



City Council
Eric Barna
Mayor

Owais Siddiqui
Mayor Pro Tem

Ben St. Clair
Deputy Mayor Pro Tem

Scott Bradley
Councilmember

Betty Spraggins
Councilmember

Bernard Grant
Councilmember

Rob Thomas
Councilmember

P&Z Commission
Steve Levy
Chairman

Jon King
Vice-Chairman

Ty Holcomb
Secretary

Camille Hooper
Commissioner

John Johnson
Commissioner

Eric Hemphill
Commissioner

Matthew Thekkil
Commissioner

Greg Mersch
Alternate

Donny Rhea
Alternate

James Fisher
City Manager

Kristen Roberts
Director of Community
Development

MURPHY CITY COUNCIL
AND
MURPHY PLANNING AND ZONING COMMISSION
JOINT WORK SESSION
AGENDA
SEPTEMBER 23, 2013 AT 6:00 P.M.
MURPHY FIRE DEPARTMENT TRAINING ROOM
206 NORTH MURPHY ROAD
MURPHY, TEXAS 75094

NOTICE is hereby given of a meeting of the City Council and the Planning & Zoning Commission of the City of Murphy, Collin County, State of Texas, to be held on September 23, 2013 at the Murphy Fire Department Training Room for the purpose of considering the following items. The City Council of the City of Murphy, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

CALL TO ORDER

ROLL CALL & CERTIFICATION OF A QUORUM – Council
ROLL CALL & CERTIFICATION OF A QUORUM – Planning & Zoning Commission

INDIVIDUAL CONSIDERATION

1. Discuss and give direction on amendments to the Murphy Code of Ordinances:
 - a. Digital Signs
 - b. Residential fence applications
 - c. Procedures for Final Plat approval
 - d. Regulations for the Stopping, Standing and Parking of vehicles

MURPHY PLANNING AND ZONING COMMISSION
SEPTEMBER 23, 2013 AT 7:00 P.M.
WILL REMAIN IN MURPHY FIRE DEPARTMENT TRAINING ROOM
Continue Joint meeting with City Council and P&Z as needed

2. Hold a public hearing and consider and/or action, on amending Murphy Code of Ordinances Chapter 28, Development Standards, Article 1. Signs.
3. Continue the public hearing and consider and/or act on amending Murphy Code of Ordinances: Chapter 28 Development Standards, Article II Fencing, Walls and Screening; Chapter 70 Subdivisions, Article II Procedures, Section 70-35 to amend the requirements for final plat approval; Chapter 78 Traffic and Vehicles, Article IV Stopping, Standing and Parking to create Section 78-164 Overnight Parking and Resting/Sleeping In All Vehicles Is Prohibited; Chapter 86 Zoning, Article III Zoning District, Division 14 R, Retail District, Section 86-495 to amend use of recreational vehicles, travel trailers, motor homes or temporary buildings; and Chapter 28 Development Standards, Article I Signs, Section 28.22 to amend masonry requirements on monument signage.

ADJOURNMENT

I certify that this is a true and correct copy of the Murphy City Council and Murphy Planning & Zoning Commission Meeting Agenda and that this notice was posted on the designated bulletin board at Murphy City Hall, 206 North Murphy Road, Murphy, TX 75094; a place convenient and readily accessible to the public at all times, and said notice was posted on September 20, 2013 by 5:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.



Kristi Gilbert, City Secretary

In compliance with the American with Disabilities Act, the City of Murphy will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 972.468.4011 or kgilbert@murphytx.org

Notice of Possible Quorum: There may be a quorum of the 4B Community Development Corporation, the Animal Shelter Advisory Committee, the Board of Adjustment, the Building and Fire Code Appeals Board, the Ethics Review Commission the Murphy Municipal Development District Board, and/or the Park and Recreation Board may be present at the meeting, but they will not deliberate on any city business.

Issue

Discuss and give direction on amendments to the Murphy Code of Ordinances:

- a. Digital Signs
- b. Residential fence applications
- c. Procedures for Final Plat approval
- d. Regulations for the Stopping, Standing and Parking of vehicles

Staff Resource/Department

Kristen Roberts, Director of Community and Economic Development

Considerations

It should be noted that these amendments do not reflect a complete review of all of the Code of Ordinances, but rather individual areas for current discussion.

Digital Signs

1. There is a section (Section 28-6) regarding electronic signs currently in the Code of Ordinances that reads: *Changeable electronic variable message sign(s) ("CEVMS"), as defined in this chapter, are expressly prohibited within the city limits and the extraterritorial jurisdiction of the city as defined by V.T.C.A. Local Government Code, § 42.021.*
2. The edits in May 2013 amended the code to be consistent with the above mentioned section.
3. Attachment 1 Digital Signs - has considerations for discussion regarding possible amendments to the section of the ordinance that regulates electronic message board signs.

Residential Fence Applications

1. Regarding Residential fence applications, there is a current section that reads as follows: (t) Fence applications will not be accepted without prior written and confirmed approval from respective homeowners association, if applicable. Exceptions may be allowed in the case of emergency repair of fences when approved by the city manager or his designee.
2. Due to feedback following this edit in May 2013 to the fence application requirement it is recommended to replace the entire section with verbiage that approval of a fence application does NOT constitute or supersede approval by the applicant's homeowners' association.

Procedures for Final Plat Approval

1. Final plats shall be in accordance with the approved construction plat. Currently the ordinance states that City Council shall approve final plats. It additionally states that if the final plat is not in accordance with the approved construction plat, it must be recommended for approval by both the planning and zoning commission and the city council.
2. State statute allows the Planning & Zoning Commission to approve final plats.
3. Final plat approval is, for the most part, a ministerial action in that if the plat complies with the City's development ordinance requirements, it should be approved.
4. Final plat approval is a final review to confirm that all of the City's ordinances have been met.
5. The City Council and Planning & Zoning Commission may want to consider allowing only the Planning & Zoning Commission to perform this function.

Regulations for the Stopping, Standing and Parking of vehicles

1. A section within the current ordinance states that: Recreational vehicles, travel trailers, motor homes or temporary buildings may not be used for on-site dwelling or permanent nonresidential purposes in the Retail district.
2. An additional section also states that: it shall be unlawful in all Residential districts for the owner or driver of a motor vehicle to leave a heavy load vehicle, truck, travel trailer, motor vehicle, motor home, camper, trailer, boat, farm equipment or machinery less than 1½ tons or any other similar equipment or machinery for more than two days out of any consecutive seven-day period within the front yard between the front building line and the front property line.
3. The City Council and Planning & Zoning Commission may want to consider how regulations apply to those who might be parking a motor home or camper versus the commercial truck and trailer whether in a Retail or Residential District.
4. The City Council and Planning & Zoning Commission may want to consider allowing recreational vehicles, campers and fifth wheels to be parked and occupied in Residential districts for a period of 7-10 days.
 - a. This would allow family members to come stay with the occupant during brief periods of time for events such as a birth, serious illness, weddings, family visits, etc.

Board Discussion/Action

Pending City Council and Planning & Zoning Commission direction, staff will bring requested amendments to the Planning and Zoning Commission for consideration at their October 28 scheduled Planning & Zoning Commission meeting and to a subsequent City Council meeting for consideration.

Staff Recommendation

Discussion and direction

Attachments

Attachment 1 Digital Signs

ATTACHMENT 1 – DIGITAL SIGNS

Current Ordinance

Section 28-21.

General provisions applicable to signs in business zoning districts.

(a) In business zoning districts, no illuminated sign which has a sign area of 50 square feet or less shall have a luminance greater than 300-foot candles, nor shall any such sign have a luminance greater than 300-foot candles for any portion of the sign within a circle two feet in diameter. The restrictions of luminance in this section shall be determined from any other premise or from any public right-of-way.

(b) No sign or part of any sign shall flash, change its illumination or copy, rotate, move or create an illusion of movement.

(1) Time and temperature informational signs which are oriented to be read from public ways are prohibited.

(2) Electronic reader boards which are oriented to be read from the public way are prohibited.

(a) Pole signs are prohibited.

Section 28-26.

General provisions applicable to signs in residential zoning districts.

(b) No sign nor part of any sign in a residential zoning district shall move, flash, rotate or change its illumination or copy. A sign may have interchangeable letter as defined in Sign, Marquee but must meet all the requirements of either the attached or free standing sign provisions.

Amendment Considerations

Below are considerations for discussion regarding possible amendments to the section of the ordinance that regulates electronic message board signs. These are intended as starting points for City Council and Planning & Zoning discussion.

Electronic signs shall:

- a. Not exceed forty (40) square feet in area;
- b. Be located one hundred (100) feet or more from residentially zoned property;
- c. Be installed as a component of:
 1. A monument sign or multi-tenant sign that:
 - i. Does not exceed seventy (70) square feet in area;
 - ii. Is a maximum seven (7) feet in height; and
 - iii. Is oriented perpendicular to the primary road; or
 2. A wall or canopy sign that:
 - i. Complies with the dimensional limits for wall or canopy signs; and
 - ii. Is limited to no more than one (1) image change per day.

For purposes of this subsection, the term wall sign does not include window, awning, or projecting sign.

- d. Comply with the following performance standards:
 1. Not display any illumination by flashing, intermittent or moving lights; not contain or display animated, moving video or scrolling elements; nor project a static image upon a stationary object; and
 2. Each message shall be displayed for at least eight (8) seconds and a change of message shall be accomplished within two (2) seconds or less; and
 3. A change of message must occur simultaneously on the entire sign face; and
 4. Contain a default design mechanism that freezes the sign in one (1) position if a malfunction occurs; and
 5. Will automatically adjust the intensity of its display brightness according to natural ambient light conditions; and
 6. Not have bulbs that are detectable as individual units from the roadway; and
 7. Not have lamp(s) or lighting that is bright enough to interfere with the vision of a driver on an adjacent road; and
 8. The sign owner shall provide contact information for a person who is available at any time and is able to turn off the sign promptly after malfunction occurs or reduce the intensity of the sign within one (1) hour of a request by the director to a level acceptable for traffic safety.

Issue

Hold a public hearing and consider and/or action, on amending Murphy Code of Ordinances Chapter 28, Development Standards, Article 1. Signs.

Staff Resource/Department

Kristen Roberts, Director of Community and Economic Development

Staff Recommendation

Staff recommends postponing the public hearing until the October 28 Planning & Zoning Commission meeting to allow staff to incorporate the City Council and Planning & Zoning Commission Work Session discussion items.

Issue

Continue the public hearing and consider and/or act on amending Murphy Code of Ordinances: Chapter 28 Development Standards, Article II Fencing, Walls and Screening; Chapter 70 Subdivisions, Article II Procedures, Section 70-35 to amend the requirements for final plat approval; Chapter 78 Traffic and Vehicles, Article IV Stopping, Standing and Parking to create Section 78-164 Overnight Parking and Resting/Sleeping In All Vehicles Is Prohibited; Chapter 86 Zoning, Article III Zoning District, Division 14 R, Retail District, Section 86-495 to amend use of recreational vehicles, travel trailers, motor homes or temporary buildings; and Chapter 28 Development Standards, Article I Signs, Section 28.22 to amend masonry requirements on monument signage.

Staff Resource/Department

Kristen Roberts, Director of Community and Economic Development

Staff Recommendation

Staff recommends postponing the public hearing until the October 28 Planning & Zoning Commission meeting to allow staff to incorporate the City Council and Planning & Zoning Commission Work Session discussion items.