

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL AMENDING ORDINANCE NO. 0804-25-SUP IN ORDER TO MODIFY THE SPECIAL USE PERMIT GRANTED THEREBY FOR A COMMUNICATION ANTENNA (OVER 25 FEET IN HEIGHT) AND A COMMUNICATION SUPPORT STRUCTURE ON A PORTION OF AN APPROXIMATELY 2.7980-ACRE LOT, LEGALLY DESCRIBED AS NEC 1171 & VALLEY PARKWAY ADDITION, LOT 3R2-B, BLOCK B, PHASE 1, LOCATED AT 1093 WEST MAIN STREET, AND ZONED GENERAL BUSINESS (GB) DISTRICT BY AMENDING THE ZONING PLAN INCLUDED THEREIN; PROVIDING FOR A REPEALER, SEVERABILITY, A PENALTY, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lewisville (the “City”) has determined that for the health, welfare and safety of its citizens certain amendments to Ordinance No. 0804-25-SUP and the Special Use Permit granted thereby are necessary; and

WHEREAS, the applicant wishes to amend the zoning plan attached to Ordinance No. 0804-25-SUP in order to relocate the Communication Antenna (Over 25 Feet in Height) and Communication Support Structure and the associated compound area to avoid conflicts with underground utilities on a portion of an approximately 2.7980-acre lot, legally described as NEC 1171 & Valley Parkway Addition, Lot 3R2-B, Block B, Phase 1, located at 1093 West Main Street, Lewisville, Texas (the “Property”); and

WHEREAS, an amendment to a Special Use Permit is required by Section III.9.8.B of the City’s Unified Development Code in this instance because the proposed new location of the buildings on the Property as set forth in the amended zoning plan will move one (1) or more buildings more than ten (10) feet in any direction; and

WHEREAS, applications were made requesting amendment of a Special Use Permit for Communication Antenna (Over 25 Feet in Height) and Communication Support Structure to amend the zoning plan by making applications for same with the Planning and Zoning Commission of the City of Lewisville, Texas, as required by state statutes and the Zoning Ordinances of the City of Lewisville, Texas; and said Planning and Zoning Commission has recommended that the amendment to the Special Use Permit with an amended zoning plan on the Property be **approved**; and

WHEREAS, it is therefore necessary to amend Ordinance 0804-25-SUP and the Special Use Permit granted thereby to amend the zoning plan on the Property; and

WHEREAS, this application for amendment of a Special Use Permit comes before the City Council of the City of Lewisville, Texas (the “City Council”) after all legal notices, requirements, conditions and prerequisites have been met; and

WHEREAS, the City Council at a public hearing has determined that the proposed amendment, subject to the condition(s) stated herein: (1) is compatible with the surrounding uses and community facilities; (2) is compatible with the comprehensive plan and any adopted long-range plans addressing the area; (3) enhances or promotes the welfare of the area; (4) is not detrimental to the public health, safety, or general welfare; and (5) conforms with all zoning regulations and standards; and

WHEREAS, the City Council has determined that the amended zoning plan outlined in the amended Special Use Permit granted by this amendment to Ordinance No. 0804-25-SUP is in the interest of the public welfare and will minimize the impact of the proposed use on the

surrounding properties.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT:

SECTION 1. FINDINGS INCORPORATED. The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2. AMENDMENTS TO ORDINANCE NO. 0804-25-SUP. Except as specifically amended herein, all other provisions of Ordinance No. 0804-25-SUP and the Special Use Permit granted thereby shall remain in full force and effect.

A. Exhibit “B” to Ordinance No. 0804-25-SUP is hereby deleted in its entirety and replaced with a new Exhibit “B”, attached hereto as Attachment “1”.

SECTION 3. CORRECTING OFFICIAL ZONING MAP. The Planning Director, or his designee, is hereby directed to correct the official zoning map of the City of Lewisville, Texas, to reflect this amendment to the Special Use Permit granted by Ordinance 0804-25-SUP.

SECTION 4. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are here by repealed.

SECTION 5. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 6. PENALTY. Any person, firm or corporation who violates any provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the

Municipal Court, shall be subject to a fine of not more than \$2,000.00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 15th DAY OF JUNE, 2026.

APPROVED:

TJ Gilmore, MAYOR

ATTEST:

Jennifer Ippolito, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

Attachment 1
Amended Zoning Plan