

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 12, ARTICLE 28A, “H” HISTORIC DISTRICT, SECTION 12-28A-5, “STANDARDS OF CONSTRUCTION”, AND TO PROVIDE FOR NEW SUBSECTIONS (7) AND (8) UNDER 12-28A-7, “SIGNAGE REQUIREMENTS”; TO ESTABLISH REGULATIONS APPLICABLE TO THE DISPLAY OF MURAL SIGNS IN THE “H” HISTORIC DISTRICT; TO PROVIDE FOR APPROVAL BY THE DIRECTOR OF COMMUNITY DEVELOPMENT AND APPEALS TO THE PLANNING AND ZONING COMMISSION; 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 Council for the City of Coppel finds that allowing the installation of mural signs in the Historic District is consistent with the values and aesthetics of the area; and

WHEREAS, the City Council desires to optimize communication and quality of mural signs while protecting the public and the aesthetic character of the City; and

WHEREAS, the City Council finds that these regulations aim to enhance the Historic District community by minimizing visual clutter along public rights-of-way that are potentially harmful to the aesthetics of the community, traffic and pedestrian safety, property values, business opportunities, and community appearance.

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

SECTION 1. That Chapter 12 ‘Zoning’ of the Coppel Code of Ordinances be, and the same is, hereby amended by amending Article 28A “H” Historic District, Section 12-28A-5(18), Standards of Construction, Fences and walls, to provide exceptions for murals, which shall read as follows:

“CHAPTER 12 - ZONING

ARTICLE 28A, “H” HISTORIC DISTRICT

.....

Sec. 12-28A-5. Standards of Construction.

....

18. Fences and walls:

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(B) Wood board fences for privacy shall only be located in rear yards; generally no taller than six feet; set back from the front facade (wall plane) of the structure at least half-way back from the front to the back walls, and shall be stained or painted to blend with the structure, except as permitted in Section 12-28A-7; and of a design compatible with the structure.

....”

SECTION 2. That Chapter 12 ‘Zoning’ of the Coppel Code of Ordinances be, and the same is, hereby amended by amending Article 28A “H” Historic District, and Section 12-28A-7. ‘Signage Requirement’ to add new subsections 12-28A-7(7) and (8) to provide for mural signs and regulation thereof in the “H” Historic District, which shall read as follows:

“CHAPTER 12 - ZONING

ARTICLE 28A, “H” HISTORIC DISTRICT

Sec. 12-28A-7. Signage Requirements.

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1.

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7. Mural Signs - for purposes of this provision, mural signs shall be defined to include a work of graphic art painted on or attached to an exterior structure, which is visible from the public right of way, and which does not contain advertising symbols, slogans, or trademarks and does not directly or indirectly advertise or call attention to a product or service that is available for sale. Mural signs shall be permitted in the “H” district, provided the owner submits an application and complies with the following:

- (A) Shall be limited to one (1) exterior surface per site and shall cover no more than 75% of the space on that surface;
- (B) Shall not be displayed on any fence, nor any building, or any portion of a building, which is used for residential purposes;
- (C) Shall not include any commercial element, logo, trademark or any facsimile thereof used to advertise services or products available for any commercial purpose;
- (D) Should the mural become faded, peeled and/or severely weathered, the owner or person or firm maintaining the same shall, upon written notice from the Director, repair and/or repaint the mural within sixty (60) days.

8. Approval and Appeals.

- (A) All signage and murals shall require approval from the Director of Community Development to ensure compliance with the regulations contained herein. The Director shall either approve or deny any sign or mural application with regulations provided herein within five (5) business days of submittal of the application or revised resubmittal.

- (B) Appeals from a denial of the Director of Community Development may be taken to the Planning and Zoning Commission.
- (C) The Planning and Zoning Commission shall review the denial and either grant or deny the same under the regulations as adopted herein.”

SECTION 2. All ordinances of the City of Coppel in conflict with the provisions of this ordinance shall be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict herewith shall remain in full force and effect.

SECTION 3. 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, 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. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, 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 Code of Ordinances of 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.

SECTION 6. This ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

DULY PASSED by the City Council of the City of Coppel, Texas, this the _____ day of _____, 2019.

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY
(TM 106839)