

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 November 12, 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 September 6, 2018 meeting.
- (3) Discuss Accessory Building Regulations.
- (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 9th Day of November, 2018.

Gretchen Mercer

City Clerk

City of Canyon

Planning and Zoning Commission Meeting
Minutes – September 6, 2018

The Planning and Zoning Commission of the City of Canyon met 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, Bobbie Jo Krutsch, Jon Davis, Charles Munger, Kevin Luetkahans, and Laurie Sharp.

Also present were the following City Staff: City Manager Randy Criswell, Assistant City Manager Chris Sharp, Assistant City Manager for Special Projects Jon Behrens, Business and Community Development Director Evelyn Ecker and Director of Planning and Development Danny Cornelius. City Commissioner Cody Jones was also present.

Item 1: Call to Order.

Chairman Craddock called the meeting to order at 4:03 pm.

Item 2: Approval of Minutes from the August 13, 2018 Meeting.

Commissioner Sharp moved, duly seconded by Commissioner Munger, to approve the minutes from the August 13, 2018 meeting. The motion passed unanimously.

Item 3: Conduct a Public Hearing and Consider and Take Appropriate Action on Rezoning the Proposed Pioneer Estates Unit No. 23 to PD (Planned Development District) and RC-1 (Retail District) from SF-S (Single-Family Suburban Residential District).

The commission considered a rezoning request for the proposed Pioneer Estates Unit No. 23. The request would change the zoning to PD (Planned Development District) and RC-1 (Retail District) from SF-S (Single-Family Residential District). The developer is proposing to build 9 townhouse style duplexes on the PD portion of the plat.

Chairman Craddock opened the public hearing at 4:04 pm.

The developer, Shawn Gillispie of GPD Inc, addressed the commission. They plan to build retail on Lot 40 (north lot) to serve the growing needs of Canyon and WTAMU. Duplex style townhouses will be built on the PD lots to provide a buffer between the retail development and the existing residential area to the south.

Jorge Ramirez, architect for the developer, explained this would be a larger budget, upscale project. Commissioner Davis asked if any businesses in the retail development would be open 24 hours a day. Mr. Gillispie stated that was not their intent. Commissioner Davis asked how the developer planned to address the noise, traffic, and lighting concerns of the local residents. Mr. Ramirez stated that the businesses will not face south and they would limit outdoor activities. Commissioner Davis asked how the development would affect the local property values. Mr. Ramirez said he felt this upscale type of development would have a positive impact.

Gina Woodward of 3312 Conner Drive spoke in opposition to the request. Her concerns were traffic and noise. She stated she would prefer 4th Ave access only to the property and single-family dwellings on the PD lots.

Rick Reyher of 501 La Duchess spoke in opposition to the request. His concerns were regarding traffic.

Stan McNutt of 3310 4th Ave spoke in opposition to the request. His concerns were traffic, negative impacts on property values, and trash.

Joe Shehan of 402 Scott Lane spoke in opposition to the request. He expressed concerns about traffic and sharing the existing alley for trash pickup. He also suggested zoning the retail portion PD District rather than RC-1.

Larry McCrady of 501 38th St spoke in opposition to the request. His concerns were the negative impact on property values. He expressed his desire to preserve the integrity of the existing neighborhood.

Calvin Richardson of 405 Lair Lane spoke in opposition to the request. His concerns were noise, traffic, light, and negative impact on property values.

Nick Flynn of 400 Scott Lane spoke in opposition to the request. He opposed any 2 story retail buildings. He also questioned the need for more business space in Canyon.

Lynda Graybeal of 417 Lair Lane spoke in opposition to the request. Her primary concern was traffic.

Terri Thompson of 403 Lair Lane spoke in opposition to the request. Her concerns were privacy, traffic, and light.

Bill Nolan of 406 Scott Lane spoke in opposition to the request. His concerns were trash and fire department access. He also expressed concerns about the sustainability of the fence and buildings in the proposed development.

Becky Rose of 503 38th St spoke in opposition to the request. Her concerns were traffic and potential alcohol sales.

Jenny Gillispie of GPD Inc. addressed the commission. She stated that they plan to own and maintain the retail development. She feels that growth at WTAMU will help with the success and sustainability of the project. She stated that GPD Inc is willing to work with residents to address their concerns.

Jeff Bryant, a local builder planning to build residences on the PD lots, presented the commission with preliminary renderings of duplex style townhouses.

Suzanne Lorenz of 416 Lair Lane spoke in opposition to the request. She expressed her concern about traffic and suggested a traffic light at 4th Ave and 38th St.

The commission discussed mitigating light, trash, and noise concerns with the developer and city staff.

After discussion, Commissioner Munger moved, duly seconded by Commissioner Krutsch, to recommend approval of the zoning request with a single-story limitation in the PD District. The motion was approved 6-1 with Commissioner Luetkahans voting against.

Item 4: Consider and Take Appropriate Action on a Plat for Pioneer Estates Unit No. 23.

The commission considered the plat for Pioneer Estates Unit No. 23.

After discussion, Commissioner Sharp moved, duly seconded by Commissioner Munger to recommend approval of the plat. The motion was approved 6-1 with Commissioner Luetkahans voting against.

Item 5: Adjourn.

Chairman Craddock adjourned the meeting at 6:05 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: October 12, 2018
Re: Discuss Accessory Building Regulations.

We've been asked to discuss the accessory building regulations. 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 primary structure and all accessory building to a maximum area of 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 would be 23' walls for a 2-story building as allowed in most zoning districts. A more complete list of accessory building regulations is attached.

The commission directed staff to gather examples of accessory building regulations in the metroplex area and ranchette developments. Staff was also directed to study the minimum door height required to store a large RV. A summary of those findings is attached.

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.

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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

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).

ACCESSORY BUILDINGS

Jack Sisemore Traveland

13' to 13.5' typical 5th Wheel height. Minimum 14' door height.

Mueller Buildings

14' typical door height for RV. 16' eave height at low point.

Deed Restrictions of Local Developments

Southwind Unit No. 2

Shop/Storage Building. Shops of permanent design, built of wood and masonry, similar to those used in construction of home are permissible and steel structures. All metal buildings must be constructed of painted 26 gauge or better R panel with an eave height not to exceed 16'. No corrugated sheet metal allowed.

Dove Landing

Every main dwelling house and garage shall be of such construction that 65% of the exterior walls shall be of masonry-stucco, rock or brick construction.

Deer Ridge

No garage, outbuilding, barn, or servant's house shall be erected on any lot with roof or outside wall made of used material or brick or frame material different than is used on the dwelling. The architectural design of any garage, outbuilding, barn, stable or servant's house shall be the same as the dwelling.

Spring Lake

The total square footage of all Accessory Buildings may not exceed 50% of the size of the residence constructed on the lot without approval of the Architectural Control Committee.

On all Accessory Buildings, the exterior walls facing Streets and the Greenway must be constructed out of the same exterior walls of the Residence unless approved by the Architectural Control Committee. The design of the Accessory Buildings must conform to the design of the Residence. (70% masonry required for walls of residences)

Boatwright-Trew

All outbuildings shall be similar in construction and design to the main dwellings on such property, and shall be painted or decorated in a color the same as or which blends therewith in the opinion of the seller.

Canyon North

No garage, outbuilding, or servant's house shall be erected on any part of the property with roof or outside walls made of material or brick or frame material different than is used on the dwelling. The architectural design shall be the same as the dwelling.

Sendora Valley

All accessory buildings shall be constructed with exteriors of the same materials as are used on the main dwelling.

City Ordinances

City of Amarillo

Accessory Buildings

Side yard setback – 3'

Rear yard setback – 0'

Maximum lot coverage (All Buildings)– 45 to 65% depending on the zoning district.

Maximum Height – As allowed for the zoning district.

Carports

Maximum 1 carport per lot

Maximum Area – 440 sq ft

Maximum Height – 12' from the floor to the peak of the roof

No opening on any side shall be lower than 7' as measured from the floor to the bottom of the carport eave line

Perimeter of Carport must remain open on at least 3 sides.

City of Denton

Accessory Buildings

Side yard setback – 3'

Rear yard setback – 3'

Maximum lot coverage (All Buildings)– 60% to 80% depending on the zoning district.

Maximum Height – 40'

City of Granbury

Accessory Buildings

Side yard setback – 15' adjacent to a side street. 3' otherwise.

Rear yard setback – 3'

Maximum area – 450 sq ft

Maximum height – May not exceed the height of the primary structure and may not exceed 15'.

No more than 2 accessory buildings per single family lot. They must be separated by at least 10'.

City of Plano

Accessory Buildings

Side yard setback – 3'

Rear yard setback – 3'

Maximum lot coverage (All Buildings) – The primary structure and all accessory buildings may not cover more than 50% of the rear half of the lot.

Maximum height – 10'

Must be 10' from the main structure.

If the accessory building is located less than 10' from the rear or side property line, a 6' tall solid fence or wall shall be required on the rear or side lot line to screen the building. No screening shall be required at the point of entry for a carport.

Carports

In single-family or 2-family developments, a carport shall shelter not more than 3 vehicles and shall not exceed 24' on its longest dimension.

City of Frisco

Accessory Buildings

Side yard setback – 15' adjacent to side street. Same as the primary structure otherwise.

Rear yard setback – A 3' rear yard setback is allowed if the structure is no greater than 8' in height.

A solid fence or wall of the same height shall be built on the rear lot line to screen the structure from property located to the rear. 10' rear yard setback otherwise.

Maximum Lot Coverage (All Buildings) – 45% for typical SF District

The exterior facades of all accessory structures, including detached garages, in all zoning districts shall be constructed of the same exterior construction material of the main building or structure.

Maximum height – 40' (2.5 stories)

City of McKinney

Accessory Buildings

Side yard setback – 15' Adjacent to a side street. 3' otherwise.

Rear yard setback – 3'

Maximum lot coverage - The primary structure and all accessory buildings may not cover more than 50% of the rear half of the lot. Detached garages are limited to 500 square feet in area.

Maximum height – 1 story