



**VALENCIA
PLANNED DEVELOPMENT NO. 35
BASE ZONING DISTRICT: COMMERCIAL AND
SINGLE FAMILY
ORDINANCE NO. 13-10-17-28
(ADOPTED 10-17-2013)**

City of Corinth ▪ 3300 Corinth Parkway ▪ Corinth, Texas 76208
940-498-3200 ▪ www.cityofcorinth.com

ORDINANCE NO. 13-10-17-28
VALENCIA PLANNED DEVELOPMENT DISTRICT

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE, ORDINANCE NO. 13-05-02-08, FOR PROPERTY LEGALLY DESCRIBED AS 27.144 ACRES SITUATED IN THE BBB & CRR SURVEY, COUNTY ABSTRACT 153 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS TO PROVIDE FOR A ZONING CHANGE FROM SINGLE FAMILY-4 RESIDENTIAL ZONING DISTRICT (SF-4) TO PLANNED DEVELOPMENT COMMERCIAL AND SINGLE FAMILY DISTRICT; PROVIDING A LEGAL PROPERTY DESCRIPTION; APPROVING A SITE PLAN; PROVIDING ZONING REGULATIONS RELATED TO THE DEVELOPMENT AND PERMITTED USES IN SAID DISTRICT; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas has adopted Ordinance 13-05-02-08, which adopts a Unified Development Code, 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 hereinafter described property is zoned as Single Family-4 Classification under the City's Unified Development Code and a person having a proprietary interest in the property has requested a change in the zoning classification of said property; and

WHEREAS, the Planning and Zoning Commission of the City of Corinth and the City Council of the City of Corinth, having given the requisite notices by publication and otherwise, and after holding due hearings and affording 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, the City of Corinth City Council is of the opinion that said change in zoning should be made; 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 the 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 the neighborhood; location, lighting 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 further considered among other things the character of the districts and their peculiar suitability for particular uses and the view to conserve the value of the buildings, and encourage the most appropriate use of the land throughout this City; and

WHEREAS, the City Council finds that the change in zoning 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;

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

SECTION I - LEGAL PROPERTY DESCRIPTION; AMENDMENT

That in accordance with the Unified Development Code, the Zoning Map of the City of Corinth is hereby amended for property legally described as 27.144 acres situated in the BBB & CRR Survey, County Abstract 153 as more particularly described in the metes and bounds description set forth in "Exhibit A" attached and incorporated by reference herein, from Single Family-4 to Planned Development Commercial and Single Family.

SECTION II – SITE PLAN

The Site Plan documents approved and described as "Exhibit B" attached hereto and made a part hereof for all purposes shall be adhered to in their entirety for the purposes of existing and proposed development of the property.

SECTION III – LAND USE REGULATIONS

- A. The Zoning and Land Use Regulations set forth in "Exhibit C" attached hereto and made a part hereof for all purposes shall be adhered to in its entirety for the purposes of this Planned Development Commercial and Single Family District.
- B. That the zoning regulations and districts as herein established have been made 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 over-crowding 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

SECTION IV – PENALTY FOR VIOLATIONS

Any person, firm, or corporation violating any of the provisions of this ordinance shall upon conviction be fined a sum not to exceed two thousand dollars (\$2,000.00); and each and every day that these provisions are violated shall constitute a separate and distinct offense.

SECTION V – SEVERABILITY CLAUSE

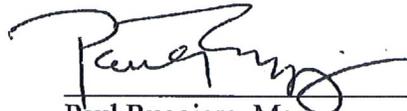
If any section, paragraph, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION VI – EFFECTIVE DATE

This ordinance shall become effective after approval and publication as provided by law.

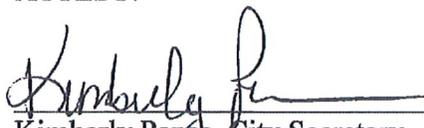
PASSED AND APPROVED THIS 17th DAY OF OCTOBER, 2013.

APPROVED:



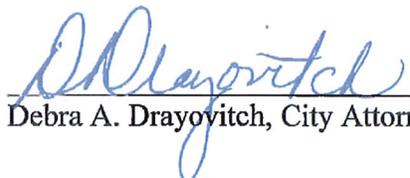
Paul Ruggiere, Mayor

ATTEST:



Kimberly Pence, City Secretary

APPROVED AS TO FORM:



Debra A. Drayovitch, City Attorney

EXHIBIT "A"

METES AND BOUNDS / LEGAL DESCRIPTION

BEING a tract of land situated in the Buffalo Bayor, Brazos and Colorado Railroad Company Survey, Abstract No. 153, City of Corinth, Denton County, Texas and being all of a called 27.648 acre tract of land conveyed in a Warranty Deed to Larry Hibberd and wife, Darlene Hibberd recorded in Volume 1080, Page 738 of the Deed Records of Denton County, Texas, all of a called 4.006 acre tract of land and all of Tract Two, called 4.476 acres, conveyed in a Warranty Deed to Larry Hibberd and wife, Darlene Hibberd recorded in County Clerk's File No. 93-R0022040 of the Official Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at an aluminum TxDot monument found for the northeast corner of a called 0.3091 acre tract of land conveyed in a deed to the State of Texas recorded in Instrument No. 2010-45049 of the Official Records of Denton County, Texas and the northwest corner of a called 0.1023 acre tract of land conveyed in a deed to the State of Texas recorded in Instrument No. 2010-95600 of the Official Records of Denton County, Texas, said corner being in the east line of said 27.648 acre tract and the west line of Lot 1, Block 1 of Plemac Addition, an addition to the City of Corinth according to the plat thereof recorded in Cabinet T, Page 284 of the Plat Records of Denton County, Texas, the northeast right-of-way line of F.M. 2181 (Teasley Lane), a variable width right-of-way, and also being at the beginning of a curve to the right;

THENCE, along the northeast right-of-way line of said F.M. 2181 (Teasley Lane) the following courses and distances:

Northwesterly, along said curve to the right through a central angle of $02^{\circ}33'23''$, having a radius of 1085.92 feet, a chord bearing of North $53^{\circ}02'02''$ West, a chord distance of 48.45 feet, and an arc length of 48.45 feet to a 5/8 inch iron rod with red plastic cap stamped "KHA" set for corner at the end of said curve;

North $51^{\circ}45'21''$ West, a distance of 261.31 feet to a 5/8 inch iron rod with red plastic cap stamped "KHA" set for corner;

North $48^{\circ}53'37''$ West, a distance of 100.12 feet to an aluminum TxDot monument found for corner;

North $51^{\circ}45'21''$ West, a distance of 197.66 feet to a 5/8 inch iron rod with red plastic cap stamped "KHA" set for corner at the beginning of a tangent curve to the left;

Northwesterly, along said tangent curve to the left through a central angle of $14^{\circ}44'40''$, having a radius of 1210.92 feet, a chord bearing of North $59^{\circ}07'41''$ West, a chord distance of 310.76 feet and an arc length of 311.62 feet to a 5/8 inch iron rod with red plastic cap stamped "KHA" set

for the northwest corner of said 0.3091 acre tract and the northeast corner of a called 0.2002 acre tract of land conveyed in a deed to the State of Texas recorded in Instrument No. 2010-125364 of the Official Records of Denton County, Texas, said corner being in the west line of said 27.648 acre tract and the east line of Lot 1, Block A of Oak Springs Ranch, an addition to the City of Corinth according to the plat thereof recorded in Cabinet T, Page 267 of the Plat Records of Denton County, Texas, from which a 1/2 inch iron rod found bears South 02°43'28" West a distance of 21.47 feet, and from which a 1/2 inch iron rod found bears South 07°00'00" East a distance of 27.13 feet, and from which a 1/2 inch iron rod found bears South 24°09'34" East a distance of 27.65 feet;

THENCE North 00°12'43" East, departing the northeast right-of-way line of said F.M. 2181 (Teasley Lane) and along the west lines of said 27.648 acre tract, said 4.476 acre tract, and said 4.006 acre tract, and the east line of said Lot 1, Block A, a distance of 1365.67 feet to the northwest corner of said 27.648 acre tract and the southwest corner of a called 0.404 acre tract of land conveyed in a Quitclaim Deed to Vista Mortgage & Realty, Inc., recorded in Volume 2264, Page 531 of the Real Property Records of Denton County, Texas, said point being in the south line of Fairview West Phase II, an addition to the City of Corinth according to the plat thereof recorded in Cabinet F, Page 324 of the Plat Records of Denton County, Texas, from which a 1/2 inch iron rod found bears South 88°48'25" East a distance of 0.29 feet;

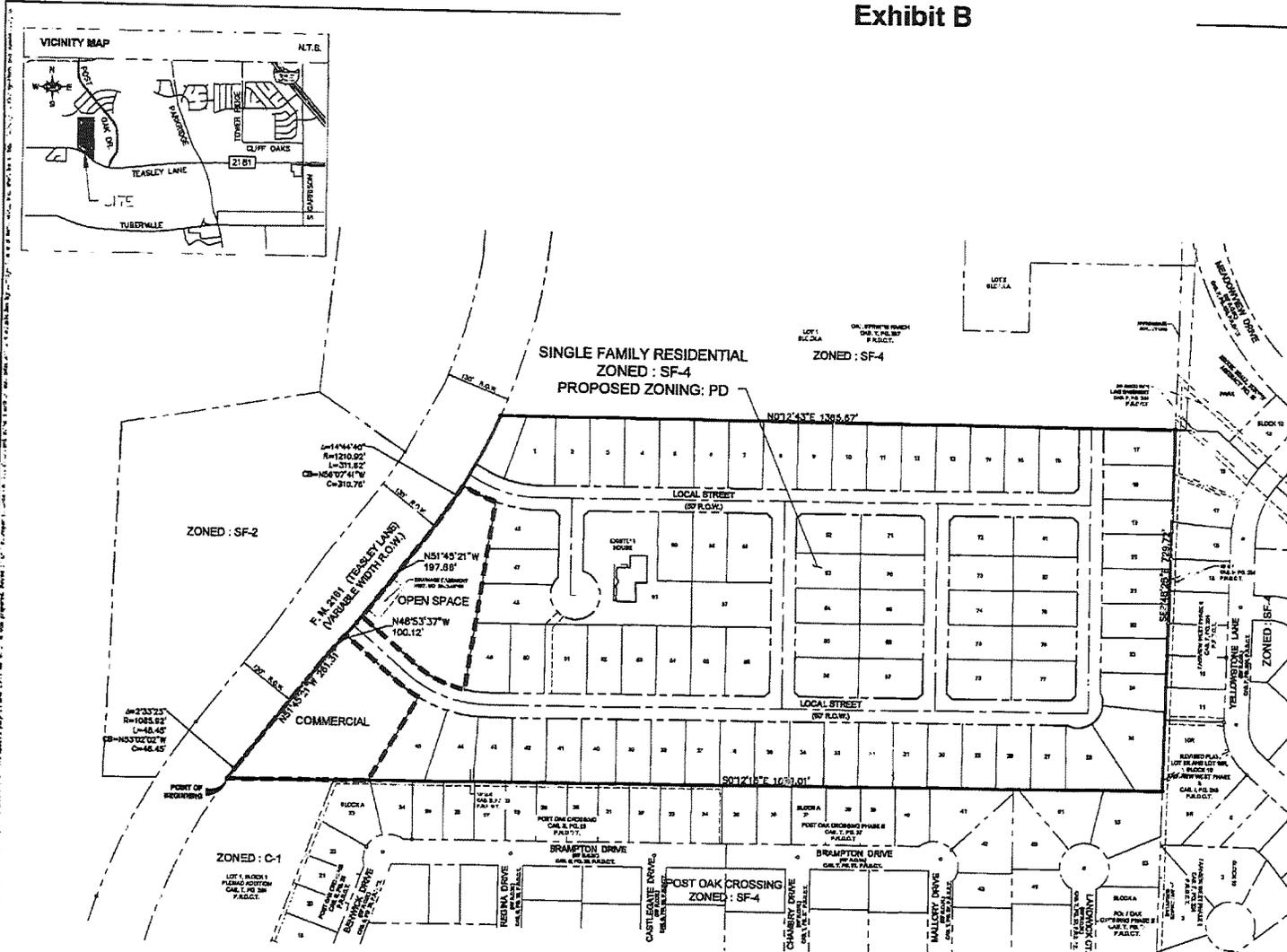
THENCE South 88°48'25" East, along the north line of said 27.648 acre tract and the south lines of said Fairview West Phase II, said 0.404 acre tract, and of the Revised Plat of Lot 9R and Lot 10R, Block 10, Fairview West Phase II, an addition to the City of Corinth according to the plat thereof recorded in Cabinet I, Page 243 of the Plat Records of Denton County, Texas, a distance of 729.72 feet to a 5/8 inch iron rod found for the northwest corner of Post Oak Crossing Phase B, an addition to the City of Corinth according to the plat thereof recorded in Cabinet T, Page 37 of the Plat Records of Denton County, Texas, and the northeast corner of the Hibberd Tract according to the Boundary Line Agreement recorded in Instrument No. 2005-151724 of the Official Records of Denton County, Texas, from which a 1/2 inch iron rod with plastic cap stamped "METROPLEX 1849" found bears South 88°48'25" East a distance of 6.42 feet and from which a 1/2 inch iron rod found bears North 89°44'51" East a distance of 9.13 feet;

THENCE South 00°12'15" East, along the east line of said Boundary Line Agreement of the Hibberd Tract and the west lines of said Post Oak Crossing Phase B, of Post Oak Crossing, an addition to the City of Corinth according to the plat thereof recorded in Cabinet S, Page 28 of the Plat Records of Denton County, Texas, and of the aforesaid Lot 1, Block 1 of Plemac Addition, a distance of 1889.01 feet to the **POINT OF BEGINNING** and containing 27.144 acres (1,182,397 square feet) of land, more or less.

ORDINCNE NO. 13-10-17-28

SITE PLAN

Exhibit B



PROPERTY DESCRIPTION

BEING a tract of land situated in the South Bay, Dallas and Colorado Railroad Company Survey, Abstract No. 183, City of Corinth, Denton County, Texas, and being all of a certain 27.848 acre tract of land conveyed to Wernery Deel by Larry Hubbard and wife, Darlene Hubbard recorded in Volume 1003, Page 726 of the Deed Records of Denton County, Texas, all of a certain 27.848 acre tract of land and all of Tract Two, called L-179, now conveyed in a Warranty Deed to Larry Hubbard and wife, Darlene Hubbard recorded in County Clerk File No. 04-0020204 of the Official Records of Denton County, Texas, and being more particularly described as follows:

BEING and all an abstracted Tract, measurement being for the northeast corner of a certain 2000' wide tract of land conveyed to the State of Texas recorded in Instrument No. 2016-00046 of the Official Records of Denton County, Texas and the northeast corner of a certain 0.1023 acre tract of land conveyed to the owner being in the east line of said 27.848 acre tract and the west line of Lot 1, Block 1 of Phoenix Addition, an addition to the City of Corinth according to the plat thereof recorded in Volume T, Page 284 of the Plat Records of Denton County, Texas, the northeast right-of-way line of Lot 2581 (Trasley Lane), a residential right-of-way, and also being at the beginning of a curve to the right:

THENCE, along the northeast right-of-way line of said F.M. 2181 (Trasley Lane) the following courses and distances:

Northerly, along said curve to the right through a curved angle of 62°33'23", having a radius of 1082.92 feet, a chord bearing of South 29°02'02" West, a chord distance of 345.68 feet and an arc length of 48.48 feet to a 60' curb run and with said curb as measured 70'0" set for corner at the end of said curve;

North 61°42'11" West, a distance of 231.31 feet to a 60' curb run and with said curb as measured 70'0" set for corner;

North 49°42'27" West, a distance of 126.72 feet to an abstracted Tract measurement being for sewer;

North 81°43'27" West, a distance of 187.26 feet to a 60' curb run and with said curb as measured 70'0" set for corner to the beginning of a tangent curve to the left;

Northerly, along said tangent curve to the left through a curved angle of 14°44'59", having a radius of 1210.52 feet, a chord bearing of North 69°07'41" West, a chord distance of 210.73 feet and an arc length of 31.82 feet to a 60' curb run and with said curb as measured 70'0" set for the northeast corner of said 0.1023 acre tract and the northeast corner of a certain 0.2022 acre tract of land conveyed to the State of Texas recorded in Instrument No. 2016-00046 of the Official Records of Denton County, Texas, and being more particularly described as follows:

THENCE, along the northeast right-of-way line of said F.M. 2181 (Trasley Lane) and along the west line of said 27.848 acre tract, said 4.476 acre tract, said 4.070 acre tract, and the east line of said Lot 1, Block A, a distance of 138.87 feet to the northeast corner of said 27.848 acre tract and the southeast corner of a certain 0.464 acre tract of land conveyed to the City of Corinth according to the plat thereof recorded in Volume 2004, Page 211 of the Plat Records of Denton County, Texas, and being more particularly described as follows:

THENCE, North 00°15'42" East, separating the northeast right-of-way line of said F.M. 2181 (Trasley Lane) and along the west line of said 27.848 acre tract, said 4.476 acre tract, said 4.070 acre tract, and the east line of said Lot 1, Block A, a distance of 138.87 feet to the northeast corner of said 27.848 acre tract and the southeast corner of a certain 0.464 acre tract of land conveyed to the City of Corinth according to the plat thereof recorded in Volume 2004, Page 211 of the Plat Records of Denton County, Texas, and being more particularly described as follows:

THENCE, North 00°15'42" East, separating the northeast right-of-way line of said F.M. 2181 (Trasley Lane) and along the west line of said 27.848 acre tract, said 4.476 acre tract, said 4.070 acre tract, and the east line of said Lot 1, Block A, a distance of 138.87 feet to the northeast corner of said 27.848 acre tract and the southeast corner of a certain 0.464 acre tract of land conveyed to the City of Corinth according to the plat thereof recorded in Volume 2004, Page 211 of the Plat Records of Denton County, Texas, and being more particularly described as follows:

THENCE, North 00°15'42" East, separating the northeast right-of-way line of said F.M. 2181 (Trasley Lane) and along the west line of said 27.848 acre tract, said 4.476 acre tract, said 4.070 acre tract, and the east line of said Lot 1, Block A, a distance of 138.87 feet to the northeast corner of said 27.848 acre tract and the southeast corner of a certain 0.464 acre tract of land conveyed to the City of Corinth according to the plat thereof recorded in Volume 2004, Page 211 of the Plat Records of Denton County, Texas, and being more particularly described as follows:

PROJECT DATA

COMMERCIAL	1.39 ACRES ±
SINGLE FAMILY RESIDENTIAL	24.28 ACRES ±
OPEN SPACE	1.21 ACRES ±
	27.14 ACRES

TYPICAL SINGLE FAMILY LOT 70' X 130'

EXHIBIT - B

PD CONCEPT DESIGN MAP
FOR
VALENCIA
BEING 27.84 ACRES
OUT OF THE
BUFFALO & COLORADO RAILROAD COMPANY SURVEY,
ABSTRACT NO. 183
IN THE
CITY OF CORINTH, DENTON COUNTY, TEXAS

OWNER: Larry & Darlene Hubbard 2181 S. Trasley Lane Corinth, TX 75022 Title: SHERIFF Contact: Larry Hubbard	DESIGNER: See Project Description 2181 S. Trasley Lane Corinth, TX 75022 Title: SHERIFF Contact: Larry Hubbard	DATE: 10/17/2018 1:30 PM
---	--	---------------------------------------

EXHIBIT "C"

VALENCIA – Planned Development District Development Standards

SECTION 1: REGULATIONS

A. The regulations set forth in this Exhibit provide development standards for Single Family Residential and Commercial designations within this Planned Development District. The proposed commercial use is per the City of Corinth Plate 4-1., Future Land Use Plan Map as per the Corinth 2010 Comprehensive Plan. The Planned Development (PD) District is identified by metes and bounds on Exhibit A and is depicted on Exhibit B.

B. Base Districts:

1. For all uses permitted in SF-4 Single Family Residential District, per the City of Corinth Unified Development Code, Ordinance No. 13-05-02-08 except as modified herein.
2. For all uses permitted in C-1 Commercial District, per the City of Corinth Unified Development Code, Ordinance No. 13-05-02-08, except as modified herein.

SECTION 2: USES

A. Single Family Residential:

In the Planned Development (PD) District for Single Family Residential Uses, no building, or land shall be used and no building shall be hereafter erected, reconstructed, enlarged, or converted unless otherwise provided in the Single Family-4 (SF-4) District at the time this ordinance was approved or per this Planned Development, except for open spaces as shown on the approved Site Plan. Such open spaces must be owned and maintained by a property owner's association, such as an HOA, with provisions for maintenance and documents which evidence such provision which are recorded in the County Deed Records.

B. Commercial:

In the Planned Development (PD) District for Commercial Uses, no building or land shall be used and no building shall be hereafter erected, reconstructed, enlarged or converted, unless otherwise provided in the Commercial-1 (C-1) District at the date of adoption of this Ordinance 13-10-17-28, except for one or more of the following uses:

1. Bank, financial institution (drive-through service allowed).
2. Restaurant or cafeteria, (drive-through service allowed).

Every use not hereby specifically authorized and permitted for Single Family Residential and Commercial is expressly prohibited in this Planned Development (PD) District.

SECTION 3: AREA REGULATIONS

A. Single Family Residential:

For the existing single family home that is to remain, the west side of the home shall be considered the front yard, the north and south sides of the home shall be the side yard, and the east side of the home shall be the rear yard. All area regulations for this lot and all others proposed within this Planned Development (PD) District shall meet the requirements set forth below.

B. Minimum Yards and Setback Requirements:

1. Front Yard: There shall be a front yard having a depth of not less than twenty-five feet (25').
2. Side Yard:
 - a. Interior Lot - The minimum distance from the side building line to the property line at any point shall be not less than five feet (5').
 - b. Corner Lot – the minimum distance from the side building line to the property line at any point shall be not less than fifteen feet (15').
3. Rear Yard: There shall be a rear yard having a depth of not less than twenty-five percent (25%) of the depth of the lot, except that such yard need not exceed twenty-five feet (25').
4. Width of Lot:
 - a. Interior Lot - The minimum width of the lot shall be seventy feet (70') at the building line and sixty feet (60') measured along the front property line.
 - b. Cul-De-Sac or Knuckle Lot – The minimum width of the lot shall be seventy feet (70') at the building line and forty feet (40') measured along the front property line.

- c. Corner Lot – The minimum width of a corner shall be eighty feet (80’).
5. Depth of Lot: The minimum depth shall not be less than one hundred twenty feet (120’) at the average distance between the front and rear lot lines.
6. Area of Lot/Number of Lots: Every lot shall have an area of not less than eight thousand five hundred (8,500) square feet. The number of lots shall be in accordance with the approved site plan.
7. Minimum Floor Area: The minimum floor area of the main building, not including any garage area, shall not be less than two thousand (2,000) square feet, exclusive of accessory buildings. Telephone exchange buildings, temporary new construction buildings, and similar uses shall have no required minimum floor area requirement.
8. Maximum Building Area: The building area, including any enclosed garage, porch area, and accessory building shall not exceed forty percent (40%) of the total lot area with the exception that twenty percent (20%) of the total number of lots are permitted a Maximum Building Area not to exceed fifty percent (50%). Outdoor patios or living areas that are not enclosed or connected to the main foundation of the house and site paving shall not be considered part of the Maximum Building Area.
9. Accessory Buildings. Accessory buildings shall not be constructed any closer than twenty-five (25) feet of the front property line and any closer than five feet (5’) from any other property line nor be constructed within an easement. Accessory buildings shall not exceed fifteen (15) feet in height nor be constructed with more than one story.

C. Commercial:

All Area Regulations as specified in the Commercial-1 (C-1) Zoning District in effect at the time this ordinance was approved shall apply to development within the Commercial Area.

SECTION 4: TREE REGULATIONS

All tree regulations shall be as required per the City of Corinth Unified Development Code Ordinance No. 13-05-02-08, except that trees located within proposed public right-of-way, public easements, residential building pads, commercial building pads and within five feet (5’) of said residential and commercial building pads, and driveways shall not require mitigation. All

other protected trees that are removed in the development and construction process of this development must be mitigated.