

**AGENDA
TOWN OF COPPER CANYON
PLANNING & ZONING COMMISSION (P&Z)
MONDAY, SEPTEMBER 25, 2023
6:00 p.m.**

The Town of Copper Canyon Planning and Zoning Commission will meet in regular session on Monday, September 25, 2023, at 6:00 p.m. in the Council Chambers at Copper Canyon Town Hall, 400 Woodland Drive, Copper Canyon, Texas, whereupon the following items will be considered.

I. CALL TO ORDER

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.

III. CONSENT ITEM

1. Approve August 28, 2023, Minutes of Planning and Zoning Commission Meeting.

IV. PUBLIC HEARING

The Copper Canyon Planning and Zoning Commission to conduct a Public Hearing regarding an ordinance amending the Code of Ordinances by amending Exhibit 14A 'Zoning Ordinance', Article 2 'General District Zoning Regulations', Section 2-102 'Use, Yard and Bulk Requirements' by adding Subsection 2(b) Flag Lots (driveway); and by amending Exhibit 14A 'Zoning Ordinance', Article 11 'Definitions', Section 11-102 "Words and Terms" by adding Subsection (Y A) 'Flag Lot' to provide definition.

V. ACTION & DISCUSSION ITEM

1. Discuss, consider, and make recommendation to the Copper Canyon Town Council regarding an ordinance amending the Code of Ordinances by amending Exhibit 14A

'Zoning Ordinance', Article 2 'General District Zoning Regulations', Section 2-102 'Use, Yard and Bulk Requirements' by adding Subsection 2(b) Flag Lots (driveway); and by amending Exhibit 14A 'Zoning Ordinance', Article 11 'Definitions', Section 11-102 "Words and Terms" by adding Subsection (Y A) 'Flag Lot' to provide definition.

VI. ADJOURN

Certification

I, the undersigned authority, do hereby certify that this Agenda of Meeting for Monday, September 25, 2023 Planning and Zoning Commission Meeting was posted on the bulletin board, at the Town Hall of Copper Canyon, Texas, 400 Woodland Drive, Copper Canyon, Texas, a place convenient and readily accessible to the general public at all times, and said Agenda was posted on the following date and time: Friday, September 22, 2023, at 4:00 p.m. and remained so posted at least 72 hours before said meeting was convened.

Sheila B. Morales
Town Secretary
Town of Copper Canyon

Notice of Assistance at the Public Meetings

The Copper Canyon Town Hall is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aid or services are requested to contact the Town Secretary's Office within 48 hours of the meeting at (940) 241-2677 or by fax (940) 241-2727.

**MINUTES
TOWN OF COPPER CANYON
PLANNING & ZONING COMMISSION (P&Z)
MONDAY, AUGUST 28, 2023
6:00 p.m.**

The Town of Copper Canyon Planning and Zoning Commission met in regular session on Monday, August 28, 2023, at 6:00 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

Chairman Pape called the meeting of the Copper Canyon Planning and Zoning Commission to order at 6:00 p.m. on the 28th day of August 2023.

Commissioners Present

Mark Pape	Chairman
Mitch Dornich	Vice-Chairman
Jeff Dahl	Commissioner
Kimberlee Delany	Commissioner (alternate)
Brian Martin	Commissioner

Commissioners Present (sitting in the audience)

Ted Stranczek	Commissioner (alternate)
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Staff Present

Troy Meyer	Town Administrator
Sheila Morales	Town Secretary
Chris Hartke	Town Engineer

Guest

Celimar Bracho	Pegaso Developments' Engineer
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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. PUBLIC HEARING

The Planning and Zoning Commission of Copper Canyon will conduct a Public Hearing for the purpose of hearing any and all comments regarding the Concept Plan for Pilot Knoll Estates, being a 20.018-acre tract of land situated in the C. Cooksey Survey, Abstract Number 270, Denton County, Texas, being a portion of that tract of land described to Pilot Knoll Farms LTD. (The address of the property is 1700 Bishop Lane, Copper Canyon, Texas.)

Chairman Pape opened the public hearing at 6:02 pm

The following person spoke:

Daniel Lozano (Pegasso Developments) detailed the proposed Concept Plan for Pilot Knoll

Chairman Pape closed the public hearing at 6:13.

IV. CONSENT ITEM

1. Approve July 24, 2023, Minutes of Planning and Zoning Commission Meeting.

Vice Chairman Dornich made a motion to approve Consent Item #1.

Commissioner Martin seconded the motion.

Ayes: **Chairman Pape, Vice-Chairman Dornich, and Commissioners Dahl, Delany, and Martin**
Nays: None

Chairman Pape announced that the motion passed unanimously.

V. ACTION & DISCUSSION ITEM

1. Discuss, consider, and make recommendation to the Copper Canyon Town Council regarding the Concept Plan for Pilot Knoll Estates, being a 20.018-acre tract of land situated in the C. Cooksey Survey, Abstract Number 270, Denton County, Texas, being a portion of that tract of land described to Pilot Knoll Farms LTD. (The address of the property is 1700 Bishop Lane, Copper Canyon, Texas.)

Planning and Zoning Commissioners asked questions and discussed the proposed Pilot Knoll Estates Concept Plan.

Commissioner Dahl made a motion to recommend approval to the Copper Canyon Town Council of the Concept Plan for Pilot Knoll Estates, being a 20.018-acre tract of land situated in the C. Cooksey Survey, Abstract Number 270, Denton County, Texas, being a portion of that tract of land described to Pilot Knoll Farms LTD.

Vice Chairman Dornich seconded the motion.

Ayes: **Chairman Pape, Vice-Chairman Dornich, and Commissioners Dahl, Delany, and Martin**

Nays: None

Chairman Pape announced that the motion passed unanimously.

VI. ADJOURN

Commissioner Martin made a motion to adjourn the meeting.

Vice Chairman Dornich seconded the motion.

Meeting adjourned at 6:33 p.m.

**APPROVED BY THE PLANNING AND ZONING COMMISSION THIS _____ DAY
OF _____ 2023.**

APPROVED:

Mark Pape
Chairman, Planning & Zoning Commission

ATTEST:

Sheila B. Morales, TRMC
Town Secretary

TOWN OF COPPER CANYON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF COPPER CANYON, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING EXHIBIT 14A ‘ZONING ORDINANCE’, ARTICLE 2 ‘GENERAL DISTRICT ZONING REGULATIONS’, SECTION 2-102 ‘USE, YARD AND BULK REQUIREMENTS’ BY ADDING SUBSECTION 2(B) FLAG LOTS (DRIVEWAY); AND BY AMENDING EXHIBIT 14A ‘ZONING ORDINANCE’, ARTICLE 11 ‘DEFINITIONS’, SECTION 11-102 “WORDS AND TERMS” BY ADDING SUBSECTION (Y A) ‘FLAG LOT’ TO PROVIDE DEFINITION; AND PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT FROM AND AFTER ITS PASSAGE.

WHEREAS, the Town Council of the Town of Copper Canyon, Texas (“Town Council”), has considered adding Flag Lots to zoning regulations; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF COPPER CANYON, TEXAS, THAT:

SECTION 1: That the Code of Ordinances of the Town of Copper Canyon, Texas, be and in the same is hereby amending Exhibit 14A “Zoning Ordinance”, Article 2 “General District Zoning Regulations”, Section 2-102. “Use, Yard and Bulk Requirements by adding Subsection 2(b) Flag Lots (Driveway) to read as follows:

“EXHIBIT 14A ZONING ORDINANCE

ARTICLE 1 TITLE, PURPOSE AND GENERAL PROVISIONS

.....

ARTICLE 2 GENERAL DISTRICT ZONING REGULATIONS

§ 2-101 Zoning District Categories

§ 2-102 Use, Yard and Bulk Requirements

The following schedule of uses and schedule of yard and bulk requirements and dimensional regulations pertaining to the various zoning districts in the Town is hereby adopted and declared to be part of this Ordinance and may be amended in the same manner as any other part of this Ordinance.

(A) Use Groups.....

RESIDENTIAL

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Yard and Bulk Requirements

Zoning Requirements		RE10	RE5	R2	R1	R1-A	TC
(1)	Minimum Lot Area (sq. ft.)	Ten acres	Five acres	Two acres	One acre	One acre	
	(a) Single-Family Dwelling						
.						
(2)	Minimum Lot Width (ft.)					
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2(b)	Flag Lots (Driveway (Width/length))	60/150	50/150	30/75	24/75	24/75	N/A
(3)”						

SECTION 2.: That the Code of Ordinances of the Town of Copper Canyon, Texas, be and in the same is hereby amending Exhibit 14A “Zoning Ordinance”, Article 11. “Definitions”, Section 11-102 ‘Words and Terms’, by adding Subsection (Y A) Flag lot, to read as follows:

“EXHIBIT 14A ZONING ORDINANCE

ARTICLE 1. TITLE, PURPOSE AND GENERAL PROVISIONS

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ARTICLE 11. DEFINITIONS

§ 11-101. General Interpretation.

§ 11-102. Words and Terms.

The following list of specific words and terms is defined as follows:

(A) Accessory Use,

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(Y) Fence or Wall.

(Y A) Flag lot means a residential lot having less than the required minimum lot width (as required by Section 2-102) that is immediately fronting on a public right-of-way and the buildable area or front building line of the lot is located behind an adjacent lot that is fronting the same public right-of-way, with access to said

buildable area being provided from that public right-of-way by a strip of land having a width of less than 50% of the lot's width. For the purposes of all Town requirements, the "lot size" for a flag lot shall be only the portion of the lot that excludes the portion of land providing access to or from public the right-of-way.

(Z) Frontage.”

SECTION 3. It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4. Any provision of any prior ordinance of the Town, whether codified or uncodified, which is in conflict with any provision of the Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the Town, whether codified or uncodified, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 6. This Ordinance shall become effective immediately upon its passage.

PASSED AND APPROVED by the Town Council of the Town of Copper Canyon, Texas, on this the _____ day of _____, 2023.

APPROVED:

Ron Robertson, Mayor

ATTEST:

Sheila B. Morales, TRMC
Town Secretary

APPROVED AS TO FORM:

Robert Hager, Town Attorney