

**AN ORDINANCE OF THE CITY OF COPPELL,**

**TEXAS ORDINANCE NO. \_**

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF COPPELL, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PD-259R-SF-7&9 (PLANNED DEVELOPMENT 259 REVISED-SINGLE FAMILY-7 & 9) TO PD-259R2-SF-7&9 (PLANNED DEVELOPMENT 259 REVISION 2-SINGLE FAMILY-7 & 9), TO REDUCE THE NUMBER OF DEVELOPABLE LOTS; PROVIDING THE REVISED CONCEPT PLAN, SITE PLAN AND REGULATIONS, ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT “B”, TO PERMIT THE DEVELOPMENT OF 63 SINGLE-FAMILY LOTS AND NINE (9) COMMON AREA LOTS ON 54.8 ACRES OF LAND LOCATED ON THE NORTH SIDE OF SANDY LAKE ROAD, APPROXIMATELY 750 FEET NORTHWEST OF STARLEAF ROAD (EXTENDED), AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; AND PROVIDING FOR DEVELOPMENT REGULATIONS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT C; 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 Coppell, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Coppell, 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 that Zoning Application No. PD-259R2-SF-7/9 should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map 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 and Map of the City of Coppell, Texas, duly passed by the governing body of the City of Coppell, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from , a zoning change request from PD-259R-SF-7&9 (Planned Development 259 Revised-Single Family-7 & 9) to PD-259R2-SF-

7&9 (Planned Development 259 Revision 2 -Single Family-7 & 9), to reduce the number of developable lots, revise the Concept Plan and Conditions, to permit the development of 63 single-family lots and nine (9) common area lots on 54.8 acres of land as set forth herein located on the north side of Sandy Lake Road, approximately 750 feet northeast of Starleaf Road (extended), for the property described in Exhibit “A” attached hereto and made a part hereof for all purposes.

**SECTION 2.** That the Property will be used and developed for Single Family purposes as provided in the Code of Ordinances, and previous ordinances for PD 259 and PD259R and this Ordinance is hereby approved subject to the following development regulations:

- A. Except as amended herein, the property shall be developed in accordance with the previous Ordinances 91500-A-761 which is incorporated herein as set forth in full and hereby republished.
- B. Primary residences on all lots within the PD shall have a minimum livable area of 2,800 square feet.
- C. The following development regulations shall govern to Lot 5R, Block D, as set forth in Exhibits B and C:
  - 1. Construct and maintain up to six (6) accessory structures with combined aggregate area not to exceed the square footage of the main residence.
  - 2. The accessory structures may include:
    - a. One (1) detached accessory dwelling unit with a secondary kitchen and bathroom, not to exceed 1,700-sf of living area, 500-sf garage and 300-sf of patio area.
    - b. One (1) shop/barn not to exceed 2,600-sf.
    - c. One (1) barn not to exceed 2,000-sf.
    - d. One (1) aviary not to exceed 600-sf.
    - e. One (1) decorative windmill which shall not exceed 25 feet in height as measured from natural grade.
    - f. One (1) pool cabana not to exceed 800-sf.

3. Maximum accessory building height 25-ft to the peak.
  4. Each accessory structure may be allowed to have a restroom and/or sink.
  5. Any horse, cattle, sheep or goat or any other livestock may be allowed within 100-ft of any residence or occupied building on Lot 5R, Block D.
  6. Any enclosure, pen, corral or other restrictive area for livestock may be located within 10 ft of any property used for residential purposes on Lot 5R, Block D.
  7. Must meet all other livestock and/or animal control ordinances and requirements.
  8. If the Accessory Dwelling Unit were to be subdivided from the main lot, it must meet all residential requirements.
- D. This subdivision shall be in strict comply the American Bald Eagle and Golden Eagle Act of 1940, 16 USCA § 668 and regulations promulgated thereunder in order to protect the habitat of such Wildlife.
- E. Lots with permitted swimming pools may have a pool cabana with a restroom.
- F. To allow early start building permits for up to 10 homes may be issued after infrastructure acceptance by the City, in advance of landscape acceptance by the City. No Certificates of Occupancy will be allowed prior to landscaping being accepted.
- G. In the event, that accessory dwelling unit is sold, conveyed or offered for sale by the owner of Lot 5R, Block D, said accessory dwelling unit shall be converted to a minimum of 2800 square living area and replat the site as a separate lot meeting the minimum lot size and applicable regulations of the Planned Development.

**SECTION 3.** That the Revised Concept Plan and Lot 5R and Study Exhibit attached hereto

as Exhibits “B” and “C”; respectively shall be deemed as development regulations for the development use and maintenance to this development.

**SECTION 4.** That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Coppell, as heretofore amended, and as amended herein.

**SECTION 5.** That the development of the property herein shall be in accordance with building regulations, zoning ordinances, and any applicable ordinances except as may be specifically altered or amended herein.

**SECTION 6.** That all provisions of the Ordinances of the City of Coppell, 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 7.** 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 unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 8.** 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 9.** 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 of the City of Coppell, 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 10.** 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 \_\_\_\_\_, 2022.

APPROVED:

\_\_\_\_\_  
WES MAYS, MAYOR

ATTEST:

\_\_\_\_\_  
ASHLEY OWENS, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS**

**ORDINANCE NO. \_\_\_\_\_**

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WES MAYS, MAYOR

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