

**MINUTES  
TOWN OF COPPER CANYON  
PLANNING & ZONING COMMISSION (P&Z)  
MONDAY, AUGUST 30, 2021  
8:00 p.m.**

The Town of Copper Canyon Planning and Zoning Commission met in regular session on Monday, August 30, 2021, at 8:00 p.m. in the Council Chambers at Copper Canyon Town Hall, 400 Woodland Drive, Copper Canyon, Texas, whereupon the following items were considered.

**I. CALL TO ORDER**

**Commissioners Present**

Mark Pape	Chairman
Mitch Dornich	Vice-Chairman
Jeff Dahl	Commissioner
Kaki Lybbert	Commissioner
Deb Schmitz	Commissioner

**Staff Present**

Chris Hartke	Town Engineer
Sheila Morales	Town Secretary

**Chairman Pape** called the meeting of the Copper Canyon Planning and Zoning Commission to order at 8:00 p.m. on the 30<sup>th</sup> day of August 2021.

**Chairman Pape** stated that the Williams Ranch Developer has withdrawn his proposal for this evening's meeting; Action & Discussion Item #1 will not be discussed during tonight's meeting, although the public is free to speak on the subject.

**II. PUBLIC INPUT**

Citizens can make comments to the Planning and Zoning Commission. We ask citizens who wish to speak on agenda items to sign in on the sheet provided on the table at the back of the Council Chambers. There is a 3-minute time limit for each speaker. Pursuant to State Open Meetings law, the Planning and Zoning Commission cannot discuss or take action on items not posted on the agenda.

No one spoke.

### **III. CONSENT ITEMS**

1. Approve July 26, 2021, Minutes of Planning and Zoning Commission Meeting.

**Commissioner Lybbert** made a motion to approve the Consent Agenda Items 1-3 as presented.

**Commissioner Schmitz** seconded the motion.

Ayes: **Chairman Pape, Vice-Chairman Dornich, and Commissioners Dahl, Lybbert and Schmitz**

Nays: None

**Chairman Pape** announced that the motion passed unanimously.

### **IV. ACTION & DISCUSSION ITEMS**

1. Discuss proposed development regulation and Development Plan for Williams Ranch, (a 20-acre residential development within Town Center) and all matters incident and related thereto; and, to establish a public hearing on said development.

No action was taken.

**Chairman Pape** explained that Action & Discussion Items #2 & #3 are strictly for discussion only; no action will be taken this evening. Accessory Building and Flag Lot requirements have previously been discussed at the Council and Planning & Zoning Workshop meeting, and the details presented this evening represent the consensus of the group. The items are being revisited this evening in order to gather any other suggestions before they are sent to the Town Attorney who will convert them into draft ordinances. Once the draft ordinance is received, the Public Hearing will be noticed, and the Planning and Zoning Commission and Council will each consider the proposed ordinance changes. During these meetings, the public will have more opportunity to voice their opinion.

**Chairman Pape** opened the floor to the public comment at 8:04 p.m.

The following people spoke:

**Jeff Voight** (4548 Mahogany Ln) thanked the P&Z Commissioners for serving the Town. He asked the commissioners if they received the recent letter from the Estates of Copper Canyon HOA and asked **Town Secretary Morales** to forward the letter to the commissioners. (The letter was emailed to the P&Z Commissioners on August 31, 2021.) He asked that the P&Z meeting agenda and packet be posted more than 72

hours before the meeting in order to give residents more time to review. **Town Secretary Morales** explained that in order to enact this change, Town Council would need to amend the zoning ordinance. He also stated that the intent for the 'Estates Transition' area of the Master Plan was for it to be minimum  $\frac{3}{4}$  acre.

**Janae Newton** (4553 Mahogany Ln) questioned why Action Item #1 was pulled from the agenda. She stated that the following issues relating to the proposed development need to be addressed: 1) the entrance and any related TXDOT issues, 2) septic issues, 3) zoning changes and neighbor notifications, 4) verifying submitted elevations, 5) planting trees take twenty years to grow and 6) the ingress and egress points could be dangerous.

**Vic Moiles** (1021 N Valley Wood Ct) stated the following relating to the proposed accessory building changes: 1) As far as 'unattractive' buildings, who will make that decision? 2) A big red building seems more rural and in line with 'Keep Copper Canyon Rural'. 3) Proposed changes appear to affect smaller lots in the Town and therefore are harmful for lots that are less than two acres.

**Robin Douglas-Davis** (581 Jernigan Rd) stated the following relating to the proposed accessory building changes: 1) During her term while serving on Council she heard from residents that live on one acre and as accessory building regulations had changed over time they were frustrated. 2) Proposed ordinance changes have to many lot size divisions; the 'ag' division should apply for lots five acres or larger. 3) The intent is to loosen requirements for agricultural related buildings. 4) Changes detailed for '10 acres and above' should be changed to apply to '5 acres and above'.

**Nancy Henry** (761 Lonesome Dove Ln) stated that she agrees with **Ms. Douglas-Davis** and stated the following. 1) The Town should not separate Rolling Acres and The Woodlands but should treat everyone fairly. 2) Remember to keep the town rural; we don't want to be an HOA.

**Dave Svatik** (625 Estates Dr) stated that the problem the Town has seen over the last twenty-three years is that if you don't have regulations people go crazy and build too many or too large of buildings.

**Janae Newton** (4553 Mahogany Ln) stated that the Council needs to clarify the 'habitable' definition as it relates to accessory buildings.

2. Discuss proposed changes to the Town's ordinances relating to accessory building and all matters incident and related thereto.

The P&Z Commissioners briefly discussed the lot size requirement for which the principal structure needs to be built before building an accessory building.

No further comments were made.

3. Discuss proposed changes to the Town's ordinances relating to flag lots and all matters incident and related thereto.

No comments were made.

## **V. ADJOURN**

**Commissioner Lybbert** made a motion to adjourn the meeting.

**Vice Chair Dornich** seconded the motion.

Meeting adjourned at 8:48 p.m.

APPROVED BY THE PLANNING AND ZONING COMMISSION THIS 18<sup>th</sup> DAY  
OF November, 2021.

**APPROVED:**



Mark Pape  
Chairman, Planning & Zoning Commission

**ATTEST:**



Sheila B. Morales, TRMC  
Town Secretary