



TOWN OF FAIRVIEW, TEXAS

Agenda

Planning and Zoning Commission Regular Meeting

April 9, 2026

7:00 PM

Town Hall Council Chambers
372 Town Place
Fairview, Texas

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1. **Call to Order**

2. **Citizen's Comments (for Non-Public Hearing Items)**

At this time, any person may address the Commission regarding an item on this meeting agenda or on matters not on this meeting agenda. Each person will have up to three (3) minutes. The Chair may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency.

Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the Commission for items listed as Public Hearings will be recognized when the Public Hearing is opened.

No discussion or action may be taken at this meeting on items not listed on this agenda, other than to make statements of specific factual information in response

to a citizen's inquiry or to recite existing policy in response to the inquiry.

3. Action/Discussion Items

- a. Consider, discuss, and take any necessary action on the minutes of the February 12, 2026, regular meeting of the Planning and Zoning Commission
- b. Discuss potential amendments to the Comprehensive Zoning Ordinance regarding the regulation of day care centers.

4. Adjourn

I, Joshua Stevenson, Town Secretary, hereby certify that this notice was posted in accordance with Texas Government Code, Chapter 551, on or before the 2nd day of April 2026 at 6:00 p.m.

Joshua Stevenson, Town Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The Town of Fairview Council Chambers is wheelchair accessible. Access to the building and special parking is available at the primary southwest and northwest entrance into the Town Hall parking lot. 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 Town Secretary's office at least 48-hours prior to the meeting. Please e-mail your request to townsecretary@fairviewtexas.org or call at 972-886-4234. BRAILLE IS NOT AVAILABLE.

**FAIRVIEW PLANNING AND ZONING COMMISSION
MEETING MINUTES
FEBRUARY 12, 2026**

The Planning and Zoning Commission met on February 12, 2026 at 7:00 PM at 372 Town Place, Fairview, Texas.

Commissioners present: Chair John Adler and Vice Chair Dennis Swingle, and Commissioners Ben Kuehne, Clay Medley, Renee Powell, and Willis White.

Commissioners absent: Commissioner Darrell Sims

Staff present: Planning Manager, Israel Roberts; Town Engineer, James Chancellor; and Town Secretary, Joshua Stevenson.

1. Call to Order

Chair Adler called the meeting to order at 7:00 PM upon determining a quorum was present.

There was one (1) member of the public present when the meeting was called to order.

2. Citizen's Comments (for Non-Public Hearing Items)

Chair Adler called for citizen's comments.

There were none when called for.

Chair Adler closed citizen's comments.

3. Action/Discussion Items

- a. Consider, discuss, and take any necessary action on the minutes of the December 11, 2025, regular meeting of the Planning and Zoning Commission

Chair Adler called for this item.

The Commission passed the motion by Commissioner Medley, seconded by Commissioner Powell, to approve the minutes of the December 11, 2025, regular meeting of the Planning and Zoning Commission in a vote of Yes 6, No 0, Abstained 0.

4. Public Hearings

- a. Conduct a public hearing, consider and make a recommendation on a request for approval of a revised Conditional Use Permit (CUP) for an accessory structure. The 2.8-acre lot is located at 84 Secretariat Lane and is zoned for

the (RE-2) Two-acre Ranch Estate District. Owner/Applicant: Bror Peterson.
Chair Adler called for the item.

Mr. Roberts spoke regarding this item. Staff recommended approval.

The Commission and staff had discussion regarding this item.

Chair Adler opened the public hearing.

The applicant spoke regarding this item.

Chair Adler closed the public hearing.

The Commission passed the motion by Vice Chair Swingle, seconded by Commissioner Medley, to approve a revised Conditional Use Permit (CUP) for an accessory structure at 84 Secretariat Lane in a vote of Yes 6, No 0, Abstained 0.

5. Adjourn

Chair Adler adjourned the meeting at 7:07 PM.

These minutes were approved by the Planning and Zoning Commission on April 9, 2026.

APPROVED:

John Adler, Chair

ATTEST:

Joshua Stevenson, Town Secretary

Town of Fairview, Texas



Memorandum

April 9, 2026

TO: Planning and Zoning Commission

FROM: Israel B. Roberts, AICP
Planning Manager

SUBJECT: Discussion of possible changes to Zoning regulations related to day care and religious assembly uses

BACKGROUND: In August 2025, the Town Council, upon recommendation from the Planning and Zoning Commission, denied a request for a Conditional Use Permit (CUP) to open a daycare center at the Chase Oaks Church campus along Stacy Road. Since that time, the Town Council has discussed the possibility of amending the zoning ordinance related to the current authority for CUPs for daycare uses in most residential districts. The discussion centered around the idea of limiting the ability to request a CUP for a daycare center only as an accessory to a church use; thus, eliminating the ability to request a CUP for a stand-alone daycare center in a residentially zoned area outside of the Commercial Planned Development District (CPDD).

Clarifying language was also included to update terminology and remove conflicts related to churches as a part of this change.

The Council reviewed the proposed changes to the zoning ordinance related to these topics and has directed the Planning & Zoning Commission to consider changes to the zoning ordinance regulating day care uses. Generally, the potential changes to the Zoning Ordinance (CZO) are summarized below:

1. Clarifying the districts in which such uses would be allowed. Currently the CZO has conflicting language. In Division 11 (CUP) of the CZO it states:
 - a. Churches, synagogues, temples are allowed with a CUP in PC, GB, RE-1 & RE-2
 - b. Daycare/child care (more than 4 children) uses are allowed with a CUP in PC, GB, RE-1 & RE-2

However, in Division 1 (Generally) the CZO states that churches can be located in any zone, except Flood Hazard zone, upon approval of a CUP.

APRIL 2026 UPDATE: Following the discussion with the Planning and Zoning Commission in December 2025, several revisions are presented for further consideration.

Summary of proposed revisions: The proposed language would eliminate the authorization for a standalone daycare use and only allow them with a CUP as an accessory use to a religious assembly use, as defined, in any zone, except Flood Hazard zone. A traffic Impact Analysis (TIA) would be required as a part of the CUP.

1. Religious Assembly, as defined, would be allowed in any zone except Flood Hazard zone approval of a CUP.
 - Section 14.02.010 already limits churches, schools and fraternal lodges to sites with a minimum of 2-acres.
2. Add a definition for a definition for religious assembly use. The current code does not contain a definition.
3. Adds a definition for daycare (more than 4 children). The current code does not provide a definition [**April 2026 update**].
4. Provides several criteria to limit the scope and operation of a potential daycare use [**April 2026 update**].
5. References to the CPDD will also be added for clarity.

ACTION: This item is for discussion purposes only. A formal application for consideration of any proposed changes to these regulations will be forwarded to the Planning and Zoning Commission at a later date. Any recommended changes would then be forwarded to the Town Council for final consideration and action.

Proposed CZO text amendments

(Underline = new language)

(Underline Bold = new language since December 2025)

(Strikethrough = delete language)

- Division 11, *Conditional Use Permit*:
 - Section 14.02.514 *Use Regulations* (a):
 - A building, structure or premises used for any of the following purposes shall be permitted only upon the grant of a conditional use permit zoning district classification. The town council may, after public hearing and proper notice to all parties affected, and, after recommendation from the planning and zoning commission containing such requirements and safeguards as are necessary to protect adjoining property, authorize by ordinance the location of any of the following in the ~~following~~ specified districts as listed in the chart below. For land use regulations within the Commercial Planned Development District (CPDD), refer to Ordinance 2014-9-11B, as amended.

Use	District
Churches, synagogues, temples <u>Religious Assembly</u>	<u>All Districts, except FH</u>
<u>Daycare/child care (more than 4 children) as an accessory to a religious assembly use; provided however, this use shall not be permitted in a single family dwelling or any accessory structure to a single family dwelling</u>	<u>All Districts, except FH</u>

- Division 1, Generally
 - Section 14.02.010 Churches, schools and fraternal lodges
 - ~~(a) Churches and schools, including schools that are public, private or denominational, can locate in any zone except a flood hazard zone upon an application for a conditional use permit. A fraternal lodge can locate in any nonresidential zone except a flood hazard zone.~~
 - (a) Religious assembly uses, schools, including schools that are public, private or denominational, and fraternal lodges are only permitted upon an application, and approval, for a Conditional Use Permit (CUP) in accordance with Division 11 of this ordinance, as amended. For land use regulations within the Commercial Planned Development District (CPDD) for such uses, refer to Ordinance 2014-9-11B, as amended.
 - Section 14.02.026 *Day care/child care facility (more than 4 children)*
 - (a) Daycare/child care facilities are only allowed as an accessory to a religious assembly use upon an application, and approval, for a Conditional Use Permit (CUP) in accordance with Division 11 of this ordinance, as amended.

- (b) A traffic Impact Analysis (TIA) shall be required as part of a Conditional Use Permit application.
 - (c) Unless otherwise modified under the terms of a Conditional Use Permit granted under Chapter 14, Division 11 of the Code of Ordinances, Town of Fairview, Texas, a Daycare:
 - (1) Is limited to the following operating hours of 6:00AM to 10:00PM;
 - (2) Overnight lodging and stays shall be prohibited;
 - (3) May only be operated by a non-profit entity as defined under Texas Business Code 1.002; and;
 - (4) Is limited to an accessory use of the property which may only occupy a maximum of 20% of the building(s) that constitute the primary use of the subject property, excluding State required outdoor play space;
 - Employees of the daycare are limited to members of the on-site religions assembly user only.
 - For land use regulations within the Commercial Planned Development District (CPDD) for such uses, refer to Ordinance 2014-9-11B, as amended.
- Section 14.02.020 Definitions
- Daycare: A child-care facility that provides care at a location, other than a residence, dwelling, or any other type of living quarters, for four or more children under 14 years of age for less than 24 hours a day, but at least two hours a day, three or more days a week.
 - Religious Assembly: A building, or buildings, such as but not limited to churches, synagogues, temples, and mosques, used primarily for gathering for worship and accessory activities which are customarily associated therewith.