

AGENDA

NOTICE OF MEETING

Notice is hereby given that the Zoning Board of Adjustment of the City of Canyon will meet at 4:00 p.m. on the 29th day of June 2020, in the Commission Chambers of City Hall at 301 16th Street in the City of Canyon to discuss the following agenda items:

The meeting is broadcast on [YouTube](#). YouTube does provide closed captioning on the recorded video, it is not provided real-time.

1. Call to Order.
2. Approval of the Minutes of the Meeting of May 26, 2020.
3. Consider and Take Appropriate Action on the Variance Regarding Flutter Signs as Approved at the May 26, 2020 Meeting.
4. Adjourn.

I certify that the above Notice of Meeting was posted on the bulletin board of the Civic Complex of the City of Canyon, Texas on the 26th day of June 2020.



Gretchen Mercer, City Clerk

Zoning Board of Adjustment Meeting
Minutes – May 26, 2020

The Zoning Board of Adjustment met via Zoom at 4:00 p.m. on May 26, 2020, with the following members in attendance: Chair Joan Van Doren, Vice-Chair James Hartman, Pat Williams, and Wiley Harp. Jonny Luna was unable to attend.

The following City Staff were present: Director of Planning and Development Danny Cornelius.

Item 1: Call to Order.

Chair Joan Van Doren called the meeting to order at 4:00 pm.

Item 2: Approval of the Minutes of the September 23, 2019 Meeting.

Pat Williams moved, duly seconded by Wiley Harp, to approve the minutes as presented. The motion passed unanimously.

Item 3: Consider and Take Appropriate Action on a Variance Regarding Flutter Signs During the COVID Response.

The City of Canyon Zoning Ordinance prohibits signs with “revolving beacons, fluttering, undulating, swinging, or otherwise moving parts”. It does provide an exception allowing flutter or “feather” signs to be placed for a maximum of 14 days per calendar year to advertise special events. During the COVID crisis many businesses were closed according to Governor Abbott’s orders. Several businesses were then allowed to gradually open under restricted occupant loads. A local business owner reached out the Director of Planning and Development Director, Danny Cornelius, asking that the 14-day limit be waived during the crisis. Mr. Cornelius agreed that, temporarily, no enforcement action would be taken. However, as the crisis extended, Mr. Cornelius presented the issue to the Zoning Board of Adjustment as a variance request with the recommendation that flutter or feather signs be allowed for a time period set by the board.

After discussion, Wiley Harp moved, duly seconded by Pat Williams to allow flutter signs to be placed until June 30, 2020. The Board would reconsider the variance at the June meeting. The motion passed unanimously.

Item 4: Adjourn

There being no further business, the meeting was adjourned at 4:11 pm.

Joan Van Doren, Chair

ATTEST:

Gretchen Mercer, City Secretary

AGENDA

To: Zoning Board of Adjustment
From: Danny Cornelius, Director of Planning and Development
Date: June 29, 2020
Re: Consider and Take Appropriate Action on the Variance Regarding Flutter Signs as Approved at the May 26, 2020 Meeting.

During the May 26 meeting, the Board approved a variance to allow flutter or feather signs to be placed without time restriction until June 30, 2020. The board voted to reconsider the request at the June meeting.

Just to recap the situation and the City Ordinance:

Flutter or “feather” signs have become increasingly popular over the last several years. The City of Canyon Zoning Ordinance restricts this type of sign at each business to 14 days per calendar year. See the attached Ordinance No. 1064.



Our office requested a variance to the time limit in response to the COVID crisis. Governor Abbott has begun the process of allowing some businesses to open under certain restrictions. In order to allow businesses to advertise openings during this difficult time, the Board granted the temporary variance.

ORDINANCE NO. 1064

Flag and Flutter Sign Amendments

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS; AMENDING THE ZONING CODE, CHAPTER 156 OF THE CODE OF ORDINANCES, SECTION 5.10, SIGN REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS; the passage, promulgation, and enforcement of the provisions herein contained are determined necessary and advisable for the promotion of the general welfare of the community to carry out the governmental powers and police powers delegated to and possessed by the City of Canyon; and,

WHEREAS; the Planning and Zoning Commission of the City of Canyon, recommended certain amendments to City of Canyon Code of Ordinances, Chapter 156, Zoning Code; and,

WHEREAS; the City Commission finds that the proposed amendments to Chapter 156 as recommended by the Planning and Zoning Commission would be in the best interest of the City;

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS;

SECTION 1:

That Chapter 156, Section 5.10, **Definitions**, is hereby amended by adding the following:

Flag. A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as the symbol or emblem of a country, institution, or business or as a decoration during public festivities.

SECTION 2:

That Chapter 156, Section 5.10, **Prohibited Signs, Item 7** is hereby amended as follows:

7. Signs with revolving beacons, fluttering, undulating, swinging, or otherwise moving parts.

Exception: Flags advertising the business on the premises. The flag must be on private property and not in the public right-of-way. The flag must be at least 12 feet above grade with no more than one flag per business.

Exception: Fluttering signs advertising special events shall be authorized for a maximum period of fourteen (14) days per calendar year.

SECTION 3:

Severability. If any provision, section, subsection, clause, or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Commission of the City of Canyon, Texas in adopting this ordinance, that no portion thereof or provision continued herein shall become inoperative or fail by any reasons of the unconstitutionality of any other portion or provision.


SECTION 4:

Repealer. All ordinances, parts of ordinances, resolutions, and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

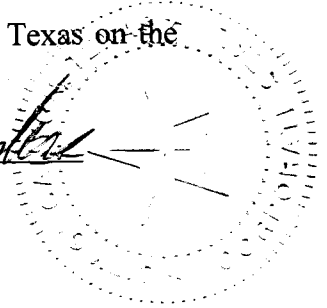
SECTION 5:

Effective Date. This ordinance shall become effective immediately.

INTRODUCED AND PASSED by the City Commission of the City of Canyon, Texas on the 21st day of August, 2017



Gary Hinders, Mayor



ATTEST:



Gretchen Mercer, City Clerk