

**ORDINANCE NO. 2015-11**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING CHAPTER 20, ZONING ORDINANCE, FOR THE CITY OF COPPERAS COVE BY PROVIDING A NEW “TABLE OF LAND USES” AND A NEW “DISTRICT INTENT STATEMENTS”; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Copperas Cove's Planning and Zoning Commission and City Council conducted a joint workshop on January 30, 2015 to discuss land use regulations and possible future amendments to the City's Zoning regulations; and,

**WHEREAS,** during the joint workshop, the Planning and Zoning Commission and Council agreed the City's Zoning Ordinance required the inclusion of District Intent Statements; and

**WHEREAS,** the Planning and Zoning Commission submitted a recommendation to City Council to amend the City's current Zoning Ordinance after conducting a public hearing on March 23, 2015 on the amendments to the Zoning Ordinance to ensure compliance with Texas Local Government Code Chapter 211.007; and

**WHEREAS,** the City Council conducted a public hearing on the proposed amendments to the current Zoning Ordinance after receiving the recommendation from the Planning and Zoning Commission; and

**WHEREAS,** the City's Planning and Zoning Commission recommends that the current Zoning Ordinance be amended by City Council; and

**WHEREAS,** City Council finds that it is in the best interest of the City of Copperas Cove to adopt the amended Zoning Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS:**

**SECTION 1.**

That Article I, Sec. 20-10 of the City's Code of Ordinances (entitled “*Zoning Designations*”) is amended: (i) by entitling the section as “*Zoning and Land Use designations*” re-codifying the “*Table of Zoning designations*” as subsection (a); (ii) by adding a new subsection (b) (entitled “*Table of Land Uses*”); (iii) adding a new subsection (c) (entitled “*District Intent Statement*”); and (iv) to read as follows:

*Sec. 20-10. – Zoning and Land Use designations.*

**(a) Table of Zoning Designations.**

<i>R-1</i>	<i>Single-Family Residential District</i>
<i>R-2</i>	<i>Two-Family Residential District</i>
<i>R-3</i>	<i>Multifamily Residential District</i>
<i>R-MH</i>	<i>Manufactured Home District</i>
<i>R-CE</i>	<i>Single-Family Country Estates</i>
<i>B-1</i>	<i>Professional Business District</i>
<i>B-2</i>	<i>Local Retail District</i>
<i>B-3</i>	<i>Local Business District</i>
<i>B-4</i>	<i>General Retail District</i>
<i>B-5</i>	<i>Commercial Services District</i>
<i>B-OT</i>	<i>Old Town District</i>
<i>B-RV</i>	<i>Recreational Vehicle Parks</i>
<i>B-BP</i>	<i>Business Park</i>
<i>AG-1</i>	<i>Agricultural</i>
<i>M-1</i>	<i>Manufacturing District</i>
<i>M-2</i>	<i>Heavy Manufacturing District</i>
<i>PDD</i>	<i>Planned Development District (Overlay District)</i>
<i>PF</i>	<i>Public Facilities</i>

**(b) Table of Land Use Categories**

<b><i>Land Use Plan Categories</i></b>	<b><i>Zoning Designations</i></b>
<i>Low Density Residential</i>	<i>R1, R-CE, R-MH, PDD, AG-1</i>
<i>Medium Density Residential</i>	<i>R2, PDD</i>
<i>High Density Residential</i>	<i>R3, PDD, B-1, B-2</i>
<i>Retail</i>	<i>B-2, B-OT, AG-1</i>
<i>Commercial</i>	<i>B-1, B-2, B-3, B-4, B-5, B-OT, B-BP</i>
<i>Industrial</i>	<i>M-1, M-2, AG-1</i>
<i>Public</i>	<i>PF</i>

**Note to Code Editor:** It is not the intent of this ordinance to make any substantive change to the existing zoning designation table but to recodify the existing zoning designation table as subsection (a) and add a new land use table as subsection (b) of Section 20-10. This note shall not appear in the municipal code of ordinances.

**(c) District Intent Statements**

*(1) Single Family Residential (R-1 District). This district is established for traditional suburban development of single-family detached dwellings in a medium density setting of 2-5.5 units per acre. Higher intensity residential*

*development serves as a buffer to protect this area from incompatible and nuisance issues.*

*(2) Two-Family Residential (R-2 District). The mixed-density residential district enables higher density (5.5-12 units per acre) housing types, such as townhomes, garden homes, or duplex/triplex to be developed in closer proximity to collector streets. The district is intended to complement the suburban district and in infill areas of the oldest part of the city, serving as a transitional use between commercial and single family uses.*

*(3) Multi-Family Residential (R-3). This district provides for attached, multiple family residential use to a maximum density of 18 units per acre, situated with managed access to an arterial roadway. It is intended to be located near retail and office use to provide access to convenient services, including pedestrian access to surrounding service uses.*

*(4) Manufactured Home District, (MH-1). This district is established to provide a single family residential zoning district most appropriate to an established neighborhood that contains predominantly manufactured home residences. This district allows for HUD-Code manufactured homes, modular homes, or other site-built homes on individual lots and provides for a diversity of housing options.*

*(5) Single-Family Country Estates Residential (RC-E District). This district is established for large-lot single-family residential housing. It is consistent with a very low density suburban/exurban environment with housing arranged in conventional detached format with a maximum density of 2 units per acre. These lots contribute to the semi-rural setting of the City and are protected from incompatible uses.*

*(6) Professional Business District (B-1). This district is established to provide for a limited variety of commercial uses and services associated with neighborhood storefront retail, service, financial, and office activities which are compatible and designed in scale with surrounding residential areas. The intent of this District is to provide convenient neighborhood access to commercial services, and minimize undesirable impacts such as noise, traffic and odors through performance standards.*

*(7) Local Retail District (B-2). This district establishes a broad range of business operations, services and commercial development requiring arterial or collector street access. This district is intended for a variety of office, institutional and indoor retail uses that are designed to make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between districts and uses. This district should facilitate economic development activities that will strengthen neighborhoods; promote the development of targeted industries and provide community balance; provide educational and employment opportunities; and encourage local economic investment for citizens of Copperas Cove.*

*(8) Local Business District (B-3). This district is established to provide for a broad range of retail uses in high visibility areas to serve the needs of the surrounding region. It is intended to allow for outdoor retail use components, in addition to indoor components, and is generally situated along a highway or major roadway due to high traffic requirements.*

*(9) General Retail District (B-4). This district is established to accommodate wholesale and retail activities. This district is generally situated along a highway or major roadway due to high traffic requirements. A variety of land uses are permitted. However, the intensity of development is intended to be less than in the Local Business District.*

*(10) Commercial Services District (B-5). This district is intended to provide ample space and separation for a broad range of commercial services. As the most intense non-residential/non-industrial district, ease of access for larger vehicles to arterial and major collector roadways is imperative and location directly adjacent to residential use is undesirable.*

*(11) Old Town District, (B-OT). This district is established to reinforce and reinvigorate downtown Copperas Cove's historical traditions and properties, as designated in the City's adopted Downtown Master Plan. The district is intended to ensure harmonious development, redevelopment, and rehabilitation of uses in the historic core by integrating an appropriate mix of retail, office, restaurant, entertainment, civic, and residential uses commensurate with traditional values of the city, its citizens, and the surrounding area.*

*(12) Recreational Vehicle Park District (B-RV). This district is intended to provide adequate sites for temporary parking of recreational vehicles whose occupants are visiting or passing through the area of Copperas Cove. This district should minimize the adverse impacts between a recreational vehicle park and surrounding land uses.*

*(13) Business Park District (B-BP). This district is intended to provide for limited commercial services, limited local retail, research and development, medical offices and manufacturing uses in planned centers, but excluding heavy manufacturing, resource extraction, or mining. The district is further intended to be located adjacent to major collector roads to facilitate truck travel, and with significant separation and buffering from residential uses.*

*(14) Agricultural (AG-1). The purpose of this district is to provide for compatible land, building and structure uses primarily oriented to agricultural farming and ranching, and extremely low density residential purposes. The district may also serve as (1) a transitional land use element pending future, more intensive urbanization; (2) open space for the protection and enhancement of scenic areas, vistas, floodplain and recreational uses; and (3) low density development where*

*unusual or problematic soils, topographic conditions or sensitive ecological features are present that would normally not be conducive or appropriate to more intensive forms and patterns of urbanization.*

*(15) Manufacturing District (MI-1). This district is established to permit most commercial uses, office park, flex-space, and low impact industrial uses which are compatible with surrounding commercial districts. Limited retail and service uses that serve the industrial development zone are also permitted. Access to Commercial Collector or Arterial streets is imperative, such that traffic does not travel through residential neighborhoods to serve these areas.*

*16) Heavy Manufacturing (M-2). This district is established to provide for a broad range of industrial uses. It is the least restrictive industrial zoning district and is intended for the grouping of industrial uses in locations that have adequate and convenient access to major arterials, highways, and rail lines.*

*(17) Planned Development (PDD). Planned Development zoning is intended to allow flexibility in planning and designing for unique or environmentally sensitive properties that are three acres in size or greater and which are to be developed in accordance with a common development scheme of planned associations of uses. PDD zoning is designed to accommodate various types of development, such as single-family residential, multiple housing development, neighborhood and community shopping centers, professional and administrative areas, industrial and business parks, and other uses or a combination or mix of uses. A PDD may be used to permit new or innovative concepts in land use and standards not permitted by zoning or subdivision standards in this Ordinance or to permit development projects that existing zoning districts do not easily accommodate.*

*(18) Public Facilities (PF). The Public Facilities District is intended to provide for public, semi-public and institutional facilities within close proximity to various neighborhood and commercial land uses. Typical uses include school campuses, governmental complexes, and some utility facilities.*

## **SECTION 2.**

That any ordinances or resolutions or part of ordinances or resolutions in conflict with the provisions of this Zoning Ordinance are hereby repealed to the extent of such conflict.

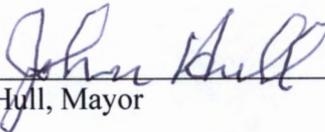
## **SECTION 3.**

That should any section, clause, or provision of this Zoning Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the City as a whole or any part thereof, other than the part so declared to be invalid.

**SECTION 4.**

That this Zoning Ordinance shall go into effect upon passage.

**PASSED AND APPROVED** by the City Council of the City of Copperas Cove, Texas, on this 7th day of April 2015, at a meeting held in compliance with the Open Meetings Act, Tex. Govt Code §551.001, et.seq., at which meeting a quorum was present and voting.

  
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John Hull, Mayor

  
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Mariela Altott, City Secretary



**APPROVED AS TO FORM:**

  
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Denton, Navarro, Rocha,  
Bernal, Hyde & Zech., P.C., City Attorney