewer hazards during mural creation (especially when mural creation involves participation of the community), and easier maintenance and/or removal. It is strongly recommended that an engineer or other building professional be consulted when adding a panel, board, or sheet to the building to ensure it is attached to the building in a way that protects the structural integrity and historic character of the building and ensures the long-term durability of the mural. This is particularly important in the case of a heavier panel.

- **Installation:** Prior to the installation of a mural, the surface should be clean, dry, in good repair, and free of any loose material. Surfaces should not be power-washed, but should be cleaned using soft pressure or chemical washes. Adequate time should be allotted to ensure the surface is thoroughly dried before mural application/installation. When installing panels directly onto brick, there should be adequate distance between the brick and the panel to allow moisture in the brick to be expelled.
- **Appropriate Paints and Methods:** In order to ensure the long-term durability of the mural, only outdoor paint or spray paint should be used. In addition, special primers may need to first be applied to protect the integrity of the building material and/or to ensure the long-term durability of the mural. Care should be taken to ensure that surrounding surfaces (other buildings, sidewalks, streets, landscaping, vehicles, etc.) are protected during painting, that the safety of mural painters is protected, and that the general public is protected from any impacts (splatters, spray, paint fumes, etc.). This is particularly important in the case of spray painting.

Guidelines for Murals and Ghost Sign Restoration

Restoration of Ghost Signs

The requirements for the restoration of ghost signs will vary depending on the materials of the building and the sign, the historic state of the building, and the amount of repair needed. In most cases, ghost signs were painted directly onto the building, in which case it is acceptable to repaint directly onto the surface. When restoring the sign, care should be made to protect the historic integrity of the sign, following the same pattern and color scheme used on the original sign. Additional art should not be added within or immediately around the original ghost sign in a way that alters the ghost sign. Similar to a mural, the surface should be appropriately prepared prior to ghost sign restoration.



25.4 DESIGN CRITERIA

A. Purpose

Kaufman's downtown Central Business District (CBD) has been identified by the Comprehensive Plan as a valuable resource worthy of preservation as a unique district. This district provides development and design standards that preserve the historic and architectural character of existing development, provides for adaptive reuse of existing buildings and the compatibility of new structures and uses with the historic nature of the CBD.

B. Goals

1. Historic preservation, economic development, and maintaining the pedestrian friendly character of the Central Business District shall be the primary consideration in the development design review.
2. The preservation and restoration of historically or architecturally significant buildings as well as buildings that contribute to the unique character of the CBD shall be considered as a high priority in the future development of the CBD.
3. Preservation, restoration, renovation and redevelopment should encourage and promote economic vitality, professional and business activities, tourism, and effective adaptive reuse of structures, upper floors and vacant spaces.
4. The preservation, restoration, renovation and redevelopment should encourage and promote the concept of the traditional downtown area as the origin and heart of the community as a place for people to gather as well as patronize the businesses located there.

C. District Boundaries

1. The Central Business District (CBD) is generally bounded by Oak Street on the north, Cherry Street on the south, Jefferson Street on the west, and Madison Street on the east. These boundaries are shown on the map in Figure 25-1 for informational purposes.
2. The precise boundaries of the Central Business District (CBD) shall be shown on the official zoning map of the City of Kaufman. The boundaries of the CBD may be amended from time to time based on a request from area property owners, a request of the staff, the Downtown Steering Committee, the Planning and Zoning Commission, or at the pleasure of the Council. In considering a request for a change in district boundaries, the Council shall require:
 - a. Any additions to the district shall be contiguous to the existing boundaries of the district;
 - b. Any reductions in the district shall be located on the edge of the district such that a hole is not left inside the district; and
 - c. If requested by a property owner, a petition shall be presented showing owners of more than fifty percent (50%) of the land within the district, excluding streets, and owners of more than fifty percent (50%) of the building sites in the district are in support of the requested change in boundaries.

Proposed amendment to Section 25.4, “Central Business District (CBD) – Design Criteria”

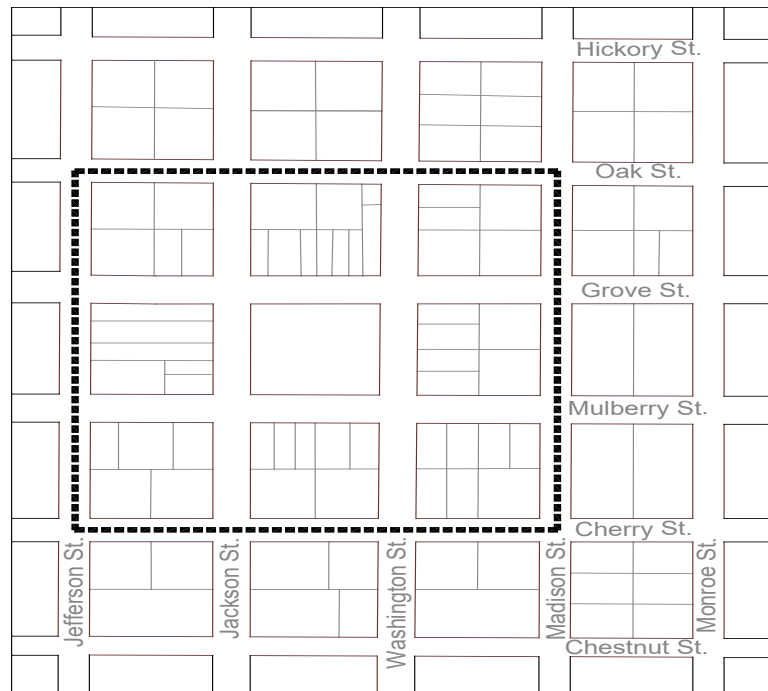


Figure 25-1 Downtown Central Business District Boundaries

D. General Provisions

1. Site plan and design review is required for new construction and substantial renovation of existing buildings within the Central Business District. Substantial renovation means:
 - a. Alterations to the exterior of existing buildings that change the placement or design of windows, doors or other exterior features of the building such as coping or pilasters;
 - b. An increase in the floor area of the building greater than ten percent (10%).
2. Interior renovation of existing buildings that do not alter the exterior appearance of the building do not require site plan and design review under the provisions of this section. (e.g., a drop ceiling that covers part of an existing window would alter the exterior appearance and require review)
3. Physical properties of an existing building such as setbacks, foot prints, height, or other similar characteristics that cannot be altered without substantial hardship are not required to meet the development or design standards within this section. All other provisions shall apply.
4. Site Plan applications submitted for review will first be considered by the Downtown Design Review Committee and a Certificate of Appropriateness issued within ten (10) days to accompany the application to the Planning and Zoning Commission and City Council for approval. If the Downtown Design Review Committee recommends denial of the application or approval with stipulations the Planning and Zoning Commission must render a three-fourths affirmative vote to overturn the recommendations of the Committee in order to recommend approval to the City Council.

Proposed amendment to Section 25.4, “Central Business District (CBD) – Design Criteria”

5. All new development, exterior renovations to any existing buildings, maintenance and/or preservation of any structure, shall require an exterior paint permit to be approved by the Development Services Director. **This does not include murals or ghost signs, which are regulated by Section 25.4.D.6.**
- a. Request to appeal the requirements of Sections 25.4.F.5.a.(3) or 25.5.B.1.h shall be heard by the Planning and Zoning Commission. The Planning and Zoning Commission shall determine what appeals shall be approved, if any.
 - (1) An appeal request submittal shall include a proposed paint color combination scheme for the body, trim and accent features of the building.
 - (2) Notice of the appeal request shall be mailed ten (10) days prior to the meeting, to all property owners as listed at the Kaufman County Appraisal District, and to all the building addresses, located within the boundaries of the Central Business District.
 - (3) All appeal requests shall be placed on the next available Planning and Zoning Commission agenda.
6. **All murals and ghost signs shall comply with the Guidelines for Murals and Ghost Sign Restoration as adopted and amended. Each mural or ghost sign restoration shall be approved by the Downtown Development Advisory Board through the issuance of a Certificate of Appropriateness. Following the issuance of this certificate, the mural or ghost sign shall also require approval of a sign permit.**

E. **Mixed Use Criteria**

1. The Central Business District may contain any combination of uses shown in the Use Chart in Section 33 (Use Charts).
2. Within the CBD there are both residential and nonresidential uses, which may be located in either residential structures or commercial structures. To maintain the architectural and historic character of existing blocks where one type of structure predominates, the following regulations shall apply.
 - a. Residential uses may be in residential structures or commercial structures. Residential uses in commercial structures are only allowed if they occupy no more than fifty percent (50%) of the floor area of the building; and do not occupy the area adjacent to the street front.
 - b. Nonresidential uses may be in residential or commercial structures. Nonresidential uses in residential structures must be in those blocks where existing residential structures predominate.
 - c. In block faces within the District that are currently developed with residential structures, new construction shall be compatible residential structures. Either residential or nonresidential uses may be located in the residential structures.

Proposed amendment to Section 25.4, "Central Business District (CBD) – Design Criteria"

- d. In block faces within the Central Business District that are currently developed with commercial structures, new construction shall be compatible commercial structures.

F. Central Business District Development and Design Standards

1. All new development and exterior renovations to existing buildings must meet requirements provided in this section for Site Design, and Architectural Standards.
2. **Purpose of Central Business District Design Standards.** The purpose of these design standards is to ensure the preservation of the historic and architectural qualities, which make the CBD a unique place by permitting new development compatible with existing historic buildings and by maintaining the historic and architectural qualities of existing buildings.
 - a. Site Design Standards. The purpose of the Site Design Standards is to provide for building and parking placement compatible with existing development.
 - b. Architectural Standards. The purpose of the Architectural Standards is to provide for the preservation of existing historic and architectural qualities of downtown Kaufman, ensure new construction and all exterior renovations to existing buildings are compatible with these qualities, and to protect and promote the uniqueness of downtown as a commercial area.
3. **Design Standards Review.** All new development and all exterior renovations to existing buildings shall comply with the Site Design Standards included in Subsection 4, and the Architectural Standards in Subsection 5.

4. Site Design Standards

a. Building Placement - Commercial Structures

- (1) Buildings shall be placed on the front property line. Building may be moved back from the front property line to provide for a wider sidewalks and entries, or pedestrian oriented streetscapes if: The buildings takes up an entire block face; or is located on a corner; or has a total frontage of more than fifty percent (50%) of the block face.
- (2) New commercial structures shall be allowed only in block faces which are predominately developed with existing commercial structures, or are predominately vacant land.
- (3) Buildings shall be placed on the side property line except when adjacent to a residential type structure in which a fifteen feet (15') minimum side yard shall be observed. Buildings may be moved back from the side property line a total of four feet (4') to provide for wider sidewalks and entries when the side property line is along a street.

Proposed amendment to Section 25.4, “Central Business District (CBD) – Design Criteria”

- (4) Buildings that go through a block so that they have frontage on two parallel streets, shall treat each frontage as a main façade.
- (5) All service areas, dumpsters and loading shall be from the rear of the building or alley.

5. Architectural Design Standards

a. Street Facade – Commercial Structures

- (1) Primary street facades for nonresidential buildings in the Central Business District shall have the following basic features of existing historic buildings:
 - (a) Cornice at top of facade;
 - (b) Display windows with transom windows above and lower window panels below.
 - (c) Pilasters that divide the facade vertically and separate the display windows units into discrete visual elements.
 - (d) Second floor windows, recessed with multiple lights, lintels, and sills.
- (2) Architectural elements such as doors, windows, awnings, canopies and architectural details shall be compatible with the overall visual qualities existing within the historic buildings downtown.
- (3) Choice of Paint Colors for the Primary facades, various architectural elements, and/or details.
 - (a) Paint colors should highlight architectural details based on historic tradition for the building’s type and style.
 - (b) Keep colors compatible with the building style and design.
 - (c) Loud, garish, or harsh colors and bright hues are prohibited.
 - (d) Generally no more than three colors are applied per building.
 - (e) Brick, stone or other naturally unpainted materials shall not be painted unless the material has been painted previously.

Proposed amendment to Section 25.4, "Central Business District (CBD) – Design Criteria"

- (f) A variety of approved paint color combinations are available for reference in the Development Services Department. The approved combinations specify paint colors for the body, trim and accent areas of the building. An exterior paint permit shall be approved prior to painting any exterior portion of any building.
 - (g) Exterior grade paints shall be used for exterior siding.
- (4) In addition to the above, all commercial structures shall have at least two of the following desirable design features as appropriate:
- (a) Street facades on side streets that meet the requirements for primary facades; or
 - (b) Buildings on corners which create a diagonal corner cut with the entrance on the corner; or
 - (c) Pediments added to the top of the facade; or
 - (d) Decorative brickwork and architectural detailing on or around the cornice, fascia, pilasters, or around windows; or
 - (e) Use of natural wooden doors with glass windows; or
 - (f) Projecting canopies and or awnings placed over the ground floor windows and doors.
- (5) Whenever possible, new additions or alterations to existing structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.
- (6) The distinguishing original qualities or character of a building should be preserved and the maintenance, repair, replacement, renovation or alteration of such structures should avoid removing or destroying any distinctive architectural features whenever possible.
- (7) Deteriorated architectural features shall be repaired rather than replaced whenever possible. In the event replacement is necessary, the new material should match the original material being replaced in composition, design, color, texture and other visual qualities. Plastic or vinyl architectural features or siding shall not be approved.
- (8) Plate glass or divided display windows should always be preserved and not covered, painted or filled in. Traditional recessed doorways with substantial wooden doors should be retained or re-installed if significant restoration is undertaken.

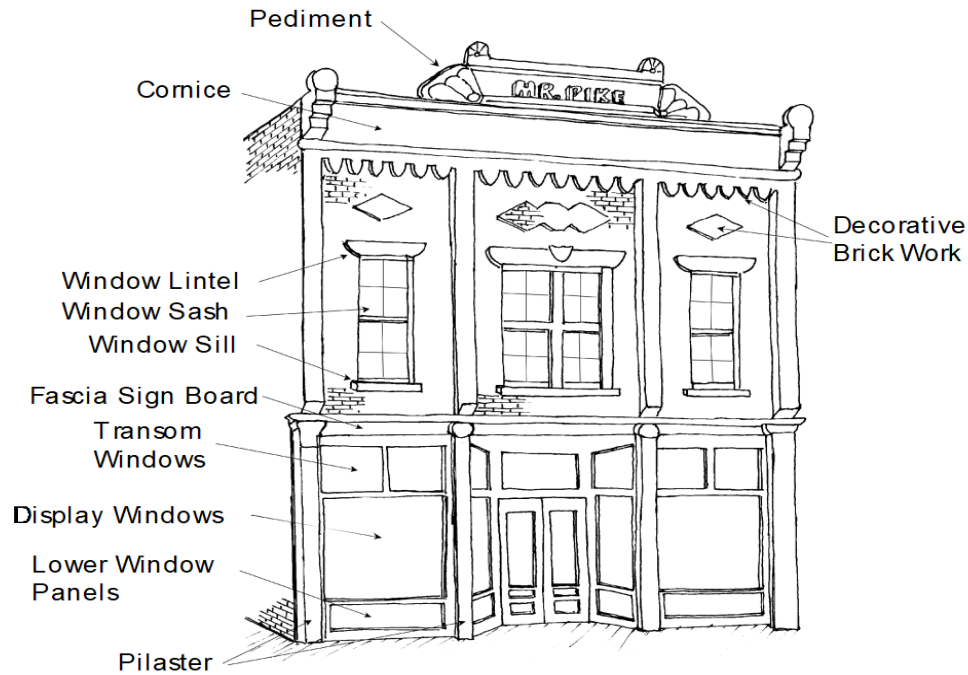


Figure 25-2 Typical Features of Commercial Structures in the Central Business District

b. Building Proportions – Commercial Structures

- (1) Overall height of single story commercial buildings in the Central Business District shall be between eighteen feet (18') and twenty six feet (26').
- (2) The proportion of the height to width of the facade between pilasters shall be in the range of 2.5 to 1 to 3 to 1. The basic window units shall be between 2 to 2.5 times the remaining height to the top of the cornice.
- (3) The ground floor facade shall have at least forty-five percent (45%) of its area in transparent windows, or doors. The second floor facade shall have at least twenty percent (20%) of its area in windows. The area of windows includes any mullions framing individual lights within the window frame.

c. Building Materials - Commercial Structures

- (1) The base facade materials for commercial structures within the Central Business District shall be brick or stone. Architectural details, trim, window or door framing may be wood, stone, cast stone, cast iron, or other materials compatible with the historic and architectural character of the Central Business District.

6. Fencing – Commercial Structures

- a. Any fencing for commercial structures within the Central Business District shall be in the rear of the building not visible from the street.

Proposed amendment to Section 44.3, "Sign Regulations – Definitions"

44.3 DEFINITIONS:

- A. The following words or terms used in Section 44, Sign Regulations shall be defined and interpreted as follows. Interpretations of meaning shall be made by the Director of Development Services or his/her designee.
1. **Alter** means to change the size, shape or outline; type of material; or type of sign; or to change the electrical lighting, except for the replacement of lamps not brighter than the original or the replacement of a surface panel.
 2. **Attach** means to stick, tack, bolt, nail or otherwise affix a sign to any object; to paint, stencil, write, or otherwise mark on an object.
 3. **Awning** means an architectural projection that provides weather protection, identity and decoration, and is supported by the building to which it is attached. It is composed of a lightweight rigid or retractable skeleton structure over which a thin cover is attached which may be of fabric or other materials, and may be illuminated.
 4. **Banner** means a sign composed of cloth, plastic, paper, canvas or other light fabric.
 5. **Building** means a structure which has a roof supported by columns, wall or air for the shelter, support, or enclosure of persons, animal or chattel.
 6. **Canopy** means a roof-like structure which shelters a use such as, but not restricted to, a gasoline pump island, and is supported by either one (1) or more columns or by the building to which it is accessory to and is open on two (2) or more sides.
 7. **Dilapidated or Deteriorated Condition** means any sign:
 - a. Where elements of the surface or background can be seen as viewed from the normal viewing distance (intended viewing distance), to have portions of the finished material or paint flaked, broken off, or missing, or otherwise not in harmony with the rest of the surface; or
 - b. Where the structural support or frame or sign panels are visibly bent, broken, dented, or torn as to constitute an unsightly, hazardous or harmful condition; or
 - c. Where the sign, or its elements, are twisted or leaning or at angles other than those at which it was originally erected (such as may result from being blown or the failure of a structural support); or
 - d. Where the message or wording can no longer be clearly read by a person under normal viewing conditions; or
 - e. Where the sign or its elements are not in compliance with the regulations of the National Electrical Code and/or the International Building Code currently adopted by the City.
 8. **Director** means the Development Services official for the City of Kaufman or his/her designee overseeing the issuance of permits.

Proposed amendment to Section 44.3, "Sign Regulations – Definitions"

9. **Erect** means to build, construct, attach, hang, place, suspend or affix, and shall also include the painting of signs on the exterior surface of a building, structure, or sign face.
10. **Facing or surface** means the surface of the sign upon, against or through which the message is displayed or illustrated on the sign.
11. **Flag** means a piece of cloth, canvas, or other light fabric, usually rectangular in shape, containing a distinctive design or message which is used as a symbol or to signal or attract attention. Any flag over one hundred square feet (100 sf) in size located on private property is considered to be a sign.
12. **Ghost Sign** means a historical, hand-painted sign that has been preserved on a building for an extended period of time. The sign may contribute to the historic character of a building and may be faded or concealed and in need of restoration.
13. **Illuminated Sign** means any sign which has characters, letters, figures, or designs illuminated by electric lights, luminous tubes or other means that are specifically placed to draw attention to, or to provide night time viewing of, the subject matter on the sign face.
14. **Incidental** means information on a sign that is incidental to the operation of the business such as, but not limited to, hours of operation, accepted credit cards and parking information.
15. **Incombustible Material** means any material which will not ignite at or below a temperature of 1,200 degrees Fahrenheit, and will not continue to burn or glow at that temperature.
16. **Logo** means any design or insignia of a company or product which is commonly used in advertising to identify that company or product.
17. **Mural** means an original painting or other work of art applied directly or indirectly to the exterior face of a building, typically commissioned to enhance the public realm and to reflect the character, culture, heritage, or identity of the neighborhood, community, or region. A mural should not contain a commercial message (such as the name, logo, slogan, service/product, etc. associated with a business) except as part of an approved sponsorship and limited to no more than 5% of the surface area of the mural. A mural should be designed for a general audience and should not contain imagery or messaging considered offensive to the average person or political in nature.
18. **Pennant** means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in a series, designed to move in the wind.
19. **Premises** means a lot or unplatted tract, or a combination of contiguous lots and/or unplatted tracts of land where the lot, tract, or combination of lots and/or tracts is under single ownership and is reflected in the plat or deed records of the City and County.
20. **Public Right-of-Way** means a dedicated road or street including the easement for that road or street or public utility corridor.
21. **Roof** means any exterior surface of a structure that has a slope of less than 60 degrees and shall also include the top most portion of any structure.
22. **Searchlight** means an apparatus capable of projecting a beam or beams of light in excess of 1 million peak candlepower.

Proposed amendment to Section 44.3, "Sign Regulations – Definitions"

23. **Sight Visibility Triangle** means where one (1) street, alley or driveway intersects with another, the triangular area formed by extending two (2) curb lines a distance based on the design speed of the streets (see Section 36.9.B., Figure 36-1) from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle.
24. **Sign** means any device, flag, banner, light, figure, picture, letter word, message, symbol, plaque, or poster designed to inform or attract the attention of persons, but does not include the structural elements that support the sign such as steel support members or a masonry base or column.
25. **Sign, Advertising**, means a sign which temporarily or periodically promotes any item, product, commodity, or service being offered on the premises on which such signs are located.
26. **Sign Area** means:
- a. For signs mounted on buildings: the area within a regular rectangular/geometric shape that fully encloses the lettering or symbols associated with a business.
 - b. For signs not mounted on buildings: the sign area is the actual area of the face of the sign that is fully enclosed by a regular square, rectangular, triangular, or circular shape, less the support structure.
 - c. In the event two (2) or more signs share a single structure, each sign or panel may be considered separately for square footage purposes, except that the combined footage of such signs cannot exceed the total square footage allowed for the sign. The total sign area (square footage) limit is applied separately to the signage on the building and signage in the yard such as pole/pylon or monument signs.
27. **Sign, Attached** means any sign attached to, applied on, or supported by, any part of a building (such as a wall, roof, window, canopy, awning, arcade, or marquee) which encloses or covers usable space. Neon tubing attached directly to a wall surface shall be considered a "wall sign" when forming a border for the subject matter, or when directing attention to the subject matter or when forming letters, logos, or pictorial designs.
28. **Sign, Awning** means a sign attached to an awning.
29. **Sign, Bandit** also known as new home builder's sign means a temporary sign to advertise the location of new residential subdivisions.
30. **Sign, Billboard** means a large outdoor advertising sign or structure, which is designed, intended, or used to advertise or inform. If any part of the advertising or information contents is visible from any place on the main traveled way of a regulated highway. The sign may also include extensions and/or embellishments on, or attached to, the structure. Also known as hoarding and bulletin boards.
31. **Sign, Canopy** means a sign attached to a canopy.
32. **Sign, Changeable Message** means a sign whose face is designed and constructed in a manner capable of changing messages through a system of removable characters or panels attached to the face of the sign or changed by electronic means. A changeable message sign with animation, strobe lights, beacon lights, rotating or revolving sign structures are not allowed.

Proposed amendment to Section 44.3, "Sign Regulations – Definitions"

33. **Sign, Development** means a temporary on-site sign providing identification or information pertaining to a residential or commercial development and may include the builder, property owner, architect, contractor, engineer, landscape architect, decorator, or mortgagee, within that development, but shall not include a subdivision marketing sign.
34. **Sign, Directional** means any on-site sign to direct the public to entrances, exits and services located on the property on which the sign is located.
33. **Sign, Directory** means a sign listing occupants within shopping centers, industrial, retail, office and commercial developments. Directory sign also means a permanent on-site sign identifying the buildings in the development or providing information on their location.
34. **Sign, Garage Sale** means any sign for the sale of personal household goods in a residential zoning district or on the property of a nonprofit organization.
35. **Sign, Home Improvement** means any on-site sign that displays the name of a roofing, fence, pool painting, landscape or other home improvement contractor.
36. **Sign, Inflatable** means any hollow sign expanded or enlarged by the use of air or gas.
37. **Sign, Institutional** means a permanent on-site monument sign used to identify governmental and municipal agencies, public schools, churches, or similar public institutions, and used to communicate messages of public importance to the general public.
38. **Sign, Menu Board** means an on-site sign that displays a menu and pricing for food services and may include an audible speaker and microphone integral to the sign.
39. **Sign, Model Home** means any sign identifying a new home, either furnished or unfurnished, as being a builder's or contractor's model open to the public for inspection.
40. **Sign, Movement Control** means a sign providing direction or traffic flow information for persons or vehicles located on the same premises as the sign. Movement Control Signs shall not advertise or otherwise draw attention to the premises, an individual, business, commodity, service, activity or product.
41. **Sign, Monument** means any detached sign made from masonry, concrete materials, treated wood or plastic provided that a masonry or metal base is incorporated into the sign, with no separation between the base of the sign and grade. Maximum of ten feet (10') tall.
42. **Sign, Nonconforming** means a sign and its supporting structure which does not conform to all or part of the provisions of this Ordinance, and:
 - a. Was in existence and lawfully erected prior to the effective date of this Ordinance;
 - b. Was in existence and lawfully located and used in accordance with the provisions of the prior ordinance applicable thereto, or which was considered legally nonconforming there under, and has since been in continuous or regular use; or
 - c. Was in existence, located, and used on the premises at the time it was annexed into Kaufman and has since been in regular and continuous use.

Proposed amendment to Section 44.3, "Sign Regulations – Definitions"

43. **Sign, Obsolete** means any sign that no longer serves a bona fide use or purpose.
44. **Sign, Off-Premise** means a sign displaying advertising that pertains to a business, person, organization, activity, event, place, service or product not principally located or primarily manufactured or sold on the lot on which the sign is located.
45. **Sign, Pole/Pylon** means any sign erected on a vertical framework consisting of one (1) or more uprights supported by the ground and where there is a physical separation between the base of the sign and the ground. Has to be over ten feet (10') tall or it will be classified as a monument sign.
46. **Sign, Political** means a sign:
- a. Relating to the election of a person to a public office,
 - b. Relating to a political party,
 - c. Relating to a matter to be voted upon at an election called by a public body,
 - d. Containing primarily a political message.
47. **Sign, Portable** means a sign that is not securely connected to the ground in such a way that it can easily be moved from one location to another and is not a vehicular sign.
48. **Sign, Projecting** means any sign which is attached to and supported by a building or wall and which projects outward from the building or wall, generally at a right angle.
49. **Sign, Promotional** means any type of sign used for special promotions including, but not limited to, grand openings, anniversary celebrations, sales, and other such events. Promotional signs include, but are not limited to, banners, pennants, streamers, balloons, flags, bunting, inflatable signs and other similar signs.
50. **Sign, Protective (Warning)** means signs that identify or warn of any security devices located on the premises, including guard dogs.
51. **Sign, Public** means any sign that identifies a park, entrance to the City, place of interest within the City, any City sponsored event or any municipally-owned facility and is erected by or at the direction of a City official. A municipally-owned sign does not include traffic or street identification signs.
52. **Sign, Real Estate** means any on-site temporary sign pertaining to the sale or rental of property and advertising property only for the use for which it is legally zoned.
53. **Sign, Subdivision** means any permanent on-site sign identifying a subdivision located in a residential zoning district.
54. **Sign, Temporary Religious** means a sign that advertises the name of and provides direction to a religious organization or group that is temporarily operating in a school or other facility.
55. **Sign, Wall** means a sign fastened to a wall of a building or structure in such a manner where the wall becomes the supporting structure of the sign, or forms the background surface of the sign, and

Proposed amendment to Section 44.3, "Sign Regulations – Definitions"

which does not project more than twelve inches (12") from such building. This includes window signs located on the external (outside) surface of the window.

56. **Sign, Window** means any sign, any painted on sign, banner, poster or display located on the internal (inside) surface of the window of any establishment for the purpose of advertising services, products or sales available within such establishment or which announces the opening of such establishment.
57. **Sign, Yard** means any sign that publicizes the arrival of a newborn, a birthday, a personal special event or the participation of a family member in a school activity or sport. Yard signs shall also include signs that advertise the presence of a home security system.
58. **Sign Support** means any pole, post, strut, cable or other structural fixture or framework necessary to hold and secure a sign, providing that said fixture or framework is not imprinted with any picture, symbol or word using characters in excess of one inch (1") in height, nor is internally or decoratively illuminated.
59. **Sign, Vehicular** means any sign on a vehicle parked temporarily, incidental to its principal use for transportation. This definition shall not include signs being transported to a site for permanent erection.
60. **Sign Setback** means the horizontal distance between a sign and the front or side property line, as measured from that part of the sign, including its extremities and supports, nearest to any point on any imaginary vertical plane projecting vertically from the front or side property line.
61. **Wall** means any exterior surface of a structure that has a slope of sixty degrees (60°) or more.
62. **Zoning District, Non-Residential** means any zoning district designated by the Zoning Ordinance of the City of Kaufman as O, LR, R, CBD, C, WSC, LI, or HC including SUP and PD.
63. **Zoning District, Residential** means any zoning district designated by the Zoning Ordinance of the City of Kaufman as A-O, SF-20, SF-10, SF-8, SF-6, TH, MF-1, MF-2 or MH including SUP and PD.

Proposed amendment to Section 44.8, "Attached Sign Regulations"

44.8 ATTACHED SIGN REGULATIONS:

Unless otherwise specifically provided, the regulations set forth in this Section shall be applicable to all attached signs that are allowed under this Ordinance.

A. Wall Signs:

1. Installation Requirements:

- a. All signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than twelve inches (12") from that surface.
- b. Wall signs shall not extend above the wall or building surface to which the sign is attached.
- c. Banner signs shall not be utilized as permanent wall signs, but only as Promotional Signs as specifically allowed.

2. Maximum Sign Area: Wall signs shall not exceed the following area schedules:

- a. A wall sign in the Office (O), Local Retail (LR), Retail (R), Commercial (C), Light Industrial (LI), and Highway Commercial (HC) Districts shall be limited to fifteen percent (15%) per wall face. No wall signs shall be located on the side or rear wall of a building where the sign would face an adjacent residential zoning district. Signs in excess of fifteen percent (15%) per wall face, shall have an approved Specific Use Permit (SUP) in accordance with Section 30.
- b. **Exceptions:** Building's over one hundred thousand square feet (100,000 sf) shall be limited to ten percent (10%) per wall face. No wall signs shall be located on the side or rear wall of a building where the sign would face an adjacent residential zoning district. Signs in excess of ten percent (10%) per wall face, shall have an approved Specific Use Permit (SUP) in accordance with Section 30.
- c. A wall sign in the Central Business District (CBD) shall be limited to fifty square feet (50 sf) per street frontage. Signs or murals in excess of fifty square feet (50 sf) and painted directly or indirectly on a wall shall have an approved Specific Use Permit (SUP) in accordance with Section 30.
- d. A wall sign in the Washington Street Corridor (WSC) shall be limited to five percent (5%) of each wall face. No wall signs shall be located on the side or rear wall of a building where the sign would face an adjacent residential zoning district.
- e. A wall sign in the Agriculture/Open (A-O), Single Family Residential – 20 (SF-20), Single Family Residential – 10 (SF-10), Single Family Residential – 8 (SF-8), Single Family Residential – 6 (SF-6), Townhouse Residential (TH), Multi-Family Residential – 1 (MF-1), Multi-Family Residential – 2 (MF-2) and Manufactured Home (MH) Districts shall be limited to ten percent (10%) of each wall facing a public street only, for institutions such as schools, churches, places of worship, parks, playgrounds, civic uses, and all uses allowed in MF-1 and MF-2.
- f. **Changeable Message:** An attached changeable message sign shall be limited to fifty percent (50%) of the area allowed for attached wall sign.

Proposed amendment to Section 44.8, "Attached Sign Regulations"

- g. **Illumination:** Wall signs may be illuminated utilizing internal, external or neon lighting.
- B. **Attached Roof Signs:** Roof sign shall only be allowed in non-residential districts. Attached roof signs shall meet the following regulations:
 - 1. **Maximum Height:** The top of a roof sign shall not project above the allowable building height for the zoning district in which it is located. A roof sign shall not project more than fifteen feet (15') above the roof line of the building.
 - 2. **Maximum Sign Area:** The area of the roof sign shall be limited by the maximum size allowed in paragraph A.2. above. The roof sign and any wall signs combined together cannot exceed the maximum total square footage allowed in paragraph A.2. above.
 - 3. **Maximum Number of Signs:** One (1) roof sign per building.
 - 4. **Illumination:** Roof signs may be illuminated utilizing internal, external or neon lighting.
- C. **Window Signs:** Window signs do not require a permit or a permit fee. Window signs shall only be allowed in non-residential districts and the Multi-Family 1 (MF-1) and Multi-Family 2 (MF-2) Districts. Window Signs shall meet the following regulations:
 - 1. **Maximum Area:** Window signs must not obscure more than twenty-five percent (25%) of the window area per facade. The sign area shall be measured by drawing a rectangular or square box around the sign elements, then multiplying the height by the width. For signs whose shape is irregular, the box must enclose all elements of the sign.
 - 2. **Restrictions:** No illuminated window signs shall be allowed within two feet (2') of the window surface, except for open / closed signs.
- D. **Awning Signs:** Awning signs shall only be allowed in non-residential districts and the Multi-Family 1 (MF-1) and Multi-Family 2 (MF-2) Districts. Awning signs shall meet the following regulations:
 - 1. **Maximum Size:** An awning may extend the full length of the wall of the building to which it is attached and shall be no more than six feet (6') in height and shall not be placed less than eight feet (8') above the sidewalk.
 - 2. **Restrictions:** Artwork or copy on awning signs shall be limited to a business name and/or logo.
 - 3. **Maximum Area:** The artwork or copy for an awning sign shall not exceed twenty percent (20%) of the area of the awning and shall extend for no more than sixty percent (60%) of the length of the awning.
 - 4. **Illumination:** Awning signs may be illuminated utilizing only internal lighting.
- E. **Projecting Signs:** Projecting signs shall only be allowed in the Central Business District (CBD). Projecting signs shall meet the following regulations:
 - 1. **Restrictions:** Signs shall be constructed of noncombustible material.
 - 2. **Maximum Projection:** Signs shall not project more than six feet (6'), measured from the building

Proposed amendment to Section 44.8, "Attached Sign Regulations"

face and shall not be closer than two feet (2') from the back of the curb line.

3. **Height Restriction:** Signs shall be at least eight feet (8') above the sidewalk and shall not exceed the height of the building facade.
 4. **Illumination:** Projecting signs may be illuminated utilizing only internal or neon lighting.
 5. **Conformance:** Signs shall be compatible in design, shape, and material with the architectural and historic character of the building.
 6. **Maximum Area:** Signs shall not exceed eighteen square feet (18 sf) per sign face.
- F. **Canopy Sign:** Canopy signs shall only be allowed in non-residential districts and the Multi-Family 1 (MF-1) and Multi-Family 2 (MF-2) Districts. Canopy signs shall meet the following regulations:
1. **Location:** A canopy sign may be attached to, or be an integral part of the canopy face.
 2. **Restrictions:** A canopy sign may consist of only the name and/or logo of the business at the location of the canopy.
 3. **Maximum Area:** The artwork or copy on a canopy sign shall not exceed ten percent (10%) of the face of the canopy, or a maximum of twenty five square feet (25 sf), whichever is greater.
 4. **Illumination:** Canopy signs may be illuminated utilizing only internal lighting.
- G. **Murals and Ghost Signs:** Murals and ghost sign restorations are only allowed in the Central Business District (CBD) and are subject to the following regulations:
1. **Compliance with Guidelines:** Murals and ghost signs shall comply with the Guidelines for Murals and Ghost Sign Restoration as adopted and amended by the City.
 2. **Certificate of Appropriateness:** Each mural or ghost sign restoration shall require a Certificate of Appropriateness as approved by the Downtown Development Advisory Board.
 3. **Permit:** Following the issuance of a Certificate of Appropriateness, each mural or ghost sign shall require a sign permit.

Andrew Bogda

From: Patrick Cardoza <patrickcardoza@gmail.com>
Sent: Tuesday, August 23, 2022 11:02 AM
To: Andrew Bogda
Subject: Re: Availability for P&Z Commission

Good morning Andrew. I think I'm going to have to resign my position with the Planning & Zoning. It wouldn't be faired to the rest of the commissioners and to the city because at the moment I don't have the time. I want to thank everyone it's been my pleasure on serving on the Planning & Zoning Commission.

Thank you
Patrick A. Cardoza

