

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY AMENDING THE CODE OF ORDINANCES, BY ADDING A NEW ZONING DISTRICT AND DEVELOPMENT REGULATIONS TO CHAPTER 12, ARTICLE 26, “MXD-1 AND MXD-2” MIXED USE 1 AND 2 DISTRICTS, SECTIONS 12.26-0 ET. SEQ., PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Coppel, Texas, in compliance with the laws of the State of Texas and pursuant to the *Comprehensive Zoning Ordinance* of the City of Coppel, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion, and in the exercise of legislative discretion have concluded that the *Comprehensive Zoning Ordinance* should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS

SECTION 1. That the *Comprehensive Zoning Ordinance* of the City of Coppel, Texas, duly passed by the governing body of the City of Coppel, Texas, as heretofore amended, be, and the same is hereby amended by amending the Code of Ordinances, by adding new zoning districts and development regulations to Chapter 12, Article 26. “Mixed Use Districts”, which shall read as follows:

“ARTICLE 26 – MXD - MIXED USE DISTRICT REGULATIONS

Sec. 12-26-0. - General purpose and description.

The City of Coppel recognizes that land is a precious, non-renewable resource, and that conventional zoning tends to foster a pattern of development that excessively separates land uses and results in the requirement of extensive vehicular travel. The purpose of the Mixed Use Districts as envisioned in the *Coppel 2030 – A Comprehensive Master Plan*, codified as Chapter 12A of the Code of Ordinances, is to provide a development that:

1. Provides areas of mixed-use development consisting of both neighborhood serving and community serving commercial, retail and office uses and medium to high density urban residential dwellings and includes appropriate synergies among uses, such that many users are afforded multiple use opportunities in order to promote the desired environmental benefits; and
2. Provides for the physical and social integration of citizens diverse in age and lifestyle; and
3. Encourages the development of mixed-use projects that are safe, comfortable and pedestrian friendly, while promoting the protection of environmentally sensitive areas; and
4. Encourages vertical mixed-use integration, particularly involving residential uses.
5. Provides flexibility in the siting and design of new developments and redevelopment to anticipate changes in the marketplace while establishing human-scaled residential and nonresidential buildings.

Two Mixed Use Districts are hereby being established (MXD-1 and MXD-2). The applicability is dependent upon the location and land use adjacency issues. Specifically, MXD-1 is intended for areas which have low density residential adjacency (SF-Single Family, 2F-2-Two Family and TH-Townhouse) and include substantial height and setback restrictions, while MXD-2 is intended along the transit, freeway and boulevard corridors with no low density residential adjacency.

Illustration 12-26-1



These development standards are intended to provide a specific framework to fulfill the vision of the *Comprehensive Plan*, yet broad enough to allow adjustments to be appropriate for the parcel being developed, given the existing infrastructure and surrounding development patterns.

In applying the regulations set forth in this article all figures are enforceable provisions of the code and all illustrations are for illustrative purposes. They should not be considered for any other purposes and shall serve only as a guideline.

Sec. 12-26-1. - Use Regulations.

Two Mixed Use Districts (MXD-1 and 2) are hereby established. Uses in the Mixed Use Districts generally include retail, office, commercial, restaurant and higher density residential uses. The non-residential uses in the MXD-1 district shall generally be compact and are intended to serve the surrounding neighborhoods, while MXD-2 shall encourage a broader range of uses to take advantage of the high intensity corridors.

The MXD-1 district is intended to accommodate residential uses on upper floors providing a work/live environment. Residential density is typically greater than 8 dwelling units per acre; however, the overall density of the project will be compatible with the adjacent development and zoning patterns.

The MXD-2 district is more intensive development in terms of permitted uses, height and overall density than MXD-1, and generally can be found along major thoroughfares and where there is no residential adjacency or where a substantial buffer exists between this district and lower intensity developments (i.e. single family and low-density town homes) .

A building or premise in the Mixed Use Districts shall be used only for the following purposes:

1. Any use permitted in the "MF-1" and "MF-2" Districts, in addition:
 - a. Residential density in the MXD-1 District shall be generally 8 to 16 dwelling units per acre.
 - b. Residential Density in the MXD-2 district shall generally be greater than 16 dwelling units per acre.

- c. Minimum dwelling unit size:
 - i. One Bedroom, minimum 700 square feet
 - ii. Two Bedrooms, minimum 900 square feet
 - iii. Three Bedrooms, minimum 1,100 square feet.
 - d. Density Bonus – Open Space/Gathering Areas – The size of the units may be reduced below the minimum as prescribed above if the reduction in unit size is compensated on a square foot per square foot basis in open space/gathering areas. These open space/gathering areas are in addition to the 20% of the gross land area as required in Sec. 12-26-4.5 Open space/civic/gathering areas of this Ordinance.
 - i. The maximum reduction the overall in size of units is 10%, however, no unit shall be less than:
 - 1. One Bedroom, minimum 650 square feet
 - 2. Two Bedrooms, minimum 800 square feet
 - 3. Three Bedrooms, minimum 1,000 square feet.
2. Non-residential uses shall be permitted based on the uses permitted in the “O”, “R”, “C” and” HC” Districts as specified in Chapter 12, Zoning, Articles 20, 21, 22 and 23 of the Code of Ordinances
- a. Prohibited uses shall be those as listed in Sec. 12-22-2. Non-permitted uses in the “HC” District.
 - b. Uses permitted by special use permit, Article 12-30 shall require an SUP in the MXD-1 and MXD-2 Districts.
3. A portion of the ground floor of residential structures are encouraged to be devoted to non-residential uses. Non-residential uses should typically be provided at a ratio at least 50% in the MXD-1 District and at least 40% in the MXD-2 District.
- a. This ratio is based on the linear frontage of structures facing and adjacent to a “Boulevard”, a “Freeway” or at the corner of two “Avenues” as defined in the *“Coppell 2030 Transportation Plan” of Chapter 12A, Coppell 2030 Comprehensive Master Plan.*,
 - b. Structured parking shall not count towards the ratio of non-residential uses.
 - c. Additional non-residential uses may be provided on the any floors, as appropriate.

- d. Where non-residential uses are included on the first floor, there shall be a minimum depth of at least 30 feet; have clear glass windows comprising no less than 60% of the ground floor façade and interior ceiling “clear” heights no less than 12 feet.

Illustration 12-26-2

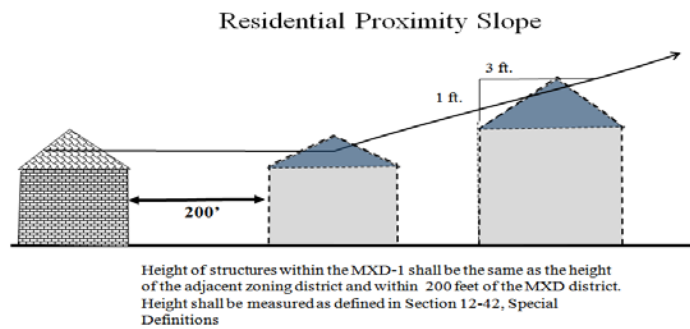


Sec. 12-26-2. - Height Regulations.

The height of the structures shall be:

1. MXD-1 - The maximum heights of buildings shall be as defined in Section 12-42-1, and shall be as follows:
 - i. All MXD-1 developments within 200 feet of existing Single Family (SF), Two Family-9 (2F-9) or Townhouse (TH) uses shall be the same as the height as allowed in the Single Family (SF), Two Family-9 (2F-9) or Townhouse (TH) zoning districts.
 - ii. This setback shall be measured from the existing structure to the proposed structure irrespective of the location of the zoning district boundary line.
 - iii. Additional height may be permitted for buildings which are beyond the 200 foot zone in accordance with a 1:3 residential proximity slope. The height can be increased one foot for every three linear feet over the height permitted in the adjacent zoning district, for a maximum of 48 feet.

Figure 12-26-1



2. MXD-2 - The maximum height of buildings shall be as defined in Section 12-42-1, and shall generally be 55 feet.
 - i. Additional height may be appropriate in this district depending on the adjacent land uses, airport overlay and traffic analysis. The maximum height shall be 75 feet.
 - ii. Portions of the structure which exceed 55 feet in height shall be subject to additional step-back requirements. Building step-back is the setting back of the front building facade away from the street at a specific floor or height in order to maintain an interesting streetscape.
 - iii. Additional building code and/or requirements are applicable when buildings exceed 55 feet in height.

Sec. 12-26-3. - Area Regulations.

1. To encourage context sensitive design and to promote pedestrian friendly streetscapes in lieu of typical *minimum* setbacks, **Build-to Lines** are being established. The build-to lines shall be determined by the type of street frontage as indicated by the “*Coppell 2030*

Transportation Plan” of Chapter 12A, *Coppell 2030 Comprehensive Master Plan*, CHAPTER 2, Transportation and Mobility as follows.

a) Front yard (Build-to Lines) – the required front yards shall be landscaped, and shall not contain any paving except for driveways generally perpendicular to the street and pedestrian areas, including walkways and plazas:

- i. Freeway – n/a (see Article 12-26, Section 3.A.3)
- ii. Boulevard (Arterial) - 15 feet
- iii. Avenue (Collector) - 15 feet
- iv. Local Street (Residential)- 10 feet

2. Build-to lines may be adjusted to provide for additional pedestrian amenities. Limited parking and driveways generally parallel or perpendicular to the street shall be permitted between the curb line and the face of the building to serve ground floor non-residential uses.

3. Minimum Front Yard Setback, adjacent to Freeways only:

- a. Structures shall be located no closer than 60 feet from the freeway right-of-way line.
- b. The minimum setback can be achieved through a combination of common open space/landscaping and/or building setbacks.

b) Minimum Side Yard: 10 feet

c) Minimum Rear Yard: 10 feet

d) The spacing between multiple buildings on a single lot shall either be zero or a minimum of ten (10) feet. Applicable Building Codes will regulate openings within building facades separated by ten (10) feet or less. A minimum eight (8) foot clear paved ground level pedestrian access way shall be maintained between buildings. Buildings with ten (10) foot separation may have a maximum of a two (2) foot wide landscape area, provided landscape materials will generally not exceed thirty (30) inches in height.

Illustration 12-26-3



Sec. 12-26-4. –Landscape Regulations.

1. **Plant materials** - all plant materials shall be in accordance with the plant palate in Chapter 12, Article 34, Landscape Regulations, *Code of Ordinance*, as amended.
2. **Parking Lot Landscaping** – all surface parking areas (not structured and/or sub-level) shall be landscaped in accordance with the following provisions:
 - i. A minimum of ten percent of the gross area utilized for off-street parking and loading shall be devoted to living landscaping which includes grass, ground cover, plants, shrubs and trees. Gross area is to be measured from the edge of the parking, loading and/or driveway pavement and shall include all adjacent sidewalks.
 - ii. All landscape areas shall be protected from vehicular encroachment through appropriate wheel stops or curbs.
 - iii. Planting islands shall be located at the terminus of each single row of parking and, when a single row of parking contains more than 15 parking spaces, at intervals between each terminus. Planting islands shall contain at least one tree. In addition, planting islands shall be landscaped with shrubs, lawn, ground cover mulch and/or other appropriate material not to exceed three feet in height. Such planting islands shall have a minimum area of 150 square feet and a minimum width of nine feet. In double rows of parking a planting island required

for one row may be combined with a planting island required for another row, in which case the minimum area shall be 300 square feet and the minimum width shall be nine feet.

3. **Streetscape/Pedestrian Zone Design:** The intent of the streetscape design is to provide a pleasant and safe pedestrian friendly environment while supporting safe vehicular movements. These areas shall be of sufficient width to accommodate sidewalks, street trees, street furniture and other amenities as appropriate.

- i. The streetscape area shall be defined as the area between the back of curb and the build-to lines (face of the building).
- ii. The developer shall be responsible for the construction of, and property owner(s) (either individually or through a Homeowners/Property Owner's Association) shall be responsible for the maintenance of this area, whether privately-owned or within the public right-of-way.
- iii. The streetscape area will vary in width depending on the type of street and the build-to line (refer to Art. 12-26, Sec. 12-26-3 - Area regulations).
- iv. Street trees shall be provided on private property or within the public right-of-way along all street frontages, as follows .
 - a. 40-feet on center, however the trees may be grouped to provide visibility of storefronts and signage, as appropriate as long as the ratio of one tree per 40 linear feet is achieved.
 - b. Trees shall be overstory trees, minimum 3" caliper at the time of planting and shall be selected from the plant palette in Chapter 12, Article 34, Landscape Regulations of the Code of Ordinances. Ornamental trees may be used in addition to the overstory trees and/or as a substitute at a ratio of three ornamental trees per 40 linear feet of frontage.
 - c. The trees shall be limbed-up to at least seven feet and pruned to leave a minimum seven feet of clearance over pedestrian

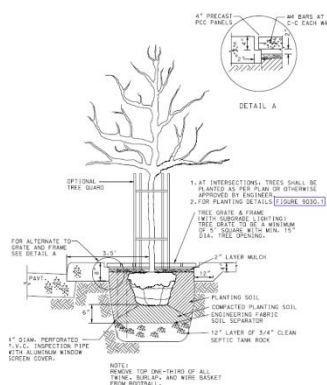
walkway and 14 feet of clearance over on-street parking spaces and travel lanes.

Illustration 12-26-4



- v. Additionally, residential ground floor frontages, where permitted shall be required to landscape a minimum of six (6) feet between the edge of sidewalk and the primary building façade, excluding access sidewalks, stairs, stoops, porches and patios. This area may be landscaped with ground cover, low shrubs, ornamental trees and street trees. In addition, street tree wells shall also be landscaped.

Illustration 12-26-5



- vi. Sidewalks shall generally be located five (5) feet from back of curb to provide a buffer between vehicular and pedestrian movements. The width of the sidewalk will vary depending on the built-to line and adjacent street classification, but shall not be less than six (6) feet in width in the MXD-1

and shall vary in the MDX-2 from 6' to 20' in width depending on the use, abutting street and pedestrian and vehicular traffic patterns in the area.

4. **Perimeter Landscaping, not adjacent to a street**

- i. All buildings, driveways and vehicular use areas shall be separated from other property by a perimeter landscape area of at least ten feet in width.
- ii. When a driveway is shared by an adjoining property owner, then a minimum 10 foot width of landscaping shall be provided on each side of the driveway pavement or within the side yard (the area between the driveway and the building).
- iii. Driveways to non-residential alleys and between lots may be permitted through all perimeter landscape areas. Maximum width of driveways shall be 25 feet back to back.

5. **Open space/civic/gathering areas.** This component shall be integrated into the overall design of the MXD-1 and 2 zoning districts. Overall open/civic/gathering areas allocations in these districts shall be a *minimum* of 20 percent of the gross area of the entire site. A maximum of 5% of this open space requirement may be fulfilled with indoor gathering places (i.e. community rooms, fitness facilities, etc.). The type, scale, location, and design of this component shall depend on the context and location of the other components of the Mixed Use Development.

- i. Plazas, squares, pools, parks, greens, environmental preserves, community rooms and fitness facilities may all be components.
- ii. The following criteria shall be used to evaluate the merits of proposed gathering spaces:
 - a. The extent to which the elements are considered as "features" or "focal points" and integrated into and prominently located as "front yards" in the development;

- b. This area shall be accessible to all residents and workers in this mixed use development. The extent to which emphasis has been placed on preservation of existing vegetative wooded areas, view corridors, water bodies, topography, stream corridors, etc. in a natural state;
- c. The extent to which pedestrian connectivity, in the form of sidewalks, natural walking trails, bicycle paths along corridors has been addressed;
- d. The extent to which a range of open spaces have been provided to be contiguous with existing open spaces and to invite active and passive recreational uses from plazas and squares to playgrounds, parks and appropriately organized within the Mixed Use District.

Illustration 12-26-6



Illustration 12-26-7



Sec. 12-26-5 – Building Orientation

The following standards are intended to orient buildings close to streets to promote human-scale development, slow traffic and encourage walking in neighborhoods. Developments in the MXD-1 and 2 Districts are encouraged to be oriented to a street. Building orientation shall be as follows:

- a. These districts have been designed to provide a comfortable and attractive environment for pedestrians which include such things as buildings framing public space, street trees, lighting and awnings that will attract pedestrians.
- b. Buildings typically will have their primary entrance(s) oriented to the street.
 - i. Multi-family building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units). Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street or parking area. At least one entrance shall be

provided not more than twenty (20) feet from the closest sidewalk or street;

- c. Construction of continuous building frontage along block faces except where it is desirable to provide for pedestrian and auto pass-through's to parking at mid-block.
- d. Contribution to the definition and use of public parks, squares and plazas.
- e. Buildings designed to accommodate a range of uses over time without the need to be demolished and rebuilt.
- f. Buildings are constructed to accommodate retail at grade.
- g. It is intended by this code to encourage a variety of building and design solutions in response to the standards and regulations outlined herein.
- h. Limited off-street parking and drives, generally parallel to the street (i.e. slip streets) may be placed between buildings and streets, as appropriate abutting a Freeway and/or Boulevard (arterial) street as defined in "*Coppell 2030 Transportation Plan*" of Chapter 12A, *Coppell 2030 Comprehensive Master Plan*, CHAPTER 2, Transportation and Mobility.

Illustration 12-26-8



Sec. 12-26-6 –Architectural Guidelines and Standards

To address the purpose and intent of the objectives of the *Coppell 2030 Comprehensive Master Plan*, as codified in Chapter 12A, Comprehensive Land Use Plan, of the Code of Ordinances, developments in Mixed Use Districts should be of an “*Architectural character (which) is compatible with the style, proportions, period, materials and colors of adjacent single family neighborhoods, but may vary to a greater degree in proximity to higher intensity development areas*”. The architectural standards are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.. The graphics provided with each standard are intended to show examples of how to comply. Other building styles and designs may be used to comply, so long as they are consistent with the text of this section. All buildings that are subject to this section shall comply with the following standards

Illustration 12-26-9



1. Where elevations are adjacent to a street, a minimum of fifty (50) percent of front elevations, and a minimum of twenty-five (25) percent of side and rear building elevations (where visible from a public right-of-way), shall be doors, porches, balconies, and/or windows. This standard applies to each full and partial building story.
2. All buildings shall incorporate design features such as offsets, balconies, projections, windows, reveals, or similar elements to preclude large expanses of uninterrupted

building surfaces. Along the vertical face of a structure, such features shall occur every twenty (20) to thirty (30) feet or as good design dictates.

3. Detailed Design. All buildings shall provide detailed design along all street facing elevations. Detailed design shall be provided by using at least three of the following architectural elements on all elevations, as appropriate for the proposed building type and style (may vary features on each elevation):
 - a. Recessed entries;
 - b. Covered porch entries;
 - c. Off-sets in building face or roof (minimum two feet);
 - d. Bay windows;
 - e. Balconies;
 - f. An alternative feature providing visual relief, similar to options in this section.

Illustration 12-26-10



Sec. 12-26-7. - Type of exterior construction.

At least 80 percent of the exterior of all structures shall be of masonry type (see Sec. 12-42-1 Article 12-14, of the Code of Ordinance) construction exclusive of doors and windows. Each

story above the first floor shall be at least 80 percent masonry exclusive of doors, windows and the area above the top plate line, except as required by Fire or other applicable building codes.

Sec. 12-26-8 - Parking regulations.

1. Mixed Use Project

- a. Off-street parking standards shall be appropriate to serve the proposed uses in Mixed Use Districts. Chapter 12, Article 31. Off Street Parking Requirements of the *Zoning Ordinance* shall be used as a guide to establish parking standards but parking standards shall be established unique to the Planned Development ordinance establishing the Mixed Use District, except:
 - i. Residential Uses- a minimum of two parking spaces shall be provided for every one- and two-bedroom unit and 2.5 parking spaces per three-bedroom unit.
- b. Parking standards in these districts are intended to be flexible due to the mixed use nature, shared parking opportunities, and availability of on-street parking. However, alternative parking ratios studies shall be based on acceptable methodology in published documents, such as ULI (Urban Land Institute), ITE (Institute of Transportation Engineers).
- c. The following shall be used as a guide when the mixed use project meets the thresholds as herein required:
 - i. When a mixed use project includes a minimum of 45,000 square feet of office/bank uses and either a minimum of a one hundred (100) room hotel and/or forty thousand (40,000) sq. ft. of retail uses the following ratios shall apply:
 1. office – one space per 333 square feet
 2. retail – one space per 300 square feet
 3. restaurant – one space per 200 square feet
 4. residential – one space per 1.5 units
- d. Bicycle parking shall be provided for nonresidential uses, especially for schools, parks, trails, and other recreational facilities. Bicycle parking shall be provided at a ratio of one per 25 off-street automobile parking spaces provided for

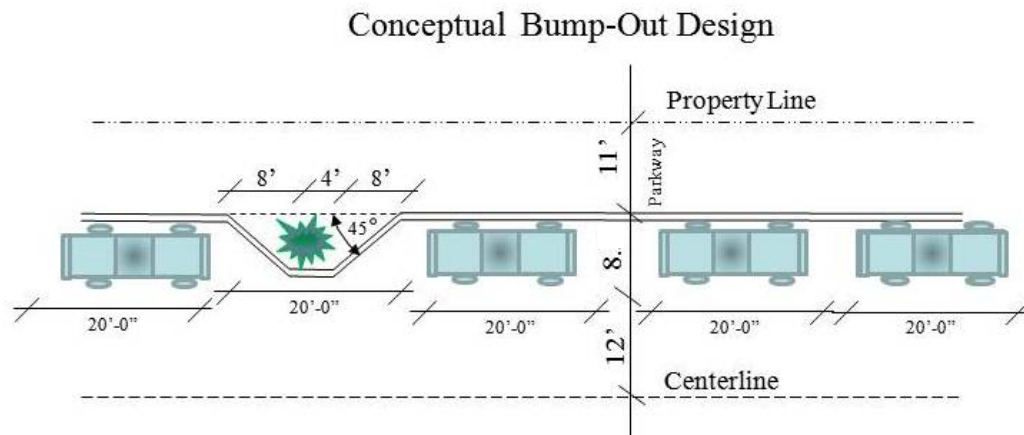
nonresidential and mixed uses in the district. Bicycle parking may be shared between uses and shall be easily accessible, and visible from streets or parking lots. They may be located between the roadway and the building facades as long as their location does not impede pedestrian walkways.

2. At a minimum, covered parking spaces shall be provided for at least 50 percent in MXD-1 and 80% in MXD-2 of the total required parking spaces. If parking structures are provided then they shall be designed as follows:
 - a. To be architecturally compatible with the main structures.
 - b. Not dominate the public environment.
 - c. To have architectural features that match adjacent buildings.
 - d. To have decorative gates and grates on openings, where applicable.
 - e. Where possible, narrow façade of the parking garage shall be oriented to the public street.
 - f. Below grade parking may be built to the property line.

Illustration 12-26-13



- ### **Figure 12-26-2**



- 19
4/8/14

Sec. 12-26-9 Modifications

Mixed use standards. The City Council may approve modifications to any of the standards in the MXD zoning districts contained herein after a recommendation by the Planning and Zoning Commission based on unique site conditions and development context at the time of the application. In granting a modification, the City Council may impose any conditions that it deems necessary or desirable to protect the public interest and implement the goals of the *2030 Comprehensive Plan* with respect to mixed use.

Sec. 12-26-10 Other Applicable Regulations.

Unless otherwise specified in this Article, development within this district shall comply with the development regulations applicable to the uses and regulations as included in Chapter 12, Zoning of the Coppel Code of Ordinances, as amended.”

SECTION 2. That all provisions of the Comprehensive Zoning Ordinance of the City of Coppel, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, illegal, or invalid, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance for the City of Coppel, as heretofore amended, and upon conviction shall be

punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Coppell, Texas, this the _____ day of _____, 2014

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY
(REH/mpm)