

**CITY OF CORINTH, TEXAS
ORDINANCE NO. 24-07-18-25**

**AMENDMENT TO PLANNED DEVELOPMENT DISTRICT #21 – BOUNDARY
ADJUSTMENT**

AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, AMENDING ORDINANCE NO. 99-03-18-05, “PLANNED DEVELOPMENT DISTRICT NO. 21 – THE PARKS OF CORINTH (PD-21)” AMENDING THE CITY’S ZONING ORDINANCE AND THE “OFFICIAL ZONING DISTRICT MAP OF THE CITY OF CORINTH, TEXAS,” EACH BEING A PART OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CORINTH, BY AMENDING THE BOUNDARY OF PD-21 TO REMOVE AN APPROXIMATE ± 7.788 ACRES OF LAND COMPRISED OF PORTIONS OF TRACTS 3 AND 4, LEGALLY DESCRIBED AS G 4 CORINTH ADDITION BLK A LOT 2, A1389A J.P. WALTON, TR 10(PT), 1.548 ACRES, OLD DCAD TR 2B,2D, AND CORINTH CITY HALL BLK A LOT 1, AND GENERALLY LOCATED AT THE NORTHEAST CORNER OF CORINTH PARKWAY AND I-35E, AND SOUTHEAST CORNER OF CORINTH PARKWAY AND THE DCTA RAILROAD (“PROPERTIES”); PROVIDING AN EXHIBIT DEPICTING THE EXISTING PD-21 BOUNDARY MAP (EXHIBIT “B”); PROVIDING AN EXHIBIT DEPICTING THE AMENDED PD-21 BOUNDARY MAP EXCLUDING SUCH PORTIONS OF TRACTS NO. 3 AND 4 AS DESCRIBED AND DEPICTED HEREIN (EXHIBIT “C”); PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT TO THE ZONING ORDINANCE TO REMOVE THE PROPERTIES FROM THE BOUNDARY OF PD-21 AND REDUCE THE OVERALL BOUNDARY OF PD-21; PROVIDING FOR AN AMENDMENT TO THE ZONING MAP; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 A DAY FOR EACH VIOLATION OF THE ORDINANCE AND A SEPARATE OFFENSE SHALL OCCUR ON EACH DAY THAT A VIOLATION OCCURS ON CONTINUES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS/CONFLICT CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas has adopted Ordinance 13-05-02-08, which adopts a Unified Development Code of the City, which includes the Comprehensive Zoning Ordinance and which, in accordance with the City’s Comprehensive Plan, establishes zoning districts and adopts a Zoning Map; and

WHEREAS, on March 18, 1999, the City Council approved Ordinance No. 99-03-18-05, which rezoned approximately ± 88 acres as described in “Exhibit A” of said Ordinance from LI-1 Industrial District, LI-2 Industrial District, and SF-2 Residential District to Planned Development District 21 – the Parks of Corinth 21 (“**PD-21**”), under the City’s Unified Development Code

(“UDC”) and as designated on the City’s Zoning Map, the boundaries of PD-21 are described in **Exhibit “B”** attached hereto and incorporated herein (**the “Existing PD-21 Boundary”**); and

WHEREAS, approximately ± 7.788 acres of land comprised of 3 tracts of land identified as being a portion of Tracts 3 and 4 of PD-21 and generally located at the northeast corner of North

Corinth Street and I-35E and the southeast corner of Corinth Parkway and the DCTA Railroad, was zoned as part of PD-21 and designated as Commercial C-2 with a base zoning district of C-2 Commercial and is being submitted to the City for rezoning as MX-C Mixed Use Commercial District (the “Removed Property”); and

WHEREAS, an authorized person having a proprietary interest in the Property described more specifically in **Exhibit “A,”** attached hereto and incorporated herein (the “**Removed Property**”), and described and depicted as being a portion of Tracts 3 and 4 on **Exhibit “B,”** attached hereto and incorporated herein, (the “**Existing PD-21 Boundary**”), has requested that the Existing PD-21 Boundary be reduced and adjusted to exclude the Removed Property from the Existing PD-21 Boundary, to allow the Removed Property to be rezoned, and to establish a new boundary for PD-21 as described and depicted in **Exhibit “C,”** attached hereto and incorporated herein, (the “**Amended PD-21 Boundary**”); and

WHEREAS, the City Council and the Planning and Zoning Commission of the City of Corinth, having given the requisite notices by publication and otherwise, and each, held due hearings and afforded a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, the Planning and Zoning Commission has recommended approval of the requested change to exclude the Removed Property from the Existing PD-21 Boundary thereby reducing the boundary and acreage of PD-21, and the City Council has determined that the Removed Properties should be excluded from the Existing PD-21 Boundary and the Existing PD-21 Boundary should therefore be reduced, thus an amendment to the Comprehensive Zoning Ordinance and the Zoning Map of the City’s UDC, should be approved and adopted to reflect the Amended PD-21 Boundary as set forth in **Exhibit “C”**; and

WHEREAS, the City Council considered the following factors in making a determination as to whether the requested change should be granted or denied: safety of the motoring public and pedestrians using the facilities in the area immediately surrounding the sites; safety from fire hazards and damages; noise producing elements and glare of the vehicular and stationary lights and effect of such lights on established character of neighborhoods; location, and types of signs and relation of signs to traffic control and adjacent property; street size and adequacy of width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood; adequacy of parking as determined by requirements of this ordinance for off-street parking facilities; location of ingress and egress points for parking and off-street loading spaces, and protection of public health by surfacing on all parking areas to control dust; effect on the promotion of health and the general welfare; effect on light and air; effect on the over-crowding of the land; effect on the concentration of population, and effect on transportation, water, sewerage, schools, parks and other public facilities; and

WHEREAS, the City Council finds that the requested amendment to the City’s Comprehensive Zoning Ordinance and Zoning Map to effect the change in the boundary of PD-21 to remove the Properties from PD-21 promotes the health and the general welfare, provides enhanced design and building material standards, provides adequate light and air, prevents the over-crowding of land, avoids undue concentration of population, and facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and the general health, safety and welfare of the community;

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

SECTION 1. INCORPORATION OF PREMISES

The above and foregoing recitals constitute legislative findings of the City Council, are true and correct and are incorporated into the body of this Ordinance for all purposes.

SECTION 2. AMENDMENT TO REMOVE PROPERTY AND REDUCE PD-21 BOUNDARY

Ordinance No. 99-03-18-05, Planned Development District No. 21 – The Parks of Corinth (PD-21) amending the Unified Development Code of the City of Corinth (“UDC”), which UDC includes the Comprehensive Zoning Ordinance that establishes zoning districts in accordance with the City’s Comprehensive Plan, and adopts the Zoning Map of the City of Corinth, is hereby amended to remove the Removed Property, described as an approximate ± 7.788 acres of land, identified as being a portion of Tracts 3 and 4 of the Existing PD-21 Boundary and legally described on **Exhibit “A,”** from the Existing PD-21 Boundary (**Exhibit “B”**) without affecting the zoning classification or designation of the Removed Property or any other portion of property the Existing PD-21 Boundary. The zoning classification for the Removed Property and PD-21 shall remain in effect until rezoned in accordance with State law and the UDC. The Existing PD-21 Boundary as established by Ordinance No. 99-03-18-05 and depicted in **Exhibit “B”** is hereby amended to remove the Properties from the boundaries of PD-21, and the Amended PD-21 Boundary is hereby adopted as set forth in **Exhibit “C”**, attached hereto and incorporated herein. The land within the Amended PD-21 Boundary is subject to all use and development regulations set forth in PD-21 and the Unified Development Code of the City, as each may be amended from time to time.

SECTION 3. ZONING MAP

The official Zoning Map of the City of Corinth, Texas shall be amended in accordance with this Ordinance to document the change in the boundary of PD-21 from the Existing PD-21 Boundary, **Exhibit “B”** hereto, to the Amended PD-21 Boundary **Exhibit “C”** hereto.

SECTION 4. CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 5. SEVERABILITY

If any section, subsection, clause, phrase, or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void, or unconstitutional, the remaining sections, subsections, clauses, phrases, and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 6. SAVINGS/CONFLICT

In the event of a conflict between the provisions of this Ordinance and any other regulation or rule prescribed by charter, another ordinance, resolution or other authorization of the City, the provisions of this Ordinance shall control. Notwithstanding the foregoing, all rights and remedies of the City are expressly saved as to any and all complaints, actions, claims, or lawsuits, which have been initiated or have arisen under or pursuant to such conflicting Ordinance, or portion thereof, on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect.

SECTION 7. PENALTY FOR VIOLATIONS

Any person, firm, or corporation who intentionally, knowingly or recklessly violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving violation of any provision of this Ordinance or Code of Ordinances, as amended hereby, governing the fire safety, zoning, or public health and sanitation shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

SECTION 8. PUBLICATION/EFFECTIVE DATE

This Ordinance shall take effect upon its publication as required by law. The City Secretary is directed to publish the caption and penalty of this Ordinance as required by the City Charter and state law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH THIS 18th
DAY OF JULY 2024**

APPROVED:

Bill Heidemann

AC74FAA88CA6468...

Bill Heidemann, Mayor

ATTEST:

Lana Wylie

D77DD89EB0C3473...

Lana Wylie, City Secretary



APPROVED AS TO FORM:

DocuSigned by:

Patricia Adams

B5BAEF55D871D428

Patricia A. Adams, City Attorney

EXHIBIT "A"
THE REMOVED PROPERTY
LEGAL DESCRIPTION
PORTION OF TRACTS 3 AND 4

Approximately \pm 7.788 acres

1. 3300 Corinth Pkwy
Corinth City Hall, Block A, Lot 1
2. The northeast corner of I-35E and Corinth Pkwy
Abstract 1389A, J. P. Walton, Tr 10(PT), 1.548 Acres, Old DCAD Tr 2B, 2D
G4 Corinth Addition, Block A, Lot 2

EXHIBIT "B"
EXISTING PD-21 BOUNDARY

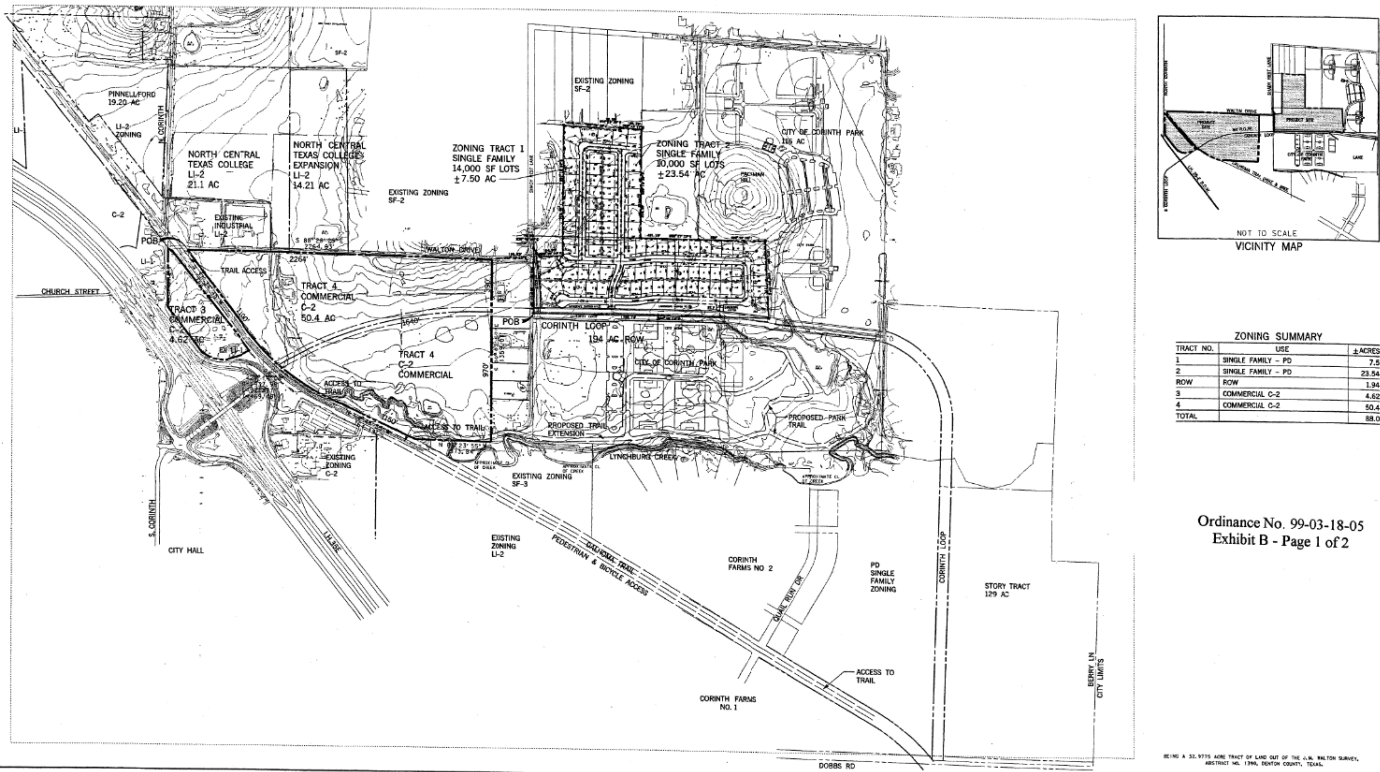


EXHIBIT “C”
AMENDED PD-21 BOUNDARY

