

PLANNING AND ZONING COMMISSION

NOTICE OF MEETING

Notice is hereby given that the Planning and Zoning Commission will meet at 4:00 p.m. on August 13, 2018 at City Hall, 301 16th Street, in the Commission Chambers, Second Floor. Agenda items will be as follows:

- (1) Call to Order.
- (2) Approval of Minutes from the July 25, 2018 meeting.
- (3) Conduct a Public Hearing and Consider and Take Appropriate Action on Ordinance No. 1083, an Ordinance Amending the Code of Ordinances of the City of Canyon, Chapter 156, Zoning Code, by Amending Table 1-1, Summary Use Chart to Add Shelter as Allowed with a Specific Use Permit in RC-1, RC-2, I-1, I-2, and PD Zoning Districts; Amending Section A.02 Terms to Add Shelter.
- (4) Conduct a Public Hearing and Consider and Take Appropriate Action on Ordinance No. 1084, an Ordinance Amending the Code of Ordinances of the City of Canyon, Chapter 155, Subdivisions, by Adding Section 155.09 Abandonment of Public Right-of-Way.
- (5) Conduct a Public Hearing and Consider and Take Appropriate Action on Ordinance No. 1091, Adopting the 2018 Comprehensive Plan.
- (6) Discuss Accessory Building Regulations.
- (7) 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 10th Day of August, 2018.

Gretchen Mercer

City Clerk

City of Canyon

Planning and Zoning Commission Meeting
Minutes – July 25, 2018

The Planning and Zoning Commission of the City of Canyon met in regular session at 4:00 pm in the City Commission Chambers of the Civic Complex. Chairman Bill Craddock presided over the meeting with the following Commissioners in attendance: Larry Ramaekers, Jon Davis, Laurie Sharp, and Leesa Wood Calvi. Commissioners John Pletcher, Bobbie Jo Krutsch, Charles Munger, and Kevin Luetkahans were unable to attend.

Also present were the following City Staff: Assistant City Manager Chris Sharp, Assistant City Manager for Special Projects Jon Behrens, Director of Public Works Dan Reese, and Director of Planning and Development Danny Cornelius.

Item 1: Call to Order.

Chairman Craddock called the meeting to order at 4:00 pm.

Item 2: Approval of Minutes from the May 14, 2018 Meeting.

Commissioner Calvi moved, duly seconded by Commissioner Davis, to approve the minutes from the May 14, 2018 meeting. The motion passed unanimously.

Item 3: Discuss the Comprehensive Plan with Representatives from Freese and Nichols, Inc.

Dan Sefko with Freese and Nichols, Inc. presented the 2018 Comprehensive Plan to the Commission. Commissioner Sharp asked if the Advisory Committee Implementation Priorities listed in Chapter 9 were numbered in order of importance. Mr. Sefko stated that they were not. It was recommended that a note be added to clarify the items were not listed in order of importance.

After discussion, staff was directed to schedule a public hearing to consider recommending adoption of the 2018 Comprehensive Plan.

Item 4: Discussion on Ordinance No. 1083, an Ordinance Amending the Code of Ordinances of the City of Canyon, Chapter 156, Zoning Code, by Amending Table 1-1, Summary Use Chart to add Shelter as an Allowed Use in RC-1, RC-2, I-1, I-2, and PD Zoning Districts; Amending Section A.02, Terms to add Shelter.

The Commission continued a discussion on Ordinance 1083. During the May 14, 2018 meeting, concerns were expressed about limiting the facilities to temporary (3 days or less) boarding. Staff was asked to study the issue further.

After discussing similar use regulations from several other cities, staff was directed to amend the ordinance to allow the use by Specific Use Permit only in the RC-1, RC-2, I-1, I-2, and PD Zoning Districts and to remove the 3 day or less boarding requirement. A public hearing will be scheduled to consider the ordinance at future meeting

Item 5: Discussion on Ordinance No 1084, an Ordinance Amending the Code of Ordinances of the City of Canyon, Chapter 155, Subdivisions, by adding Section 155.09 Abandonment of Right of Way.

The Planning and Zoning Commission previously voted to recommend approval of Ordinance 1084. The City Commission requested that ordinance be reconsidered. Staff was asked to

increase the application fee. The revised ordinance increased the application fee from \$250 to \$500.

There was concern about the cost of the appraisal to the applicant. Staff was asked by the City Commission to revise the appraisal process language where appraisal would be considered based on the proposed use of the land. City Attorney, Chuck Hester, studied the issue with staff and advised that the appraisal requirement must be applied evenly. Otherwise, a requestor could feel slighted by the discretionary action. The revised ordinance contained application submittal requirements as recommended by Mr. Hester.

Staff was directed by the Planning and Zoning Commission to schedule a public hearing to consider recommending adoption to the revised Ordinance No. 1084.

Item 6: Adjourn.

Chairman Craddock adjourned the meeting at 5:30 pm.

Bill Craddock, Chairman
Planning and Zoning Commission

ATTEST:

Gretchen Mercer, City Clerk

AGENDA

To: Planning and Zoning Commission

From: Danny Cornelius, Director of Planning and Development

Date: July 30, 2018

Re: Conduct a Public Hearing and Consider and Take Appropriate Action on Ordinance No. 1083, an Ordinance Amending the Code of Ordinances of the City of Canyon, Chapter 156, Zoning Code, by Amending Table 1-1, Summary Use Chart to Add Shelter as Allowed with a Specific Use Permit in RC-1, RC-2, I-1, I-2, and PD Zoning Districts; Amending Section A.02 Terms to Add Shelter.

Ordinance 1083 has been revised since our July meeting.

“Shelter” would be defined as an organization providing temporary ~~(three (3) days or less)~~ boarding or lodging or both on its premises primarily to indigent, needy, homeless or transient persons. This ordinance would add the use and definition to our zoning ordinance. Shelters would be listed as allowed by Specific Use Permit in the RC-1 (Retail), RC-2 (Commercial), I-1 (Light Industrial), I-2 (Heavy Industrial), and Planned Development Districts.

ORDINANCE NO. 1083

Shelters

AN ORDINANCE OF THE CITY OF CANYON, TEXAS, AMENDING CHAPTER 156, ZONING CODE OF THE CITY OF CANYON CODE OF ORDINANCES, BY AMENDING TABLE 1-1, SUMMARY USE CHART TO ADD SHELTER AS ALLOWED WITH A SPECIFIC USE PERMIT IN RC-1, RC-2, I-1, I-2, AND PD ZONING DISTRICTS; AMENDING SECTION A.02 TERMS TO ADD SHELTER; 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:

Table 1-1, Summary Use Chart, is amended by adding Shelter under Educational, Institutional, and Public Uses and listing it as Allowed with a Specific Use Permit in Zoning Districts RC-1, RC-2, I-1, I-2, and PD.

SECTION 2:

Section A.02, Terms, is amended by adding the following:

Shelter. An organization providing temporary boarding or lodging or both on its premises primarily to indigent, needy, homeless or transient persons.

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 20th day of August, 2018.

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Clerk

AGENDA

To: Planning and Zoning Commission

From: Danny Cornelius, Director of Planning and Development

Date: July 30, 2018

Re: Conduct a Public Hearing and Consider and Take Appropriate Action on Ordinance No. 1084, an Ordinance Amending the Code of Ordinances of the City of Canyon, Chapter 155, Subdivisions, by Adding Section 155.09 Abandonment of Public Right-of-Way.

This ordinance would adopt procedures for abandoning any public right-of-way in the City, including streets, alleys, or easements. Occasionally a land owner will request that a street or alley right-of-way be abandoned and deeded to the adjacent land owners. This typically happens in cases where the street or alley has been dedicated by plat but has never been constructed or used.

The P&Z recommended this for adoption previously. The City Commission sent the ordinance back to have the application fee and appraisal process reconsidered. The fee has been raised to \$500 from \$250. The submittals, including the appraisal, are as recommended by the City Attorney.

ORDINANCE NO. 1084

Abandonment of Public Right-of-Way

AN ORDINANCE OF THE CITY OF CANYON, TEXAS, AMENDING CHAPTER 155, SUBDIVISIONS, OF THE CITY OF CANYON CODE OF ORDINANCES, BY ADDING SECTION 155.09 ABANDONMENT OF PUBLIC RIGHT-OF-WAY; 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 155, Subdivisions; and,

WHEREAS; the City Commission finds that the proposed amendments to Chapter 155 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 155, SUBDIVISIONS, GENERAL PROVISIONS, Section 155.09, Abandonment of public right-of-way**, is hereby adopted as follows:

In addition to the requirements set for in V.T.C.A, Local Government Code, Chapter 272, the following shall control the consideration of requests for abandonment of Public Rights-of-Way that are abandoned by separate legal instrument.

The applicant shall submit the following in connection with any request to abandon a public right-of-way:

1. An application on a form promulgated by the planning department;
2. The legal description of the property to be abandoned;
3. An appraisal showing an opinion of market value of the real property prepared by a real estate appraiser licensed in Texas and dated not more than 90 days prior to submission of the application; and,
4. An application fee of \$500.

SECTION 2:

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 3:

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 4:

Effective Date. This ordinance shall become effective immediately.

INTRODUCED AND PASSED by the City Commission of the City of Canyon, Texas on the 20th day of August 2018.

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Clerk

AGENDA

To: Planning and Zoning Commission
From: Danny Cornelius, Director of Planning and Development
Date: July 30, 2018
Re: Conduct a Public Hearing and Consider and Take Appropriated Action on Ordinance No. 1091, Adopting the 2018 Comprehensive Plan.

Dan Sefko with Freese and Nichols, LLC presented the 2018 Comprehensive Plan at our July meeting. We need to hold a public hearing before recommending the plan to the City Commission.

ORDINANCE NO. 1091

Adopting the 2018 Comprehensive Plan

AN ORDINANCE OF THE CITY OF CANYON, TEXAS, ADOPTING THE 2018 COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS; the City Commission of the City of Canyon retained a professional planning consultant to assist in the preparation of a 2018 Comprehensive Plan for the City; and

WHEREAS; the City Commission appointed the Comprehensive Plan Advisory Committee (CPAC) to guide in the preparation of a workable 2018 Comprehensive Plan for the City of Canyon; and

WHEREAS, the CPAC reviewed and studied recommendations made by the planning consultant for the 2018 Comprehensive Plan; and

WHEREAS, the Planning & Zoning Commission recommended the 2018 Comprehensive Plan to the City Commission on August 13, 2018; and

WHEREAS, the City Commission conducted a public hearing held on August 20, 2018, in which notice of the meeting was posted, where major issues about the 2018 Comprehensive Plan were presented and all persons were given the opportunity to present verbal and written testimony; and

WHEREAS, the City Council considered this testimony and, on August 20, 2018, the City Council approved the 2018 Comprehensive Plan.

NOW THEREFORE:

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

SECTION 1:

That the 2018 Comprehensive Plan, including Introduction, Vision and Goals, Land Use, Transportation, Utilities and Infrastructure, Public Facilities, Housing and Neighborhoods, Community Livability, and Implementation chapters, and all the maps, which are attached hereto and incorporated herein for all purposes is hereby adopted by the City Commission as a guide and public policy.

SECTION 2:

That this Plan is intended to constitute the Comprehensive or Master Plan of the City of Canyon, Texas, for all matters relating to long-range guidance relative to zoning decisions, land subdivision, thoroughfare construction, land use planning, and growth management.

SECTION 3:

That it is hereby officially found and determined that the meeting at which this Ordinance is passed was properly noticed and open to the public as required by law.

SECTION 4:

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 5:

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 6:

This ordinance shall become effective upon approval.

INTRODUCED AND PASSED by the City Commission of the City of Canyon, Texas on the 20th day of August, 2018.

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Clerk

AGENDA

To: Planning and Zoning Commission
From: Danny Cornelius, Director of Planning and Development
Date: July 30, 2018
Re: Discuss Accessory Building Regulations.

We've been asked to discuss the accessory building regulations. Some of you will remember, we had similar discussions 4 years ago. Minutes from those meetings are attached. There's been some concern expressed about large detached accessory buildings. Larger lots often have 40' x 60' barns built in the back yard.

Currently, the zoning ordinance restricts the size as follows:

"In Residential Districts, the main building and all accessory buildings shall not cover more than 50% of that portion of the lot lying to the rear of a line erected joining the mid-point of one side lot line with the mid-point of the opposite side lot line."

That's a complicated way of saying the area all buildings can't cover more than 50% of the rear half of the lot.

Accessory buildings located in residential districts are currently allowed a height of 1 to 3 stories depending on the zoning district. Buildings in PD (Planned Development District) are not limited in height provided the total floor area does not exceed the total site area (floor area ratio of 1:1). By definition, 11.5' walls are allowed per story. That's 23' walls for a 2-story building as allowed in most zoning districts. More complete list of accessory building regulations is attached.

SECTION 5.08 ACCESSORY BUILDING REGULATIONS.

Front Yards - Accessory Buildings

Attached accessory buildings shall have a front yard not less than the main building. Detached accessory buildings shall be located in the area defined as the rear yard, or in the side yard if behind the lot's mid-point line.

Side Yards - Accessory Buildings

There shall be a side yard not less than 3 feet from any side lot line, alley line, or easement line, except that adjacent to a side street the setback shall never be less than 10 feet. Where a fire-wall is provided, no side yard need be provided on one side of a lot only for detached accessory buildings located in the rear half of the lot.

Detached carports shall be allowed in the side yard provided it does not encroach upon the front building line, and that it follows the rear and side yard setbacks.

Rear Yards - Accessory Buildings

There shall be a rear yard not less than 3 feet from any rear lot line, alley line, or easement line, whichever is greater.

In Residential Districts, the main building and all accessory buildings shall not cover more than 50% of that portion of the lot lying to the rear of a line erected joining the mid-point of one side lot line with the mid-point of the opposite side lot line.

Carports, garages, or other detached accessory buildings located within the rear or side portions of the lot shall not be located closer than 10 feet to the main building, nor nearer than 3 feet to any side lot line. Where a fire-wall has been provided which meets the requirements of the building and fire codes of the City of Canyon, no rear or side yard setback is required.

Attached Accessory Buildings

Typically, an accessory building shall be incidental to and detached from the main building. In some cases, an accessory building may be incidental to the main building but attached to the main building in some way. An "Attached Accessory Building" is defined as an accessory structure that is connected to the main building via a covered walkway, a breezeway, a porch, an extension of the roofline from the main building, or by some other similar fashion. If the status of such an accessory building is in dispute, the Canyon Code Enforcement Officer shall determine if it may be classified as an "Attached Accessory Building".

Detached Accessory Buildings in Double Frontage Lots

- * Double Frontage Lots (Corners). Detached accessory buildings may be located in the rear yard, or in the side yard provided the accessory building is behind the lot's mid-point line.

* Double Frontage Lots (Front and Rear Streets). Detached accessory buildings may be located in the rear yard, or in the side yard provided the accessory building is behind the lot's mid-point line. In these cases, "rear yard" is delineated as that portion of the lot that parallels the street on which the house is not oriented. Also in these cases, "behind the mid-point line" shall mean that half of the lot that parallels the street on which the house is not oriented.

Story. That height between the successive floors of a building or from the top floor to the roof. The standard height for a story is 11 feet, 6 inches (11-1/2 feet).

Planning and Zoning Commission Meeting
May 12, 2014

The Planning and Zoning Commission of the City of Canyon met in regular session at 4:00 pm in the City Commission Chambers of the Civic Complex. Chairman Bill Craddock presided over the meeting with the following Commissioners in attendance: Vice Chairman Joe Shehan, Andy Carter, John Pletcher, and Jon Davis. Commissioners Kevin Luetkahans, Bobbie Jo Krutsch, Kent Meyer, and Clay Stark were unable to attend.

Also present were the following City Staff: City Manager Randy Criswell, Director of Code Enforcement Danny Cornelius, and Assistant City Manager Chris Sharp.

Item 1: Call to Order.

Chairman Craddock called the meeting to order at 4:00 pm.

Item 2: Approval of Minutes from April 14, 2014.

Vice Chair Joe Shehan moved, duly seconded by Commissioner Pletcher to approve the Minutes of April 14, 2014. Motion carried unanimously.

Item 3: Consider and Take Appropriate Action on Gagestone Ridge No. 2, Replatting Lots 26 Through 31, Block 1, of Gagestone Ridge Unite No. 1.

Code Enforcement Director Danny Cornelius presented a plat for Gagestone Ridge Unit No. 2. Mr. Cornelius stated the plat would establish a 15' front yard building setback instead of 20' as designated in the Plat for Unit No. 1, allowing for the homes to be larger and to comply with the deed restrictions of the subdivision. The original setback was an oversight on the part of the developer, and he asked for this change to correct the issue. This includes only lots 27-31. Mr. Cornelius reminded the Commission that these lots are zoned "Planned Development District" for zero lot line homes and require a footprint to establish side and rear yard setbacks. Mr. Cornelius said notices were sent to 4 property owners within 200 feet with one response in support received.

After discussion, Commissioner Pletcher moved, duly seconded by Commissioner Davis to approve the zoning request as presented and recommend for approval to the City of Canyon Commission. Motion carried unanimously.

Item 4: Consider and Take Appropriate Action on Draft Ordinance Amending Zoning Ordinance Regulating Exterior Construction Standards and Heights of Residential Accessory Buildings.

Director of Code Enforcement Danny Cornelius presented a draft ordinance addressing large metal barn type residential accessory buildings that have recently been constructed in town. City Manager Randy Criswell stated the reason this was being addressed was due to complaints received from residents. Mr. Criswell stated currently accessory buildings located in residential districts are currently allowed a height of 1-3 stories and in the Planned Development District there isn't a limit on height as long as the total floor area does not exceed the total site floor area ratio of 1:1. Mr. Cornelius provided a few photos as examples. Mr. Cornelius stated the draft ordinance requires that exterior building materials for accessory building exceeding 1000 square feet must comply with the building material requirements for residences in the district.

Planning and Zoning Commission Meeting

May 12, 2014

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After discussion, the Commission directed staff to provide more photo documentation, investigate other restriction options and see about a poll of citizens.

Item 5: Consider and Take Appropriate Action on Consideration of Possible Zoning Changes for Alcohol Sales.

Code Enforcement Director Danny Cornelius presented answers to questions asked at the last commission meeting with answers from TML Attorney Scott Houston.

After discussion, the Commission directed staff to draft an ordinance for consideration at the next meeting.

Item 6: Adjourn.

Chairman Craddock moved to adjourn the meeting.

Bill Craddock, Chairman, P & Z

ATTEST:

Gretchen Mercer, City Clerk

Planning and Zoning Commission Meeting
June 23, 2014

The Planning and Zoning Commission of the City of Canyon met in regular session at 4:00 pm in the City Commission Chambers of the Civic Complex. Chairman Bill Craddock presided over the meeting with the following Commissioners in attendance: Vice Chairman Joe Shehan, John Pletcher, Kent Meyer, and Jon Davis. Commissioners Kevin Luetkahans, Andy Carter, Bobbie Jo Krutsch, and Clay Stark were unable to attend.

Also present were the following City Staff: City Manager Randy Criswell, Director of Code Enforcement Danny Cornelius, Assistant City Manager Chris Sharp, and Assistant City Manager Jon Behrens.

Item 1: Call to Order.

Chairman Craddock called the meeting to order at 4:07 pm.

Item 2: Approval of Minutes from May 12, 2014.

Commissioner Davis moved, duly seconded by Vice Chairman Shehan to approve the Minutes of May 12, 2014. Motion carried unanimously.

Item 3: Consider and Take Appropriate Action on a Draft Ordinance Amending the Zoning Ordinance Regulating Exterior Construction Standards and Heights of Residential Accessory Buildings.

Director of Code Enforcement Danny Cornelius presented the draft ordinance for consideration.

The proposed ordinance would restrict all accessory buildings in Residential Districts (SF-A, SF-E, SF-S, SF-V, 2F, and MF) and in Planned Development Districts (PD) to 1 story in height. It would also prohibit the use of metal, plastic, or fiberglass panels on the exterior of accessory buildings exceeding 1000 square feet in those zoning districts.

The commission had sought input from the citizens through the news media and social media. Due to the lack of response, Commissioner Davis moved, duly seconded by Vice Chairman, Shehan, to take no action at this time. The motion passed unanimously.

Item 4: Consider and Take Appropriate Action on Consideration of Possible Zoning Changes for Alcohol Sales.

Director of Code Enforcement Danny Cornelius presented the draft ordinance for consideration.

The ordinance would establish hours of operation for the sale of alcoholic beverages and allow extended hours of operation until 2:00 am for holders of a mixed beverage late hours permit, a retail dealer's on-premise late hours permit, or a wine and beer retailer's late hours permit.

After discussion, Vice Chairman Shehan moved, duly seconded by Commissioner Meyer, to schedule a public hearing for adoption of the ordinance. The motion passed unanimously.

Planning and Zoning Commission Meeting

June 23, 2014

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Item 6: Adjourn.

Chairman Craddock moved to adjourn the meeting.

Bill Craddock, Chairman, P & Z

ATTEST:

Gretchen Mercer, City Clerk

ORDINANCE NO.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS: AMENDING THE CODE OF ORDINANCES OF THE CITY OF CANYON, CHAPTER 156, ZONING CODE, BY AMENDING SECTION 5.08 ACCESSORY BUILDING REGULATIONS BY ADDING EXTERIOR CONSTRUCTION STANDARDS AND HEIGHT RESTRICTIONS IN RESIDENTIAL AND PLANNED DEVELOPMENT DISTRICTS; 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:

SECTION 5.08 ACCESSORY BUILDING REGULATIONS is hereby amended by inserting the following subsections after **Rear Yards – Accessory Buildings**.

Height – Accessory Buildings

Accessory buildings in all Residential Districts (SF-A, SF-E, SF-S, SF-V, 2F and MF) and in Planned Development Districts (PD) shall not exceed 1 story in height.

Exterior Construction Standards – Accessory Buildings

Exterior building materials for accessory buildings in all Residential Districts (SF-A, SF-E, SF-S, SF-V, 2F and MF) and in Planned Development Districts (PD), exceeding 1000 square feet in floor area shall comply with Tables 2-1, 2-2, 2-3, 2-4, 2-5 and 4-1.

SECTION 2:

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 3:

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 4:

Effective Date. This ordinance shall become effective immediately.

INTRODUCED AND PASSED by the City Commission of the City of Canyon, Texas on the _____ day of _____, 2014

Quinn Alexander, Mayor

ATTEST:

Gretchen Mercer, City Clerk