

City of Clifton, Texas Planning and Zoning Commission Minutes

March 15, 2011

Members Present: Chairman Paul Mangum, Vice Chairman Clinton Albrecht, Bernie Dutton and Phillip Simpson

Visitors Present: Code Enforcement Officer Paul Phillips and Cory Woosley, Carol Spicer

- I. **Call to Order:** There being a quorum present Chairman Mangum called the meeting to order at 6:05 p.m.
- II. **Verification of Posting:** Chairman Mangum verified the posting.
- III. **Welcome to Visitors:** Chairman Mangum welcomed Code Enforcement Officer Paul Phillips, Code Enforcement Office Cory Woosley and Carol Spicer.
- IV. **Adoption of Minutes:** A motion to approve the minutes of the November 16, 2010 meeting was made by Vice Chairman Clinton Albrecht and seconded by Bernie Dutton. Motion Carried.

V. Agenda Items:

- 1) **Welcome reappointed and new members:** Chairman Mangum welcomed Bernie Dutton and Phillip Simpson.
- 2) **Elect a New Commission Secretary:** Motion was made by Bernie Dutton to appoint Phillip Simpson as the Commission Secretary; Vice Chairman Clinton Albrecht seconded the motion. Motion carried.
- 3) **Discussion and possible action relating to changes and updates to:**

Article VII. Junked Vehicles Sections 84-247 to 84-250

Officer Woosley noted that Chapter 84 provides the definition and guidelines by which a vehicle may be deemed as a junk vehicle or a public nuisance. If a vehicle is nonworking or has its registration and inspection out of date for over 30 days on public property or 60 days on private property it may meet the definition. The state sets the 30 or 60 day timeline. Once the officers are notified they inspect the vehicle and the 30 or 60 day timeline begins.

City of Clifton, Texas Planning and Zoning Commission Minutes

March 15, 2011

Officer Phillips noted that the local police department is also involved in assisting with locating and identifying nonworking or junk vehicles. All state procedures have to be met including the mailing of certified letters to the owner before any further action, including picking up the vehicle, may take place.

Discussion and possible action on old tires stored in yards for long periods of time

Officer Phillips noted that the storage of old tires falls under the TRNC guidelines. As per the TRNC guidelines a person/business may have up to 500 old tires on the ground or 2,000 stored in a trailer. If the tires catch a lot of water, then the owner will have to spray for mosquitoes.

Discussion and possible action on visible trash and building materials stored in yards for long periods of time

Officer Phillips stated that once a person applies for a building permit, it is good for six (6) months. The permit may be automatically renewed. If a permit expires, the city has the option to completely pull the permit, stop the work and possibly leave a bigger mess than before. Officer Phillips and Officer Woosley work with the owners and make regular inspections to make sure work is within code, and the property is kept looking as orderly as possible. Officer Phillips noted that ordinances are already in place and no action needs to be taken.

Discussion and possible action on parking of recreational vehicles too close to other RVs or mobile homes

Officer Phillips noted there is already an ordinance for this issue and no action needs to be taken. Officer Phillips stated that the ordinance has been addressed with the owner of the property under discussion, and he is now in compliance.

City of Clifton, Texas Planning and Zoning Commission Minutes

March 15, 2011

4) General Discussion

Code Enforcement Officer Paul Phillips discussed the City's attempt to tighten up on mobile home park regulations. They are doing regular checks. They are checking for aluminum wiring and underpinning. All must be up to code before water is turned on for a new property. There are approximately 10 pages of mobile homes registered in Bosque County, but only 6 or 7 are designated mobile home parks.

There being no further business Chairman Paul Mangum adjourned the meeting at 7:34 p.m.

City of Clifton, Texas Planning and Zoning Commission Minutes

April 19, 2011

Members Present: Chairman Paul Mangum, Vice Chairman Clinton Albrecht and Bernie Dutton

Visitors Present: City Administrator Charles McLean

- I. **Call to Order:** There being a quorum present Chairman Mangum called the meeting to order at 6:09 p.m.
- II. **Verification of Posting:** Chairman Mangum verified the posting of the public notice for the meeting.
- III. **Welcome to Visitors:** Chairman Mangum welcomed City Administrator Charles McLean.
- IV. **Adoption of Minutes:** A motion to approve the minutes of the March 15, 2011 meeting was made by Clinton Albrecht and seconded by Bernie Dutton. Motion Carried.

V. Agenda Items:

- 1) **Discuss and possibly take action on ordinances and/or city planning relating to:**

Vacant, run-down homes, mobile homes and recreational vehicles

Charles McLean discussed the fact that Code Enforcement Officer Paul Phillips inspects and makes decisions on whether a mobile home is habitable or uninhabitable with regard to health and safety issues. He further discussed the cost to remove "uninhabitable" houses in the City of Clifton: approximately \$6,000 per house. There are an estimated 180 uninhabitable homes in Clifton per the 2010 census.

Restrictions on the usage of commercial district property, such as the parking of multiple mobile homes and recreational vehicles

It was noted that certain commercial zone properties are being used for multiple purposes such as RV storage, boatyard repair and vehicle storage, which are visibly detrimental to the appearance of Clifton.

Restrictions on the mass feeding of stray cats on city roads, sidewalks and other property

Following a discussion on the mass feeding of stray cats, the Commission decided not to act on the current nuisance ordinance, pending further recommendations from Paul Phillips.

- 2) **Discuss potential agenda items for future meetings.**

Bernie Dutton suggested that the Commission look into stricter ordinances with "more teeth" for dealing with abandoned houses.

Follow up with Officer Paul Phillips to come up with an ordinance revision to deal with stray cats (or stray animals). There followed a discussion on "no mass feeding" being allowed on public property, city parks or other open public access locations to prevent unhealthy situations.

**City of Clifton, Texas Planning and Zoning Commission Minutes
April 19, 2011**

3) General Discussion

Charles McLean discussed the huge brush pile in the City Park and ways the City has to dispose of the pile in compliance with the TCEQ.

There being no further business Chairman Mangum adjourned the meeting at 7:11 p.m.

City of Clifton, Texas Planning and Zoning Commission Minutes

May 17, 2011

Members Present: Chairman Paul Mangum, Vice Chairman Clinton Albrecht and Kathy Carpenter

Visitors Present: City Administrator Charles McLean, Code Enforcement Officer Paul Phillips, Animal Control Officer Leslie Perry, and Carol Spicer

- I. **Call to Order:** There being a quorum present Chairman Mangum called the meeting to order at 6:06 p.m.
- II. **Verification of Posting:** Chairman Mangum verified the posting of the public notice for the meeting.
- III. **Welcome to Visitors:** Chairman Mangum welcomed all visitors to the meeting.
- IV. **Adoption of Minutes:** A motion to approve the minutes of the April 19, 2011 meeting was made by Clinton Albrecht and seconded by Kathy Carpenter. Motion Carried.
- V. **Agenda Items:**

- 1) **Discuss and possibly take action on ordinances and/or city planning relating to:**

Registration and maintenance of vacant property

A handout documenting proposed revisions to Chapter 34 of the City Code was discussed. The revisions would add Division 2, Registration and Maintenance of Vacant Property.

Officer Paul Phillips discussed current City ordinances relating to vacant houses. He stated "It would come down to money"; many owners are indigent. He pointed out that a substandard building can only be replaced, removed or repaired.

Kathy Carpenter made a motion to approve the proposed revisions to Chapter 34 of the City Code, as written, for consideration by the City Council. Clinton Albrecht seconded the motion. Motion carried.

Restrictions on the usage of commercial district property

A handout documenting proposed revisions to Chapter 93 of the City Code was discussed. The revisions would add mixed usage restrictions to Commercial 1 (C-1) and Commercial 2 (C-2) Districts on using buildings and premises for both commercial and residential purposes.

Some of the observed problems with mixed usage commercial properties were discussed. Most notably, mixed usage abuses present an obtrusive image to City residents and visitors. West FM 219 was identified as one of the prime examples of mixed usage abuse.

Officer Paul Phillips suggested a change in the wording of the proposed revisions to Section 93-3 regarding the usage of C-1 and C-2 properties as follows: "A building or premises in this district shall be used only for

City of Clifton, Texas Planning and Zoning Commission Minutes
May 17, 2011

commercial or residential purposes, but not for both unless approved by the City Council.”

Kathy Carpenter made a motion to approve the proposed revisions to Section 93-3 of the City Code, as amended, for consideration by the City Council. Clinton Albrecht seconded the motion. Motion carried.

Restrictions on feeding dogs and cats on city streets, sidewalks, parks and other public property

A handout documenting proposed revisions to Chapter 10 of the City Code was discussed. The revisions would add Section 10-53, Feeding on Public Property, to Article II, Dogs and Cats.

Mass feeding of dogs and cats on City streets, sidewalks, parks and other public property was discussed. It was agreed that requiring a permit was the best way to handle the problem.

Kathy Carpenter made a motion to approve the proposed revisions to Chapter 10 of the City Code, as written, for consideration by the City Council. Clinton Albrecht seconded the motion. Motion carried.

2) Discuss potential agenda items for future meetings.

Carol Spicer suggested an agenda item to discuss adjourning the Commission during June and July.

3) General Discussion

Charles McLean discussed the removal of the emergency brush pile in the City Park.

There being no further business Chairman Mangum adjourned the meeting at 6:52 p.m.

City of Clifton Planning and Zoning Commission Minutes

June 22, 2011

Members Present: Chairman Paul Mangum, Vice Chairman Clinton Albrecht, Bernie Dutton and Phillip Simpson

Visitors Present: Code Enforcement Officer Paul Phillips, Dianna Phillips, City Manager Charles McLean and Carol Spicer

- I. **Call to Order:** There being a quorum present Chairman Mangum called the meeting to order at 6:05 p.m.
- II. **Verification of Posting:** Chairman Mangum verified the posting.
- III. **Welcome to Visitors:** Chairman Mangum welcomed Code Enforcement Officer Paul Phillips, Dianna Phillips, Charles McLean and Carol Spicer.
- IV. **Adoption of Minutes:** A motion to approve the minutes of the May 17, 2011 meeting was made by Vice Chairman Clinton Albrecht and seconded by Bernie Dutton. Motion Carried.

V. Agenda Items:

1) Discuss and Possibly take action on ordinances and/or city planning relating to:

a. Restrictions on the usage of commercial district property.

The Commission reviewed Section 93-3 District "C-1" and "C-2" of Chapter 93 Zoning. Clifton has both commercial and residential properties in commercial zone areas. As per City Manager Charles McLean, city attorney Charlie Olson is recommending that the council step back and take no action as potential unintended "consequences" could surface.

Bernie Dutton made the motion to table any Section 93-3 revisions temporarily to allow more time to study the problem and provide a solution. Vice President Clinton Albrecht seconded the motion. Motion carried.

b. Restrictions on long-term parking of boats, trailers and other vehicles on residential streets.

Bernie Dutton suggested an ordinance to cover boats/trailers and other vehicles parked on residential streets. Code Enforcement

City of Clifton Planning and Zoning Commission Minutes

June 22, 2011

Officer Phillips stated that there is no effective ordinance in place to prevent such parking. Officer Phillips recommended amending the definition in Article VII, Junked Vehicles Sections 84-247 to 84-250, to include all vehicles such as boats, trailers, RVs, etc. Under the Junked Vehicles Sections, a vehicle may be parked on the side of the street only as long as it has a current state registration tag. Vehicles must have a current state registration or be hidden. City Manager McLean will draft a revision of the Junked Vehicle Sections and present the revision at a future meeting. Bernie Dutton made a motion to table this item until City Manager McLean presents the revised Junked Vehicle Sections. Vice-President Albrecht seconded the motion. Motion carried.

c. Restrictions on signs.

Bernie Dutton wanted clarification on restrictions for signs, such as the sign at the corner of Hwy 219 and Avenue D, and how this particular sign was approved. City Manager McLean advised the City Council approved the sign. City Manager McLean advised there is already an ordinance in place to maintain control over signage type and placement.

d. Fencing requirements for mobile home parks.

There is a mobile home park on Hwy 6 and Avenue F: is there going to be a perimeter fence around the park? Code Enforcement Officer Phillips advised that there is not enough room for perimeter fencing due to the entrances on Avenue F. He advised that we have a good mobile home ordinance in place, and the owner of the property will comply with the existing guidelines and restrictions. No action is necessary; therefore, no action will be taken.

2) Discuss potential agenda items for future meetings:

A potential ordinance concerning gas well drilling should be considered.

City of Clifton Planning and Zoning Commission Minutes

June 22, 2011

3) Discuss adjourning the regular commission meeting during July and August:

Vice-President Albrecht made a motion to adjourn regular commission meetings until September 2011. Bernie Dutton seconded the motion. Motion Carried.

4) General Discussion

There was no general discussion.

There being no further business Chairman Paul Mangum adjourned the meeting at 7:09 p.m.



City of Clifton, Texas Planning and Zoning Commission Minutes

September 20, 2011

Members Present: Chairman Paul Mangum, Vice Chairman Clinton Albrecht, Bernie Dutton, Kathy Carpenter and Phillip Simpson

Visitors Present: Code Enforcement Officer Paul Phillips, City Manager Charles McLean, Mayor Fred Volcansek and Carol Spicer

I. **Call to Order:** There being a quorum present Chairman Mangum called the meeting to order at 6:05 p.m.

II. **Verification of Posting:** Chairman Mangum verified posting.

III. **Welcome to Visitors:** Chairman Mangum welcomed Code Enforcement Officer Paul Phillips, Charles McLean, Mayor Volcansek and Carol Spicer. Mayor Volcansek was presented with a certificate appointing him a nonvoting honorary member of the Commission.

IV. **Adoption of Minutes:** A motion to approve the minutes of the June 22, 2011 meeting was made by Phillip Simpson and seconded by Kathy Carpenter. Motion Carried.

V. **Agenda Items:**

A. **Discuss and possibly take action on ordinances and/or city planning relating to:**

1) **Restrictions on parking vehicles or trailers of any kind in the front yard of a residential usage lot on surfaces other than a driveway made of concrete, paying material, gravel or similar material.**

a. The Commission created Section 84-179, Parking in Districts R-1, R-2, R-3, and C-1, containing the following paragraphs:

(a) No vehicles, trailers, recreational vehicles, or other similar equipment are allowed to be parked in the front yard of a lot, except on an improved driveway made of concrete, asphalt, or gravel, and conforming to the International Building Code.

(b) Parking on the side or rear of the lot is allowed with an improved area containing not less than 160 square feet,



City of Clifton, Texas Planning and Zoning Commission Minutes

September 20, 2011

exclusive of the driveway. The parking space and driveway shall be a hard surface constructed of all-weather material.

- b. The Commission created Section 84-180, Parking on City Streets, containing the following paragraph:

No vehicles, trailers, recreational vehicles, or other similar equipment are allowed to be parked on City streets for more than 7 days without being moved.

A motion was made by Kathy Carpenter to accept the proposed additions and seconded by Bernie Dutton. Motion carried.

- c. The Commission discussed Chapter 84, Article VII, Junked Vehicles, Sec. 84-246, Definitions, and agreed upon the following recommended revision to Sec. 84-246, Definitions:

Terms used in this article shall be defined as provided in V.T.C.A., Transportation Code 683.001 and 683.071. This article also applies to all State-registered vehicles defined in V.T.C.A., Transportation Code 501.002 and 502.001.

A motion to accept the revision was made by Clinton Albrecht and seconded by Bernie Dutton. Motion carried.

- 2) Restrictions on long-term or frequent parking of commercial equipment/vehicles, boat trailers, utility trailers, recreational trailers, and other similar equipment, vehicles and trailers on residential streets.**

This item was addressed above in agenda paragraph "A.1)b."

- 3) Restrictions on the duration and number of renewals for building and construction permits.**

The commission discussed the length of building permits with Code Enforcement Officer Phillips. Building permits are usually granted for up to 1 year, depending on the size of the project. Renewals are not automatically granted.



City of Clifton, Texas Planning and Zoning Commission Minutes September 20, 2011

A motion was made by Bernie Dutton for construction projects which exceed one (1) year in duration and which require a building permit renewal, the requestor must appear before the Commission to state the reasons for the renewal request, and be approved by the Commission for a building permit renewal of up to six (6) months. The motion was seconded by Kathy Carpenter. Motion carried.

Chairman Mangum volunteered to provide a proposed ordinance addition or revision fulfilling this motion at the next Commission meeting.

- 4) **Restrictions on long-term display or usage of tents, tables, chairs, multicolored decorative lights and similar items in the front yard of a residential usage lot.**

Mayor Volcansek advised that he would get together with Code Enforcement officer Phillips concerning the possible code violations at the snow cone shop on Highway 219. This item was tabled for consideration at a later meeting.

- 5) **Restrictions on the usage of commercial district property for both commercial purposes and residential purposes, except in certain districts such as the Historic Downtown District.**

The Commission reviewed and discussed revisions to Sec. 93-3 District "C-1" Commercial - 1 District:

The following regulations shall apply to the "C-1" Commercial - 1 District.

Use Regulations: In general, a building or premises in this district shall be used only for commercial or residential purposes, but not for both at the same time. As an exception, use for both commercial and residential purposes in The Historical Downtown District is specifically permitted. Other exceptions to this Use Regulation must first be approved by the



City of Clifton, Texas Planning and Zoning Commission Minutes September 20, 2011

Planning and Zoning Commission, and then final approval must be granted by the City Council.

When property is purchased, the owner of a commercial use property must declare in writing to the City Secretary within 30 days, whether the premises will be used for commercial or residential purposes, and the owner must adhere to that declaration. City Council approval will be required if the owner subsequently changes his/her usage intentions.

When used for residential purposes, any use permitted in an “R-1” or “R-2” district is also permitted in a “C-1” district. For uses permitted in the R-1 & R-2 districts, the regulations for that district shall apply to the Use Regulations.

When used for commercial purposes, the district shall be used only for the following purposes:

(The remainder of this section was unchanged.)

Mayor Volcansek advised that in his opinion the City Council would not go along with the above revisions to Sec. 93-3. Discussion returned to the house on Highway 219 that burned and was replaced by a commercial steel building. Code Enforcement Officer Phillips advised that the owners of the property had been in constant contact with the City and had approval for all the changes that occurred on the property, including sale of firearms. Mayor Volcansek agreed that they had the full support of the City to date.

This item was tabled for consideration at a later meeting.

6) Requirements to provide fencing around mobile home parks, trailer parks and private recreational vehicle parks.

This item was discussed by Bernie Dutton who inquired why the city had reached a deal to clean out the ditches for a mobile home park on Avenue F, but had not required visual barrier fencing around the park. Officer Phillips advised that the mobile home



City of Clifton, Texas Planning and Zoning Commission Minutes

September 20, 2011

park on Avenue F is supposed to have newer mobile homes, and it would not be feasible to install any visual barrier fencing due to the number of entrances. The mobile home park further up the street has a city street that goes down the middle of that park; thus, the city is unable to require visual barrier fencing there either.

B. Discuss potential agenda items for future meetings:

Potential ordinance concerning Gas Well Drilling

C. General Discussion.

An invitation was extended to Mayor Fred Volcansek to attend future Commission meetings quarterly. Mayor Volcansek replied that he would make the attempt.

There being no further business Chairman Mangum adjourned the meeting at 7:43 p.m.



City of Clifton, Texas Planning and Zoning Commission Minutes

October 18, 2011

Members Present: Chairman Paul Mangum, Vice Chairman Clinton Albrecht, Bernie Dutton, Kathy Carpenter and Secretary Phillip Simpson

Visitors Present: Code Enforcement Officer Paul Phillips, Carol Spicer, Don McCrary, Chris Hampe, Edith Lancaster, Buster Mangham, Loraine Gutierrez and Phillip Eby

- I. **Call to Order:** There being a quorum present Chairman Mangum called the meeting to order at 6:04 p.m.
- II. **Verification of Posting:** Chairman Mangum verified the posting.
- III. **Welcome to Visitors:** Chairman Mangum welcomed Code Enforcement Officer Paul Phillips, Carol Spicer and all the other visitors to the Planning and Zoning Commission meeting.
- IV. **Adoption of Minutes:** A motion to approve the minutes of the September 20, 2011 meeting was made by Kathy Carpenter and seconded by Clinton Albrecht. Motion Carried.

V. Agenda Items:

- A. **Discuss the outcome of the October 11th City Council meeting relative to the P & Z approved ordinance additions and revisions.**

Chairman Mangum stated that due to misunderstandings with City Manager Charles McLean they were unable to get the approved ordinances into the Council member packets in time; therefore, Mayor Volcansek requested that they be put on the agenda for an open forum meeting.

- B. **Discuss and possibly take action on ordinances and/or city planning to:**

1. **Restrictions on parking vehicles, trailers, recreational vehicles, or other similar equipment in the front yard of a property zoned R-1, R-2, R-3, or C-1 on surfaces other than a driveway made of concrete, paving material, gravel or other similar material.**

Chairman Mangum read the proposed new front yard parking ordinance.



City of Clifton, Texas Planning and Zoning Commission Minutes

October 18, 2011

Sec. 84-179. Parking on Property Zoned R-1, R-2, R-3, or C-1

No motor vehicles, trailers, recreational vehicles, other vehicles or other similar equipment are allowed to be parked in the front yard of a lot, except on an improved driveway made of concrete, paving material, or gravel, and which conforms to the International Building Code.

Visitor Comments

- Don McCrary stated that he was opposed to this ordinance revision because of everyone's current economic situation. He stated that several people have had to purchase small trailers to help make a living and it would be detrimental to them to have to pay to make a special concrete parking area.
- Chris Hampe stated that he was also opposed to this ordinance revision and requested the P & Z Commission stop and use common sense. He also stated that now was not the time to make these changes due to the economy.
- Edith Lancaster stated that she did not live within the city limits of Clifton but was there to oppose the new ordinance. She stated that Clifton is a small town and should not be treated like a big city.
- Buster Mangham stated that he has a travel trailer in his yard but already complies with this ordinance. He stated that he was a police officer from 1996-1999, and back then, RVs were parked on the streets and were very difficult to see around. He agreed that RVs and travel trailers should not be parked on the streets or in front yards due to safety issues, but current economics could be detrimental to some people. He advised that the cost to pour a 29' x 8' slab would cost \$324.75 or a 30' x 13' would cost \$433. If he did it himself, he would need 112 bags costing approximately \$556.49.



City of Clifton, Texas Planning and Zoning Commission Minutes

October 18, 2011

Chairman Mangum stated that was why gravel was included as a permissible parking surface, and that the new ordinance only applied to front yards, not back yards or side yards.

- Phillip Eby asked the P & Z commission to be less restrictive and to let people do what they want on their own property.
- Code Enforcement Officer Phillips stated this was brought to light based on complaints by the citizens of Clifton about parking in front yards along with complaints about people inadvertently running over and damaging water meters. If a water meter is broken or damaged, the city has to repair or replace it and can not always recover the costs from the property owner.

With discussion at an end, Kathy Carpenter made a motion to approve the new parking ordinance as stated above. Bernie Dutton seconded the motion. Motion carried.

2. Restrictions on long-term parking of vehicles, trailers, recreational vehicles, or other similar equipment on City streets.

Chairman Mangum read the proposed new long-term parking ordinance.

Sec. 84-180. Parking on City Streets

No motor vehicles, trailers, recreational vehicles, other vehicles, or other similar equipment are allowed to be parked on City streets for more than 7 days without being moved.

Visitor Comments

- Phillip Eby stated he felt that 7 days was too short and recommended the P & Z Commission consider 30 days.

Bernie Dutton made a motion to approve the new ordinance with the number of days changed from 7 to 30 and with the addition of



City of Clifton, Texas Planning and Zoning Commission Minutes

October 18, 2011

contacting law enforcement if going out of town for over 30 days. Phillip Simpson seconded the motion. Motion carried.

The final revision that will be submitted to the City Council for review is:

Sec. 84-180. Parking on City Streets

No motor vehicles, trailers, recreational vehicles, other vehicles, or similar equipment are allowed to be parked on City streets for more than 30 days without being moved. The Clifton Police Department shall be notified if the owner will be out of town over 30 days.

3. Clarification of the definition of a junked vehicle.

Chairman Mangum read the proposed junked vehicle ordinance revision:

Sec. 84-246. Definitions

Terms used in this article shall be defined as provided in V.T.C.A., Transportation Code 683.001 and 683.071. This article also applies to all State-registered vehicles defined in V.T.C.A., Transportation Code 501.002 and 502.001.

Kathy Carpenter made a motion to approve the ordinance revision. Clinton Albrecht seconded the motion. Motion carried.

4. Requirements for maintaining fences.

Chairman Mangum read the proposed new fence maintenance ordinance and stated it was adapted from a City of Carrollton ordinance.

Sec. 18-245. Fence Maintenance

It shall be unlawful for any owner or occupant of a premises to maintain a fence as follows:

(a) Such that any portion of the fence is more than 15 degrees out of vertical alignment.



City of Clifton, Texas Planning and Zoning Commission Minutes

October 18, 2011

(b) Such that there are broken, loose, damaged, removed, or missing parts (i.e. pickets, slats, posts, wood rails, bricks, panels). Replacement or repair of the fence shall be made with comparable materials of comparable composition color, size, shape and quality of the original fence to which the repair is being made. Products manufactured for other uses including but not limited to plywood, corrugated steel, or fiberglass panels are prohibited as fencing material.

(c) Braced by guy wires, braces or any other material that may be viewable from any public streets, right-of-way, alleyways, or property and easements over which the city or the general public has dominion and control.

(d) With any symbols, writings, graffiti on it, except those which are permitted as a sign under Chapter 18, Article VI. Signs, of the Code of Ordinances or which pertain to the address of the property.

(e) Such that any fence which has been painted or stained is not maintained without peeling paint or stain, and is not of a uniform color.

Clinton Albrecht made a motion to table the ordinance for further consideration. Kathy Carpenter seconded the motion. Motion carried.

5. Restriction on the duration and number of building permit renewals.

Chairman Mangum read the proposed building permit ordinance revision.

Article II. BUILDING CODE, Sec. 18-37. Adopted; Violations; Fees.

(e) After an original building permit expires, the applicant may renew the permit one (1) time for a period up to six (6) months at the discretion of the building official. If the building official rejects the first permit renewal application, or if more than one (1) permit renewal has already been granted, the applicant may be required to



City of Clifton, Texas Planning and Zoning Commission Minutes

October 18, 2011

appear before the City Council to request a variance directing the building official to issue a permit renewal for a period up to six (6) months. The City Council's decision to approve or reject the building permit variance request is final.

Phillip Simpson made a motion to approve the ordinance revision. Kathy Carpenter seconded the motion. Motion carried.

6. Restrictions on the posting of vendor advertisements, handbills or flyers on public and private property.

Chairman Mangum read the proposed solicitation ordinance revision.

ARTICLE IV. SOLICITAION, Sec. 19–202. Prohibited Conduct

(10) Engage in unauthorized distribution and/or posting of nuisance printed material on public or private property, including but not limited to buildings, structures, utility poles, yards, or vehicles of any kind. Authorization by City permit shall be required for public property and utility poles. Authorization shall be requested from the property owner for private property. A private property owner may post printed material on his/her property in accordance with Chapter 18, Article IV, SIGNS, of the Code of Ordinances.

Kathy Carpenter made a motion to table the proposed solicitation ordinance revision for further consideration. Bernie Dutton seconded the motion. Motion carried.

7. Restrictions on the usage of commercial district property for both commercial purposes and residential purposes, except in certain districts such as the Historic Downtown District.

Chairman Mangum read the proposed "C-1" district ordinance revision.

CHAPTER 93 ZONING, Sec. 93–3. District "C-1" Commercial – 1 District

The following regulations shall apply to the "C-1" Commercial – 1 District.



City of Clifton, Texas Planning and Zoning Commission Minutes

October 18, 2011

Use Regulations: In general a building or premises in this district shall be used only for commercial or residential purposes, but not both at the same time. As an exception, use for both commercial and residential purposes in the Historical Downtown District is specifically permitted. Other exceptions to these Use Regulations shall first be approved by the Planning and Zoning Commission, and then final approval shall be granted by the City Council.

Within thirty (30) days after a property is purchased, the owner of a "C-1" District property shall declare in writing to the City Secretary, whether the premises shall be used for commercial or residential purposes, and the owner shall abide by the declaration. City Council approval shall be required if the owner subsequently changes his/her usage intentions.

When the declared usage is for residential purposes, then City residential codes shall be followed and any use permitted in an "R-1" or "R-2" district shall also be permitted in a "C-1" district. For uses permitted in an R-1 or R-2 districts, the regulations for that district shall apply to the Use Regulations.

When an exception has been granted for both commercial and residential usage purposes, then either City commercial or residential codes shall be followed, and a property in this district shall be used for the stated purposes in "R-1", "R-2" or "C-1" districts.

When the declared usage is for commercial purposes, then City commercial codes shall be followed and a property in this district shall be used only for the following stated puposes:

Visitor Comments

- Carol Spicer stated that property in a "C-1" district is already both residential and commercial property, and we need to leave it as is. There is no reason to change. She stated changing this ordinance would be infringing on the property owner's right to use his/her



City of Clifton, Texas Planning and Zoning Commission Minutes

October 18, 2011

property the way they want as long as they are not creating a nuisance or violating any laws or other ordinances.

- The consensus of several speakers, including Don McCrary and Buster Mangham, was that we have too much Government regulation as it is, and we need to leave the existing “C-1” ordinance as is.
- Code Enforcement Officer Phillips advised that a property owner must have a Certificate of Occupancy to occupy a business.

Chairman Mangum permanently tabled the ordinance revision since it has been on the agenda several times unsuccessfully.

C. Discuss potential agenda items for future meetings.

Don McCrary asked the P & Z Commission to look into any help we could provide in getting alleyways cleaned up. He advised this might help with the issue of parking on the streets.

D. General Discussion.

Chris Hampe stated that a little less than a year ago he purchased his house on Avenue U, which had a fencing issue. He contacted the City Secretary asking if he needed a permit to replace the fencing. He was advised he did not and to go ahead with the project. He replaced the fencing that had fallen on the ground and repaired the curbs that were busted up by the previous owner. Subsequently, he received a ticket for \$45 in the mail. Chris wanted to know if there was any accountability from the City Secretary’s position for telling him he didn’t need a permit, yet he received a ticket for no permit. He was advised to contact the City Council about the issue and discuss the problem further with them. He stated he understood.

There being no further business, Chairman Mangum adjourned the meeting at 8:20 PM.