

**CITY OF CORINTH, TEXAS  
ORDINANCE NO. 24-11-21-47**

**HARLEY-DAVIDSON PLANNED DEVELOPMENT DISTRICT #26**

**AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, 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 ZONING CLASSIFICATION FOR THE PROPERTY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND INCORPORATED HEREIN, BY AMENDING ORDINANCE 20-01-23-01 "PLANNED DEVELOPMENT DISTRICT NO. 26 WITH A BASE ZONING DESIGNATION OF C-2 COMMERCIAL ON APPROXIMATELY ±8.267 ACRES; PROVIDING A LEGAL PROPERTY DESCRIPTION HARLEY DAVIDSON CORINTH ADDITION, LOT 1, BLOCK 1, HAPPILY EVER AFTER ADDITION, LOT 1R, AND A1308A J. B. THETFORD, TR 5(PT), .6577 ACRES, OLD DCAD TR 2B WITHIN THE CITY OF CORINTH, DENTON COUNTY, TEXAS AND IDENTIFIED AS HARLEY DAVIDSON PLANNED DEVELOPMENT DISTRICT NO. 26 ("PD-26") PROVIDING A GRAPHIC DEPICTION OF THE SITE TO BE REZONED (EXHIBIT "B"); APPROVING THE AMENDED AND RESTATED LAND USE & DEVELOPMENT REGULATIONS AMERICAN EAGLE HARLEY DAVIDSON PD #26 TO AMEND SECTION 2, "USES" THEREOF TO ADD TATTOO PARLOR USE AS A PERMITTED USE; 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 OR 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 a Unified Development Code of the City as part of its Code of Ordinances, 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**, the property is comprised of a tract of land, approximately 8.267 acres as described in Exhibit "A" (the "Property") and depicted in Exhibit "B" (the "Graphic Depiction"), and is currently zoned as Planned Development No. 26, with a base zoning of C-2 Commercial, under the City's Unified Development Code and as designated on the City's Zoning Map; and

**WHEREAS**, an authorized person having a proprietary interest in the Property (the "Applicant") has requested an amendment to the existing PD-Planned Development zoning district under the City's Unified Development Code ("UDC"), more specifically identified as Harley Davidson Planned Development District No. 26 ("PD-26"); and

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**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 in zoning to the Property, and the City Council has determined that the Property has unique characteristics and that zoning through a planned development district is the most appropriate mechanism for zoning the Property, thus an amendment to the Comprehensive Zoning Ordinance and the Zoning Map of the City's Unified Development Code, in accordance with the standards and specifications set forth herein should be approved; and

**WHEREAS**, the City Council further considered the character of the Property and proposed development and the positive impact of tattoo parlor use in this location; 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 zoning for the Property in this amendment to PD-26 promotes the health and the general welfare, 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; and

**WHEREAS**, the City Council finds and determines that the adoption of this Ordinance repealing Exhibit "C" Land Use and Development Regulations Harley Eagle Harley Davidson PD #26" and adopting a new Exhibit "C", Amended and Restated Land Use and Development Regulations American Eagle Harley Davidson PD #26" allowing a Tattoo Parlor as a permitted use and reincorporating all Exhibits adopted via Ordinance No. 20-01-23-01 serves the interest of public health, safety and welfare and should be adopted;

**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.  
AMENDMENTS  
LEGAL PROPERTY DESCRIPTION; AMENDMENT**

2.01. Exhibit "C". Ordinance No. 20-01-23-01 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, regulating the use and development of an approximate 8.267 acres of land, identified as Planned Development No. 26, the overall boundary and legal description as specifically described in **Exhibit "A,"** attached hereto and incorporated herein (the

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“Property”), and as graphically depicted in **Exhibit “B,”** attached hereto and incorporated herein (the “Graphic Depiction”), is hereby amended to repeal **Exhibit “C,”** (the “Land Use & Development Regulations American Eagle Harley Davidson PD#26”) thereto and to adopt a new **Exhibit “C,”** “Amended and Restated Land Use & Development Regulations American Eagle Harley Davidson PD#26”, a copy of which is attached hereto and incorporated herein.

**2.02. Section 3.** “Land Use & Development Regulations American Eagle Harley Davidson PD#26”. Section 3, “Land Use & Development Regulations American Eagle Harley Davidson PD#26” of Ordinance No. 20-01-23-01 amending the UDC is hereby amended to be and read in its entirety as described below.

### **SECTION 3. LAND USE REGULATIONS/ZONING MAP**

A. The Planned Development Standards set forth in **Exhibit “C,”** Land Use & Development Regulations American Eagle Harley Davidson PD#26” of Ordinance No. 20-01-23-01, Section 4, “Land Use Regulations” is hereby amended to add Tattoo Parlor use as a Permitted Use in PD #26. Section 1, “Use Regulations” of **Exhibit “C”** shall be and read in its entirety as set forth in Exhibit “C”, the Amended and Restated Land Use & Development Regulations American Eagle Harley Davidson PD #26” hereto and incorporated herein and all other terms and provisions of **Exhibit “C”** not expressly amended hereby shall remain in full force and effect without amendment. An amended and restated Exhibit “C”, “Amended and Restated Land Use & Development Regulations American Eagle Harley Davidson PD#26” attached hereto and incorporated herein, is hereby adopted. The Land Use Standards set forth in **Exhibit “C”** hereto are made a part hereof for all purposes and shall be adhered to in their entirety for the purposes of this PD-Planned Development zoning district (“PD-26”) with a base zoning of C-2, Commercial. In the event of conflict between the provisions of **Exhibit “C”** and provisions of any other City zoning regulations, including without limitation, the regulations governing the C-2, Commercial zoning district, **Exhibit “C”** Amended and Restated Land Use & Development Regulations American Eagle Harley Davidson PD#26 shall control. Except in the event of a conflict as provided herein or as otherwise expressly provided herein, all UDC regulations shall apply to the Property and shall be cumulative.

B. That the zoning regulations and district herein established for the Property have been adopted in accordance with the Comprehensive Plan for the purpose of promoting the health, safety, morals and the general welfare of the community. They have been designed, with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future; to lessen congestion in the streets; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, drainage and surface water, parks and other commercial needs and development of the community. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

C. The Amended and Restated Planned Development Standards (“**Exhibit C**”) to this Ordinance shall control the use and development of the Property in accordance with the provisions

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of this Ordinance, and all building permits and development requests shall be in accordance with applicable City ordinances. This Ordinance and all Exhibits hereto shall remain in effect as set forth herein unless amended by the City Council, or as otherwise provided for in UDC Subsection 2.10.09, Minor PD Amendment or Adjustment, as amended.

D. If a change to this Ordinance, including without limitation, is requested for the Property, the request shall be processed in accordance with the UDC and other development standards in effect at the time the change is requested for the proposed development and shall be subject to City Council approval, or as otherwise provided for in UDC Subsection 2.10.09, Minor PD Amendment or Adjustment, as amended.

#### **SECTION 4. PLANNED DEVELOPMENT CONCEPT PLAN**

The Planned Development Concept Plan for the Property adopted pursuant to Ordinance No. 20-01-23-01 adopting PD #26 shall remain in full force and effect without amendment.

#### **SECTION 5. 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 6. 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 7. SAVINGS/CONFLICT**

In the event of a direct 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

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of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect.

## **SECTION 8. 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 9. 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 21<sup>ST</sup> DAY OF NOVEMBER, 2024.**

APPROVED:

Signed by:

*Bill Heidemann*

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Bill Heidemann, Mayor

ATTEST

Designed by:

*Lana Wylie*

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Lana Wylie, City Secretary



APPROVED AS TO FORM:

Designed by:

*Patricia Adams*

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Patricia Adams, City Attorney

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## **EXHIBIT "A"** **LEGAL DESCRIPTION**

### **FIELD NOTE DESCRIPTION**

#### **8.267 Acre Tract**

**BEING** 8.267 acres out of the J.B. Thedford Survey, Abstract Number 1308, City of Corinth, Denton County, Texas, all of a tract of land conveyed to 2-10 Properties, LLC by deed recorded in Instrument Number 201544912, Deed Records, Denton County, Texas, also being all of Lot 1R, Happily Ever After Addition, an addition to the City of Corinth, as recorded in Cabinet R, Page 351, Plat Records, Denton County, Texas and being a portion of Lot 1, Block 1, Harley Davidson - Corinth Addition, an addition to the City of Corinth, as recorded in Cabinet Y, Page 212, Plat Records, Denton County, Texas, and being more particularly described by metes and bounds as follows: (Bearings and distances are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD 83)(US Foot) with a combined scale factor of 1.000150630):

**BEGINNING** at a 1/2 inch iron rod with cap stamped, "Britton & Crawford" found for the northwest corner of the herein described tract, same being the southwest corner of a tract of land described by deed to the City of Corinth, as recorded under Instrument Number 2008-118301, D.R.D.C.T, said point also being in the present south line of Church Drive;

**THENCE** North 89 degrees 40 minutes 20 seconds East with the north line of said 2-10 Properties, with the south right of way line of Church Drive (Variable Width Right of Way) a distance of 49.56 feet to a "TX DOT" monument found for a corner at the intersection of said Church Drive and Interstate Highway 35E (Variable Width Right of Way);

**THENCE** South 67 degrees 11 minutes 49 seconds East with said intersection, a distance of 19.45 feet to a "TX DOT" monument found for corner on the west right of way line of said Interstate Highway 35E;

**THENCE** South 37 degrees 30 minutes 51 seconds East with the west right of way of said Interstate Highway 35E, same being the east line of said 2-10 Properties tract, a distance of 210.18 feet to a 1/2 inch rebar found for corner;

**THENCE** South 37 degrees 13 minutes 50 seconds East with the west right of way line of said Interstate Highway 35E tract, same being the east line of said 2-10 Properties tract, a distance of 36.46 feet to a "TX DOT" monument found for the southeast corner of said 2-10 Properties tract, same being the northeast corner of said Lot 1, and being the westernmost corner of a tract of land known as "Parcel 33" as described in Exhibit Prepared by Surveying and Mapping Inc, dated February 3, 2012, (Job Number 29036E-08);

**THENCE** South 37 degrees 03 minutes 46 seconds East with the west right of way line of said Interstate Highway 35E, same being the northeast line of said Lot 1 and being the south line of a tract of land known as "Parcel 33" as described in Exhibit Prepared by Surveying and Mapping Inc, dated February 3, 2012, (Job Number 29036E-08), a distance of 213.75 feet to a 1/2 inch rebar capped "ASC" set for corner;

**THENCE** South 39 degrees 57 minutes 54 seconds East with the west right of way line of said Interstate Highway 35E, same being the northeast line of said Lot 1, a distance of 150.05 feet to a 1/2 inch rebar capped "ASC" set for corner;

**THENCE** South 38 degrees 26 minutes 15 seconds East, with the west right of way line of said Interstate Highway 35E, same being the northeast line of said Lot 1, a distance of 12.07 feet to a 1/2 inch rebar capped

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"ASC" set for the northernmost east corner of said Lot 1, also being a point on the northwest line of Lot 1, Block A DATCU - Corinth, an addition to the City of Corinth, as recorded in Instrument Number 2015-021, Plat Records, Denton County, Texas and being the southeast corner of a tract of land known as "Parcel 33" as described in Exhibit Prepared by Surveying and Mapping Inc, dated February 3, 2012, (Job Number 29036E-08);

**THENCE** South 57 degrees 22 minutes 52 seconds West departing the west right of way line of said Interstate Highway 35E, with the northwest line of said second referenced Lot 1, a distance of 328.67 feet to a 1/2 inch rebar capped "Isbell" found for an interior "ell" corner of said first referenced Lot 1, same being an interior "ell" corner of said second referenced Lot 1;

**THENCE** South 38 degrees 20 minutes 22 seconds East with a west line of said second referenced Lot 1, same being an east line of said first referenced Lot 1, a distance of 154.21 feet to a 1/2 inch rebar capped "Isbell" found for an interior "ell" corner of said first and second referenced Lot 1;

**THENCE** South 00 degrees 46 minutes 14 seconds East with the southwest line of said second referenced Lot 1, same being the southeastern line of said first referenced Lot 1, a distance of 318.36 feet to a 1/2 inch rebar capped "Isbell" found for the southeast corner of said first referenced Lot 1, same being the southwest corner of said second referenced Lot 1, also lying on the north line of Lot 4, Block 4 of Corinth Shore Estates, an addition to the City of Corinth, as recorded in Cabinet A, Page 47, Plat records, Denton County, Texas;

**THENCE** North 88 degrees 04 minutes 34 seconds West with the south line of said first referenced Lot 1, with the north line of Block 4 of said Corinth Shore Estates, a distance of 260.29 feet to a point for the southwest corner of said first referenced Lot 1 from which a 1/2 inch rebar bears North 15 degrees 49 minutes 12 seconds East, 0.38 feet;

**THENCE** North 00 degrees 45 minutes 34 seconds West with the east line of said Block 4, same being the southern most east line of said first referenced Lot 1, a distance of 527.95 feet to a 1/2 inch rebar capped "ASC" set for corner lying on the south right of way line of Chapel Place (60 foot right of way);

**THENCE** North 89 degrees 14 minutes 26 seconds East with the south right of way line of said Chapel Place a distance of 19.00 feet to an "X" set in concrete for corner;

**THENCE** North 00 degrees 45 minutes 34 seconds West with the east right of way line of said Chapel Place, a distance of 60.07 feet to an "X" set in concrete for corner;

**THENCE** South 89 degrees 14 minutes 26 seconds West with the north right of way line of said Chapel Place, a distance of 19.00 feet to a 1/2 inch rebar capped "ASC" set for the southeast corner of Lot 8, Block 5, Corinth Shores Estates, an addition to the City of Corinth, Denton County, Texas as recorded in Cabinet A, Page 47, Plat Records, Denton County, Texas;

**THENCE** North 00 degrees 45 minutes 34 seconds West departing the north right of way line of said Chapel Place, with the east line of said Lot 8, a distance of 119.97 feet to a 1/2 inch rebar capped "ASC" set for the north east corner of said Lot 8, same being the southeast corner of said Lot 1R, and lying on the west line of said first referenced Lot 1;

**THENCE** North 89 degrees 19 minutes 22 seconds West departing the west line of said first referenced Lot 1, with the most southern north line of said Block 5, with the south line of said Lot 1R, a distance of 314.67 feet to a 1/2 inch rebar found for the southwest corner of said Lot 1R, same being the north west corner of Lot 6, Block 5 of said Corinth Shores Estates, and lying on the east line of Lot 4, Block 5 of said

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Corinth Shores Estates;

**THENCE** North 01 degrees 31 minutes 54 seconds West with the west line of said Lot 1R, same being the east line of said Block 5, a distance of 160.11 feet to a point for the southernmost northwest corner of said Lot 1R, also being a point on the east line of Lot 3, Block 5 of said Corinth Shores Estates, and being the southwest corner of a tract of land conveyed to Corinth Praise and Worship Center, as recorded by deed in Volume 4736, Page 1715, Deed Records, Denton County, Texas, from which a 1/2 inch rebar capped "ALLIANCE" bears North 11 degrees 58 minutes 12 seconds East, a distance of 0.51 feet;

**THENCE** South 89 degrees 19 minutes 22 seconds East with the southernmost northern line of said Lot 1R, same being the south line of said Corinth Praise and Worship Center tract, a distance of 211.13 feet to a 1/2 inch rebar capped "ASC" Set for the southeast corner of said Corinth Praise and Worship Center tract, same being an interior "ell" corner of said Lot 1R;

**THENCE** North 00 degrees 14 minutes 37 seconds West with the east line of said Corinth Praise and Worship Center tract, same being the northern most east line of said Lot 1R, a distance of 230.39 feet to a 1/2 inch rebar capped "ASC" set for the northwest corner of said Lot 1R and lying on the south right of way line of said Church Street;

**THENCE** South 89 degrees 41 minutes 31 seconds East with the south right of way line of said Church Street, with the north line of said Lot 1R, a distance of 104.98 feet to a 1/2 inch rebar capped "ASC" set for the northeast corner of said Lot 1R;

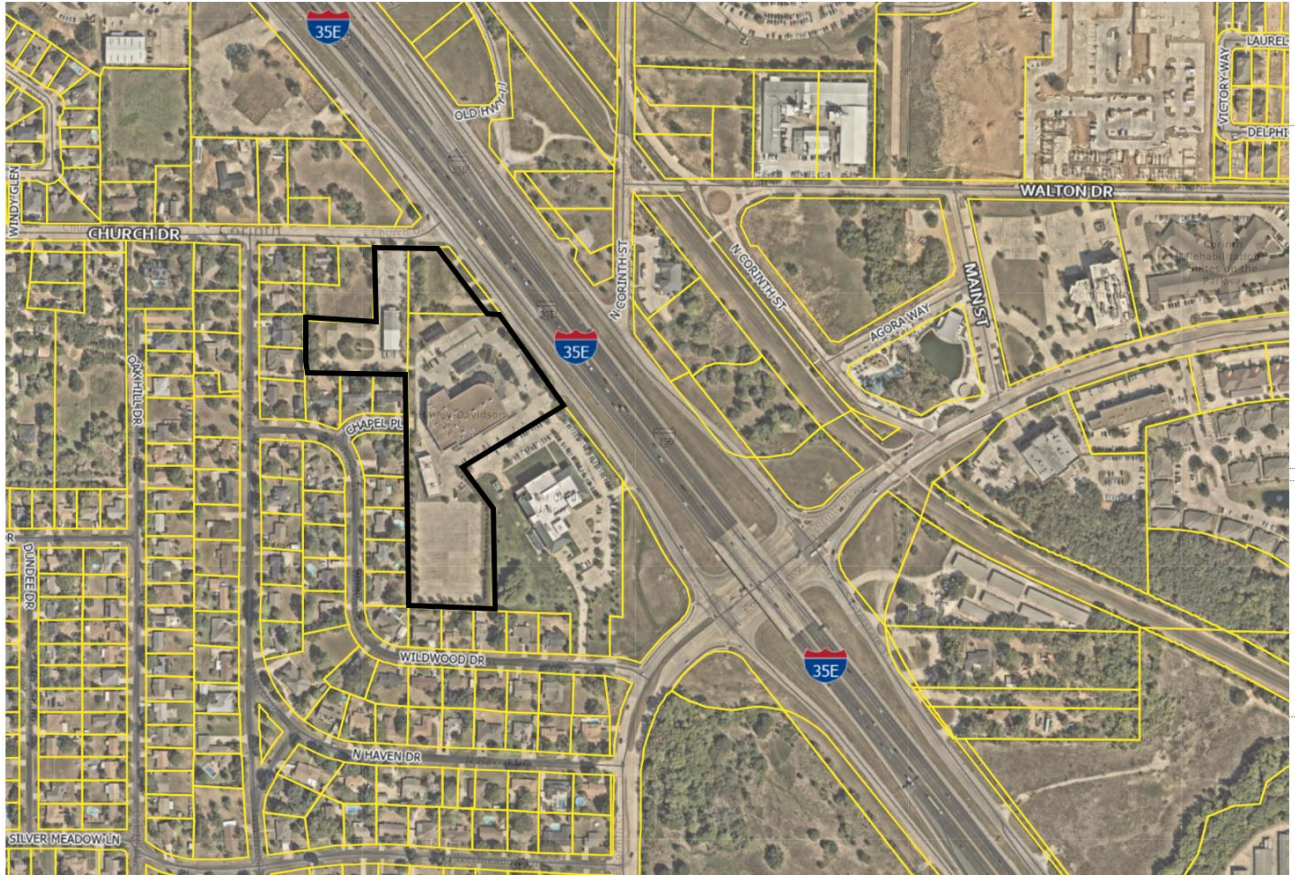
**THENCE** North 00 degrees 05 minutes 39 seconds West with the south right of way line of said Church Street, same being with the west line of said 2-10 Properties tract, a distance of 6.71 feet to **THE POINT OF BEGINNING** and containing 360,131.48 square feet or 8.267 acres of land, more or less.



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**EXHIBIT "B"**  
**GRAPHIC DEPICTION OF THE SITE**



**EXHIBIT “C”**  
**AMENDED AND RESTATED LAND USE & DEVELOPMENT REGULATIONS**  
**HARLEY EAGLE HARLEY DAVIDSON PD #26**

**SECTION 1: USE REGULATIONS**

(A) All Uses Permitted in the C-2, Commercial District shall be permitted within this planned development district and the following uses shall also be allowed:

- 1) Outside display of motorcycles for sale and a motorcycle service and repair shop within the building.
- 2) Allow the use of the rear parking lot designated as “Riders Edge Training Area” as a motorcycle training area between the hours of 8:00 a.m. and 7:00 p.m. Monday – Sunday.
- 3) Allow for the use of Tattoo Parlor.
- 4) Allow up to seven (7) permanent shade structures on the site to cover parking areas.
- 5) Allow for a pavilion to be constructed and used for events, parking and shade. Examples of potential events include concerts, farmers markets, festivals, drive-in movies and weddings. A pavilion is in addition to the seven (7) permanent shade structures. Events shall be conducted in accordance with all City ordinance requirements, including and without limitation permitting requirements, if applicable. Pavilion shall incorporate insulation on the ceiling elements to mitigate sound leaving the pavilion.
- 6) Allow for signage on all buildings, generally as illustrated on Exhibit “B” in Ordinance No. 20-01-23-01
- 7) Allow for a restaurant building(s)
- 8) Allow for a classroom building(s)
- 9) Allow for an additional storage/garage building
- 10) Allow for electrical vehicle charging stations
- 11) Allow for existing wooden fence with metal support poles adjacent to the portion of the property that is bordering residential lots to the west and south. Fencing shall comply with applicable ordinance requirements, including and without limitation, requirements for materials, height and permitting. New fencing shall be of masonry construction and built to the City’s screening wall standards.
- 12) Allow for a lighted motorcycle sculpture to be placed on roof of main show room
- 13) Allow for fuel storage tanks (not for public use/sale)

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- 14) Allow for a water cistern with logo/signage to be used for water harvesting and/or landmark purposes (not for public use, not for cell devise use, on-site logo/signage only)

## **SECTION 2: AREA REGULATIONS**

- A) Area regulations shall comply with the C-2, Commercial Zoning District as they exist at the time of development or application for a Certificate of Occupancy.