



PLANNING AND ZONING COMMISSION

CITY OF CORINTH, TEXAS

3300 CORINTH PARKWAY, CORINTH, TEXAS

REGULAR SESSION

MONDAY, AUGUST 19, 2019 – 6:30 P.M.



**** PUBLIC NOTICE ****

**NOTICE OF THE CITY OF CORINTH
PLANNING AND ZONING COMMISSION
REGULAR SESSION
MONDAY, AUGUST 19, 2019 AT 6:30 P.M.
CITY HALL – 3300 CORINTH PARKWAY**

AGENDA

I. CALL TO ORDER, ROLL CALL AND ANNOUNCE A QUORUM PRESENT:

II. PLEDGE OF ALLEGIANCE:

III. CONSENT AGENDA:

A. Consider and act upon approval of minutes from the Planning and Zoning Commission Meeting on May 25, 2019.

IV. DIRECTOR'S REPORT:

A. Report on City Council meeting items from the preceding City Council meetings and other relevant information.

V. AGENDA:

A. The Planning & Zoning Commission will hold a public hearing, consider testimony and act upon on a request from the applicant, Justin Lansdowne, authorized representative for the property owner, Quail Run Realty LLC and Denton County Electric Coop, for a Replat on 3.008 acres legally described as Abstract 1376a T. White Survey, Tract 12, 1.656 Acres, Old Denton Cad Tract #2b and Coserv Addition, Lot 3 in the City of Corinth, Denton County, Texas. (CoServ Replat)

1. Staff Presentation
2. Applicant Presentation
3. Public Hearing
4. Staff Response
5. Take Action

B. The Planning & Zoning Commission will consider and act upon a Major Subdivision Waiver for driveway spacing on a 2.327 Acre property totaling legally described as Abstract 0511A E.A. Garrison Survey, Tract 19(PT)(ROW), Tract 19(PT), Tract 20(PT)(ROW), Tract 20(PT), Tract 21(PT), and Tract 22. (Magnolia Center Major Subdivision Waiver).

1. Staff Presentation
2. Applicant Presentation
3. Staff Response
4. Take Action

C. The Planning and Zoning Commission will hold a public hearing, consider testimony and act upon a request for a zoning change from MX-C, Mixed-Use Commercial District to Planned Development (PD) with a base zoning district of SF-4, Single Family Residential (detached) with modified development standards in order to develop a single family residential subdivision on a tract of land legally described as Lake Vista Business Park Lots 1 Through 11, 6.079 acres in the T.W. Jenkins Survey Abstract Number 687, in the City of Corinth, Denton County, Texas. This property is located north, east of Dobbs Road and is to the immediate west of the Corinth Farms, Phase 1 Subdivision. (Henderson Farms Planned Development)

1. Staff Presentation

2. Applicant Presentation
3. Public Hearing
4. Staff Response
5. Take Action

D. The Planning and Zoning Commission will conduct a public hearing, consider testimony and act upon an amendment to the City’s Unified Development Code, Section 2: Zoning Regulations, subsection 2.09: Zoning Development Standards, and subsection 2.11 Zoning Relief Procedures (Building Façade & Material Standards and Zoning Board of Adjustments)

1. Applicant Presentation
2. Public Hearing
3. Staff Response
4. Take Action

E. The Corinth City Council will conduct a public hearing, consider testimony and act upon an amendment to the City's Unified Development Code, Section 3: Subdivision Regulations, subsection 3.02: “Subdivision submittal and processing procedures.”

1. Applicant Presentation
2. Public Hearing
3. Staff Response
4. Take Action

VI. EXECUTIVE SESSION - In accordance with Texas Government Code, Chapter 551, Subchapter D, the Planning and Zoning Commission will recess into Executive Session (closed meeting) to discuss the following:

A. § 551.071: Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter re: Texas House Bills 2439, 2497, 3314 and 3167, and new laws.

VII. RECONVENE INTO OPEN SESSION - In accordance with Texas Government Code, Chapter 551, the Planning and Zoning Commission will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

VIII. ADJOURNMENT:

EXECUTIVE SESSION

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed session for the purpose of seeking confidential legal advice of the City Attorney on any Agenda Item listed herein.

As a majority of Council Members of the City of Corinth may attend the above described meeting, this notice is given in accordance with Chapter 551 of the Texas Government Code. No official action will be taken by the City Council at this meeting.

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board at City Hall of the City of Corinth, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: Friday, August 16, 2019 at 12:00 p.m.



Patrick Hubbard
Development Coordinator & Planning
and Zoning Commission Secretary
City of Corinth, Texas

8/16/2019
Date of Notice

Corinth City Hall is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf, or hearing impaired, or readers of large print, are requested to contact the City Secretary's Office at 940.498-3200, or fax 940.498-7505 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

BRaille IS NOT AVAILABLE

**STATE OF TEXAS
COUNTY OF DENTON
CITY OF CORINTH**

On this the 20th day of May, 2019, the Planning and Zoning Commission of the City of Corinth, Texas, met in a Regular Session at Corinth City Hall, located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members, to wit:

Members Present

Brian Rush
Bruce Hanson
Wade May
Lindsey Baker
Robert Pace
William Davis

Members Absent

I. CALL TO ORDER, ROLL CALL AND ANNOUNCE A QUORUM PRESENT:

Meeting Called to Order by Brian Rush at 6:31PM

Roll Call was conducted by Brian Rush at 6:31PM

Members Present

Brian Rush
Bruce Hanson
Wade May
Lindsey Baker
Robert Pace
William Davis

Members Absent

II. PLEDGE OF ALLEGIANCE:

Pledge of Allegiance Recited at 6:31PM

III. CONSENT AGENDA:

- A. Consider and act upon approval of minutes from the Planning and Zoning Commission Meeting on March 25, 2019.

Motion Made by Bruce Hanson to approve as presented

Seconded by Bruce Hanson

5-0 All in favor:

Ayes: Brian Rush, Bruce Hanson, Wade May, Lindsey Baker, Robert Pace
Nays: None
Not Voting: William Davis
Absent: None

MOTION TO APPROVE AS PRESENTED PASSES

IV. DIRECTOR'S REPORT:

A. Report on City Council meeting items from the preceding City Council meetings and other relevant information.

Helen-Eve Liebman, Planning and Development Director, presented the report. The Fence and Screening Regulations ordinance was approved as recommended other than that chain link will be prohibited if visible from a public street. Residential Lot Dimension and Setbacks, and Certificate of Occupancy amendments were adopted as presented.

Helen-Eve Liebman, Planning and Development Director, presented the Director's Report.

V. AGENDA:

A. The Planning & Zoning Commission will consider and take action on a request from the applicant, Randi Rivera, authorized representative for the property owner, 777 Lakes, LP, for a preliminary plat on 55.995 acres legally described as Tracts 1C and 1D out of the BBB & CRR Survey, Abstract 190, Tract 1 out of the S Kephart Survey, County Abstract 721 and Tract 1D out of the GW McGlothlin Survey, Abstract 888 in the City of Corinth, Denton County, Texas. This property is located south of the proposed Lake Sharon Drive extension and east of FM 2499. (Lake Sharon Phase III)

- 1. Staff Presentation

Helen-Eve Liebman, presented the item. This preliminary plat follows from an approved PD from 2018. Staff has reviewed the plat based on the PD and it is in compliance with the zoning and meets all City standards.

Wade May asked if this had been approved previously, recalling a previous meeting.

Helen-Eve Liebman stated that they had submitted a final plat with construction plans but needed to meet some procedural requirements and they made some minor revision by removing a single loading cul-de-sac. This will allow them to move forward with a preconstruction meeting and in response to the applicant's request for some development considerations.

- 1. Applicant Presentation

No applicant presentation occurred.

- 2. Staff Recommendation

Helen-Eve Liebman, Planning and Development Director, Stated that staff recommends approval as presented.

- 3. Take Action

Motion Made by Robert Pace to approve as presented.

Seconded by Bruce Hanson

5-0 All in favor:

Ayes: Brian Rush, Bruce Hanson, Wade May, Lindsey Baker, Robert Pace
Nays: None
Not Voting: William Davis
Absent: None

MOTION TO APPROVE AS PRESENTED PASSES

VI. ADJOURNMENT:

Meeting Adjourned at 6:40 PM

MINUTES APPROVED THIS _____ DAY OF _____, 2019.

Brian Rush, Planning and Zoning Commission Chairman

Patrick Hubbard, Planning and Zoning Commission Secretary



Memorandum

To: **The Corinth Planning and Zoning Commission**
From: Helen-Eve Liebman, AICP, Planning and Development Director
Meeting Date: August 19, 2019
Re: Director's Report

THE FOLLOWING ITEMS ARE GENERAL ANNOUNCEMENTS:

Comprehensive Plan Advisory Committee

- Members of the Comprehensive Plan Advisory Committee were selected by the City Council on August 1st. The Planning and Zoning Commissioners have received a welcome letter and some reading materials for this process.

Comprehensive Plan Consultant Selection

- The City Council has selected Kimley Horn as our consultant to assist in the Comprehensive Plan Update and Parks and Trails Master Plan process.



To: The Corinth Planning and Zoning Commission
From: Patrick Hubbard, Development Coordinator
Meeting Date: August 19, 2019
Re: CoServ Replat

Action Requested:

The Planning & Zoning Commission will hold a public hearing, consider testimony and act upon on a request from the applicant, Justin Lansdowne, authorized representative for the property owner, Quail Run Realty LLC and Denton County Electric Coop, for a Replat on 3.008 acres legally described as Abstract 1376A T. White Survey, Tract 12, 1.656 Acres, Old Denton Cad Tract #2b and Coserv Addition Lot 3 in the City of Corinth, Denton County, Texas. (CoServ Replat)

Background Information:

The applicant is requesting consideration for approval of a Replat of the CoServ property located on Quail Run Drive.

CoServ wishes to add this property to the plat of to combine these lots in order to help facilitate future development.

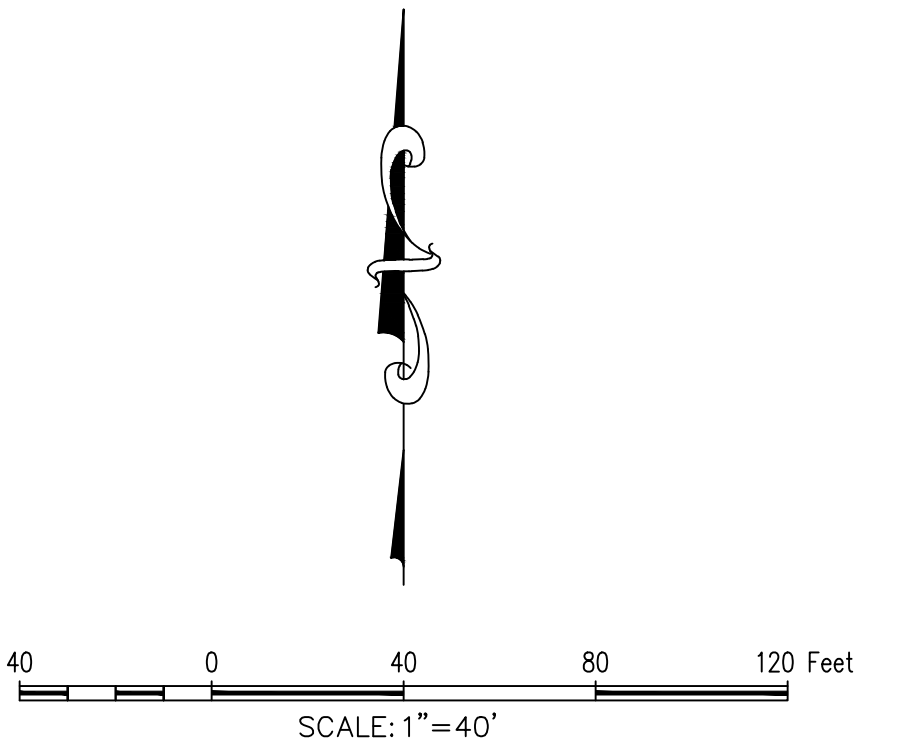
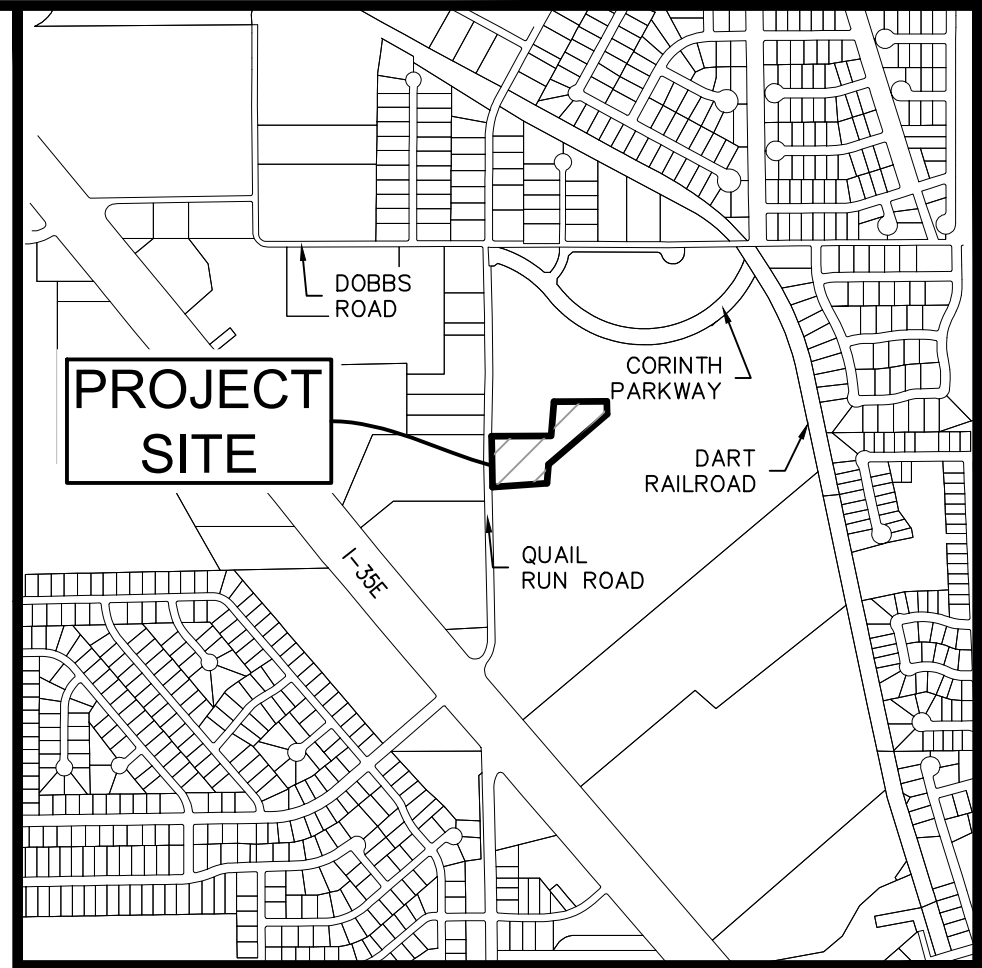
Staff has reviewed this replat and determined that it meets the requirements of the zoning district (Industrial) and of the subdivision ordinance.

Supporting Documents:

- Proposed Replat

Staff Recommendation:

Staff recommends approval as presented.



PRELIMINARY DOCUMENT.
 THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT
 BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.
 JAMES STOWELL, RPLS 6619 8/1/19

REPLAT
Lots 3R & 8
COSERV ADDITION
3.008 Acres
Being a Replat of Lot 3
CoServ Addition
recorded in Document Number 2012-201
in the
T. WHITE SURVEY, ABSTRACT NO. 1376
CITY OF CORINTH
DENTON COUNTY, TEXAS

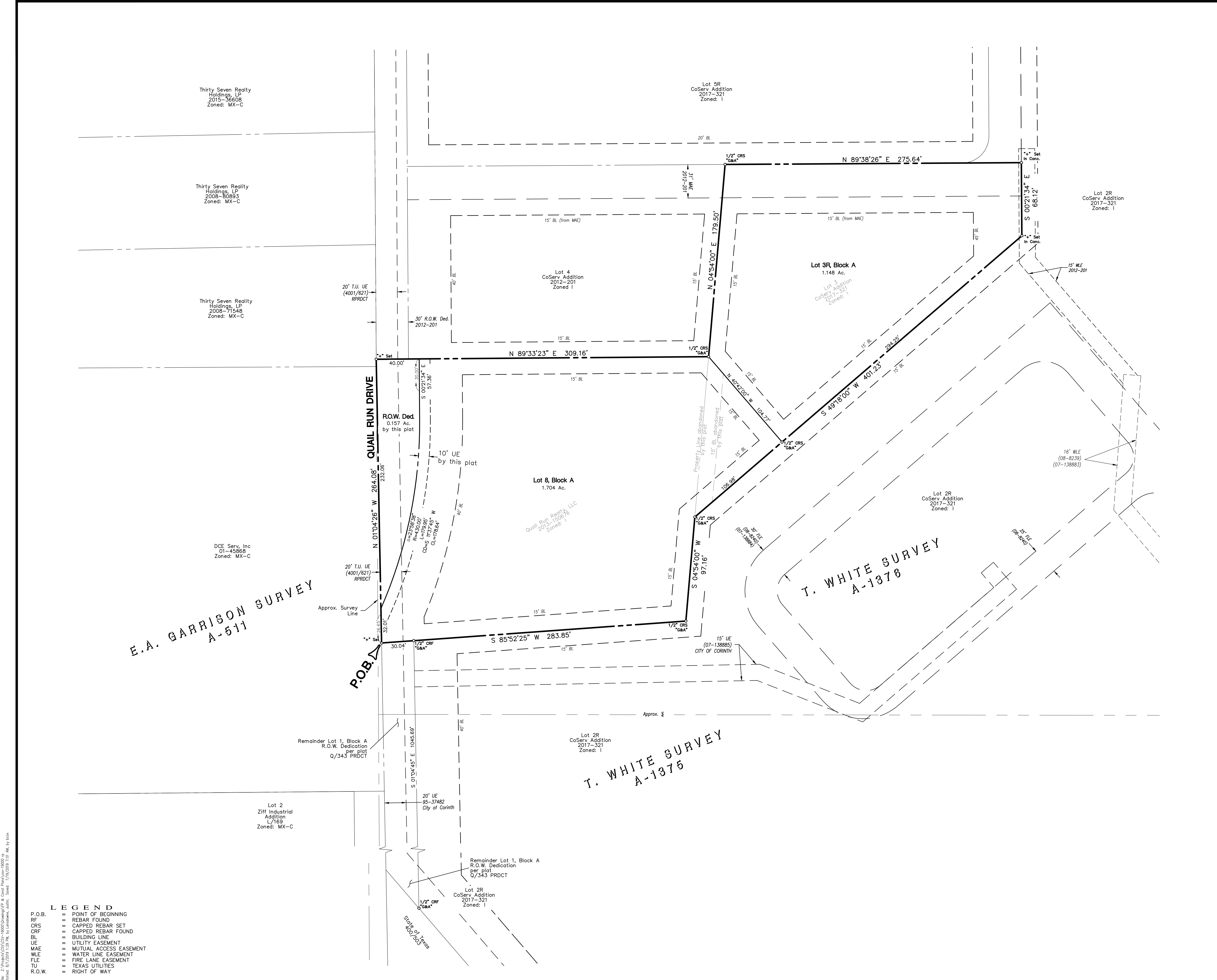


McADAMS

The John R. McAdams
 Company, Inc.
 (DBA: G&A McAdams)
 111 Hillside Drive
 Lewisville, Texas 75057
 972.436.9712
 201 Country View Drive
 Roanoke, Texas 76262
 940.240.1012
 TBPE: 19762 TBPLS: 10194440
 www.gacon.com
 www.mcadamsco.com

DRAWN BY: BC DATE: 05/16/2019 SCALE: 1"=40' JOB. No. **CSV-19000**

OWNER/DEVELOPER
DENTON COUNTY ELECTRIC
COOPERATIVE, INC.
7701 SOUTH STEMMONS
CITY OF CORINTH, TX
Ph. (940) 321-7800
Contact: Ms. Denise Smithers



E.A. GARRISON SURVEY
A-511

T. WHITE SURVEY
A-1376

- LEGEND**
- P.O.B. = POINT OF BEGINNING
 - RF = REBAR FOUND
 - CRS = CAPPED REBAR SET
 - CRF = CAPPED REBAR FOUND
 - BL = BUILDING LINE
 - UE = UTILITY EASEMENT
 - MAE = MUTUAL ACCESS EASEMENT
 - WLE = WATER LINE EASEMENT
 - FLE = FIRE LANE EASEMENT
 - TU = TEXAS UTILITIES
 - R.O.W. = RIGHT OF WAY

File: 2:\Projects\CSV-19000\Drawings\EP & Coord\Replat\csv-19000.dwg
 Plotted: 8/1/2019 1:29 PM, by: jstovell, Job#: 7797809 7:07 AM, by: bcc

OWNER'S ACKNOWLEDGMENT AND DEDICATION

STATE OF TEXAS §
COUNTY OF DENTON §

I, (we), Denton County Electric Cooperative, Inc., owner(s) of the land shown on this plat within the area described by metes and bounds as follows:

LEGAL DESCRIPTION

BEING all that certain tract, lot, or parcel of land, situated in the T. White Survey, Abstract Number 1376, Denton County, Texas, and being all of that certain tract of land described in deed to Quail Run Realty, LLC, recorded in Document Number 2013-150676, Deed Records, Denton County, Texas, and being all of Lot 3, CoServ Addition, according to the plat thereof, recorded in Document Number 2017-321, Plat Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a "+ " set in concrete in the southwest corner of said Quail Run Realty tract, and being the northwest corner of a certain Remainder Lot 1, Block A, Right-of-Way Dedication, recorded in Volume Q, Page 343, Plat Records, Denton County, Texas, and being in the east line of Quail Run Road;

THENCE N 01°04'26" W, with the west line of said Quail Run Realty tract, and the east line of Quail Run Road, a distance of 264.08 feet, to a "+ " set in concrete, at the northwest corner of said Quail Run Realty tract, and being the southwest corner of a certain 30 foot Right-of-Way Dedication, recorded in Document Number 2012-201, Plat Records, Denton County, Texas;

THENCE N 89°33'23" E, with the north line of said Quail Run Realty tract, and the south line of Lot 4, CoServ Addition, according to the plat thereof, recorded in Document Number 2012-201, Plat Records, Denton County, Texas, a distance of 309.16 feet to a 1/2" capped rebar, stamped "G&A", set at the northeast corner of said Quail Run Realty tract, and being the southeast corner of said Lot 4, and being in the west line of said Lot 3;

THENCE N 04°54'00 E, with the east line of said Lot 4, and the west line of said Lot 3, a distance of 179.50 feet, to a 1/2" capped rebar, stamped "G&A", set at the northwest corner of said Lot 3, and being the northeast corner of said Lot 4, and being in the south line of Lot 5R, of said CoServ Addition;

THENCE N 89°38'26" E, with the north line of said Lot 3, and the south line of said Lot 5R, passing the southeast corner of said Lot 5R, a distance of 275.64 feet, to a "+ " set in concrete at the northeast corner of said Lot 3, and being in the west line of Lot 2R, of said CoServ Addition;

THENCE S 00°21'34" E, with the east line of said Lot 3, and the west line of said Lot 2R, a distance of 68.12 feet, to a "+ " set in concrete at the southeast corner of said Lot 3;

THENCE S 49°18'00" W, with the south line of said Lot 3, and the west line of said Lot 2R, a distance of 401.23 feet, to a 1/2" capped rebar, stamped "G&A", set at the southwest corner of said Lot 3, and being in the east line of said Quail Run Realty tract, and being in the west line of said Lot 2R;

THENCE S 04°54'00" W, with the east line of said Lot 3, and the west line of said Lot 2R, a distance of 97.16 feet, to a 1/2" capped rebar, stamped "G&A", set at the southeast corner of said Quail Run Realty tract, and being in the west line of said Lot 2R;

THENCE S 85°52'25" W, with the south line of said Quail Run Realty tract, and the west line of said Lot 2R, passing at a distance of 253.80 feet, a 1/2" capped rebar, stamped "G&A", found in the south line of said Quail Run Realty tract, and being the northwest corner of said Lot 2R, and being the northeast corner of said Remainder Lot 1, Block A, Right-of Way Dedication continuing a total distance of 283.85 to the POINT OF BEGINNING and containing approximately 3.008 acres of land.

and designated herein as CoServ Addition, to the City of Corinth, Texas, and whose name is subscribed hereto, hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, parks, and trails, and to the public use forever easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the platting ordinances, rules, and regulations thereon shown for the purpose and consideration therein expressed.

WITNESS OUR HAND this _____ day of _____, 2019.

Denton County Electric Cooperative, Inc

BY: Donald R. Clary, Jr., President and Chief Executive Officer Date

Quail Run Realty LLC,

BY: Donald R. Clary, Jr., President and Chief Executive Officer Date

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, THE UNDERSIGNED AUTHORITY in and for Denton County, Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she is _____, and that he/she is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2019.

Notary Public in and for the State of Texas

Type or Print Notary's Name

My commission expires the _____ day of _____, 2019.

CONSTRUCTION AND MAINTENANCE STATEMENT

DEVELOPER WILL DESIGN, CONSTRUCT, OPERATE, USE AND MAINTAIN THE FOLLOWING:

- PRIVATE WATER STORAGE FACILITY (DETENTION AND RETENTION PONDS) AND ASSOCIATED PRIVATE DRAINAGE EASEMENTS,
-PRIVATE ACCESS EASEMENTS AND ASSOCIATED IMPROVEMENTS,
-PRIVATE STORM WATER DRAINAGE SYSTEMS AND ASSOCIATED PRIVATE EASEMENTS,
-STORM WATER TREATMENT FACILITY OR IDENTIFIED BEST MANAGEMENT PRACTICES FOR STORM WATER QUALITY AND ASSOCIATED EASEMENTS
-RETAINING WALLS

(COLLECTIVELY HERINAFTER REFERRED TO AS "IMPROVEMENTS"), THE CITY OF CORINTH IS NOT RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, OR USE OF THE IMPROVEMENTS DEVELOPED AND CONSTRUCTED BY DEVELOPER OR ITS PREDECESSORS OR SUCCESSORS. THE DEVELOPER'S MAINTENANCE RESPONSIBILITY INCLUDES, BUT IS NOT LIMITED TO, CONSTRUCTION AND MAINTENANCE IN ACCORDANCE WITH APPROVED DESIGNED SLOPE, GRADE, CONTOUR, AND VOLUME, INCLUDING ANY STRUCTURES, FREQUENT MOWING AND ROUTINE MAINTENANCE, REMOVAL OF DEBRIS, AND REPAIR OF EROSION. NO FACILITIES WILL BE ALLOWED WITHIN THE IMPROVEMENTS AREAS WITHOUT THE ADVANCE WRITTEN PERMISSION OF THE DIRECTOR OF PUBLIC WORKS.

DEVELOPER WILL INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF CORINTH, ITS OFFICERS, EMPLOYEES, AND AGENTS FROM ANY DIRECT OR INDIRECT LOSS, DAMAGE, LIABILITY, OR EXPENSE AND ATTORNEY'S FEES FOR ANY AND ALL DAMAGES, ACCIDENTS, CASUALTIES, OCCURRENCES, OR CLAIMS WHICH ARISE OUT OF OR RESULT FROM THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, CONDITION OR USE OF THE IMPROVEMENTS, INCLUDING ANY NON-PERFORMANCE OF THE FOREGOING. DEVELOPER WILL REQUIRE ANY SUCCESSOR IN INTEREST OF ALL OR PART OF THE PROPERTY, INCLUDING ANY PROPERTY OWNERS ASSOCIATION, TO ACCEPT FULL RESPONSIBILITY AND LIABILITY FOR THE IMPROVEMENTS. THE COVENANTS SHALL INCLUDE THE FULL OBLIGATION AND RESPONSIBILITY OF MAINTAINING AND OPERATING SAID IMPROVEMENTS. IF THE PROPERTY IS FURTHER SUBDIVIDED, DEVELOPER SHALL IMPOSE THESE COVENANTS UPON ALL LOTS ABUTTING, ADJACENT OR SERVED BY THE IMPROVEMENTS. ALL OF THE ABOVE OBLIGATIONS SHALL BE COVENANTS RUNNING WITH THE LAND. ACCESS TO THE IMPROVEMENTS IS GRANTED TO THE CITY FOR ANY PURPOSE RELATED TO THE EXERCISE OF GOVERNMENTAL SERVICES OR FUNCTIONS, INCLUDING BUT NOT LIMITED TO, FIRE AND POLICE PROTECTION, INSPECTION AND CODE ENFORCEMENT.

WITNESS OUR HAND this _____ day of _____, 2019.

Denton County Electric Cooperative, Inc

BY: Donald R. Clary, Jr., President and Chief Executive Officer Date

Quail Run Realty LLC,

BY: Donald R. Clary, Jr., President and Chief Executive Officer Date

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, THE UNDERSIGNED AUTHORITY in and for Denton County, Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she is _____, and that he/she is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2019.

Notary Public in and for the State of Texas

Type or Print Notary's Name

My commission expires the _____ day of _____, 2019.

OWNER'S STATEMENT FOR FIRE LANE EASEMENT

The undersigned covenants and agrees that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a fire Lane in accordance with the Fire Code and City standards and that he (they) shall maintain the same in a state of good repair at all times in accordance with City Ordinance. The fire lane easement shall be kept free of obstructions in accordance with the City Ordinance. The maintenance of pavement in accordance to City Ordinance of the fire lane easements is the responsibility of the owner. The owner shall identify the fire lane in accordance with City Ordinance. The Chief of Police or his/her duly authorized representative is hereby authorized to cause such fire lane and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

WITNESS OUR HAND this _____ day of _____, 2019.

Denton County Electric Cooperative, Inc

BY: Donald R. Clary, Jr., President and Chief Executive Officer Date

Quail Run Realty LLC,

BY: Donald R. Clary, Jr., President and Chief Executive Officer Date

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, THE UNDERSIGNED AUTHORITY in and for Denton County, Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she is _____, and that he/she is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2019.

Notary Public in and for the State of Texas

Type or Print Notary's Name

My commission expires the _____ day of _____, 2019.

CERTIFICATE OF FINAL PLAT APPROVAL

Approved :

Chairman, Planning and Zoning Commission Date
City of Corinth, Texas

The undersigned, the City Secretary of the City of Corinth, Texas, hereby certifies that the foregoing Final Plat of the CoServ Addition to the City of Corinth was submitted to the Planning and Zoning Commission on the _____ day of _____, 2019, and the Commission, by formal action, then and there accepted the Final Plat and hereby authorizes the developer to proceed with the construction of public works improvements and infrastructure as indicated on the accompanying construction plans, and said Commission further authorizes the Chairman of the Planning and Zoning Commission to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness by hand this _____ day of _____, 2019.

City Secretary
City of Corinth, Texas

NOTES:

- 1. Bearings based on NAD '83 Texas Coordinate System, North Central Zone, 4202.
2. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate abstract of title may disclose.
3. No flood zone area analysis has been performed by G&A | MCADAMS on the subject property.
4. According to Community/Panel No. 48121C0545G, effective April 18, 2011, of the FLOOD INSURANCE RATE MAP for Denton County, Texas & Incorporated Areas, by graphic plotting only, this property appears to be within Flood Zone "X" (areas of minimal flooding). This flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

SURVEYOR'S STATEMENT

I, James Stowell, a Registered Professional Land Surveyor in the State of Texas, have prepared this plat of the above property from an actual survey on the ground, and this plat represents that survey made by me or under my supervision.
PRELIMINARY DOCUMENT.
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.
JAMES STOWELL, RPLS 6613 8/1/19

James Stowell, RPLS
Texas Registration No. 6513

REPLAT
Lots 3R & 8
COSERV ADDITION
3.008 Acres
Being a Replat of Lot 3
Coserv Addition
recorded in Document Number 2012-201
in the
T. WHITE SURVEY, ABSTRACT NO. 1376
CITY OF CORINTH
DENTON COUNTY, TEXAS



The John R. McAdams Company, Inc.
(DBA: G&A | McAdams)
111 Hillside Drive
Lewisville, Texas 75057
972.436.9712
201 Country View Drive
Roanoke, Texas 76262
940.240.1012
TBPE: 19762 TBPLS: 10194440
www.gacon.com
www.mcadamsco.com

DRAWN BY: BC DATE: 05/16/19 SCALE: NOT TO SCALE JOB. No. CSV-19000

OWNER/DEVELOPER
DENTON COUNTY ELECTRIC COOPERATIVE, INC.
7701 SOUTH STEMMONS CITY OF CORINTH, TX
Ph. (940) 321-7800
Contact: Ms. Denise Smithers



Memorandum

To: **The Corinth Planning and Zoning Commission**
From: Ben Rodriguez, AICP, Planning and Development Manager
Meeting Date: August 19, 2019
Re: Henderson Farms Planned Development

Action Requested:

The Planning and Zoning Commission will hold a public hearing, consider testimony and act upon a request for a zoning change from MX-C, Mixed-Use Commercial District to Planned Development (PD) with a base zoning district of SF-4, Single Family Residential (detached) with modified development standards in order to develop a single family residential subdivision on a tract of land legally described as Lake Vista Business Park Lots 1 Through 11, 6.079 acres in the T.W. Jenkins Survey Abstract Number 687, in the City of Corinth, Denton County, Texas. This property is located north, and east of Dobbs Road and is to the immediate west of the Corinth Farms, Phase 1 Subdivision. (Henderson Farms Planned Development)

Background Information:

The applicant is requesting a planned development district to facilitate the development of a single family detached residential subdivision.

The proposed subdivision contains 30 residential lots with a minimum lot width of 28 to 33 feet in width. The majority of the lots will be served by an alley with the garage placed in the rear of the lot.

The property is currently zoned as MX-C, Mixed Use Commercial but was originally developed as an industrial park under L1-2, Light Industrial zoning in April 2013.

In May of 2013 the Unified Development Code was adopted by the City of Corinth and the property's zoning classification was changed to the current MX-C, Mixed Use Commercial zoning.

Since the infrastructure for the property was originally constructed to accommodate an industrial land use it has been difficult for the site to develop under the current Mixed Use zoning standards.

The applicant is proposing a high density single family development which will serve as a transitional buffer between the traditional single family lots to the east and the urban mixed use development apartment to the west. The homes that the applicant is proposing will be larger than what is typically required in our transitional single family zoning district, 1,700 square feet versus 1,500 square feet, and wishes to construct homes styled after the traditional craftsman or "farm house" look. .

The streets, alleys, open spaces, and landscape areas will be owned and maintained by the homeowners association.

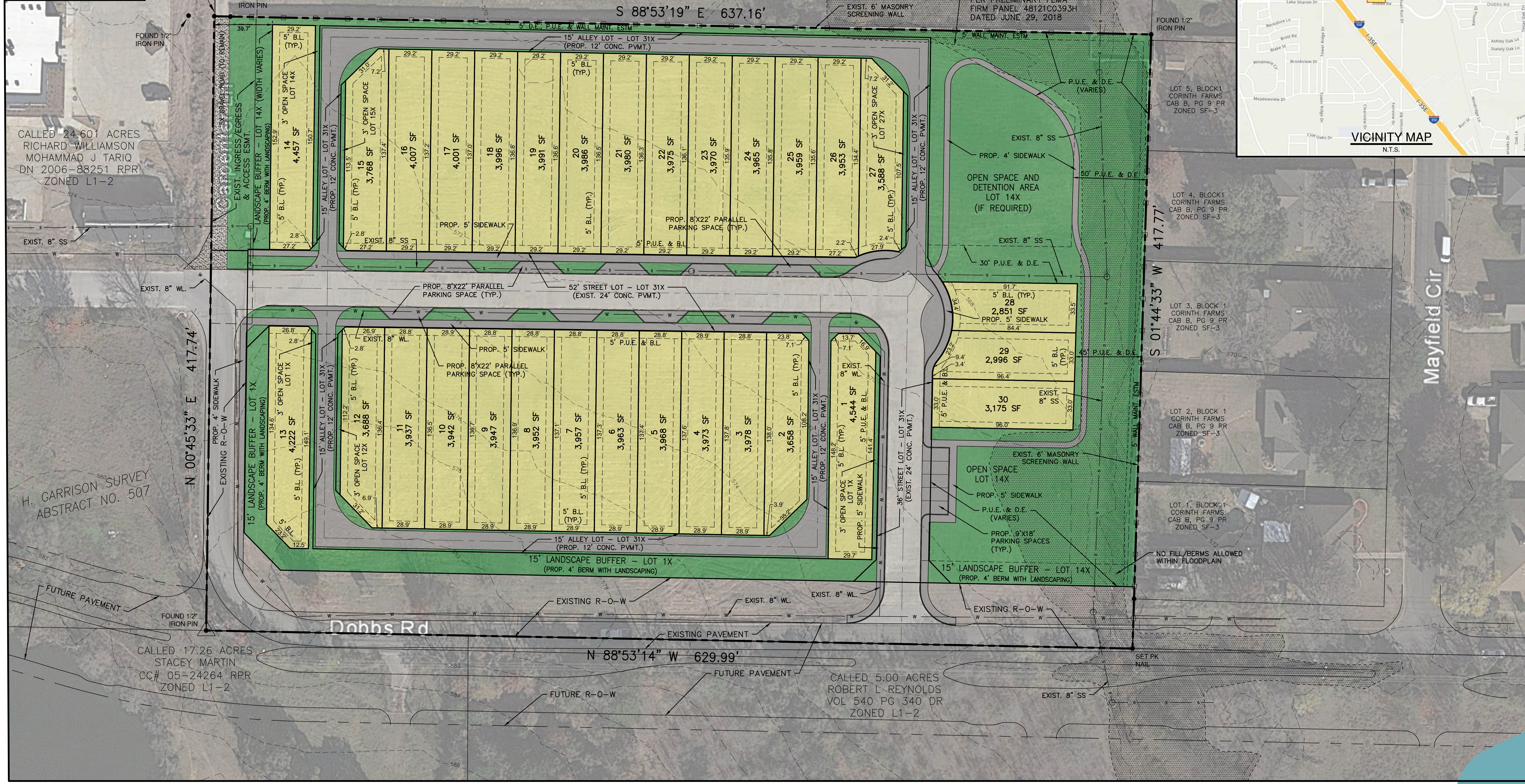
Supporting Documents:

- Concept Plan
- Development Regulations
- Landscape Plans
- Elevations

Staff Recommendation:

Staff was still in discussion about minor revisions at the time of packet publication. Staff will provide a list of conditions for approval at the meeting. Staff is supportive of the overall project and generally supportive of the applicant's proposal.

ABBREVIATIONS:	
B.L.	BUILDING LINE
P.U.E.	PUBLIC UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
8" SS	8-INCH SANITARY SEWER LINE
8" WL	8-INCH WATERLINE
R-O-W	RIGHT-OF-WAY
PROP.	PROPOSED
EXIST.	EXISTING
TYP.	TYPICAL DIMENSION
CONC. PVMT.	CONCRETE PAVEMENT

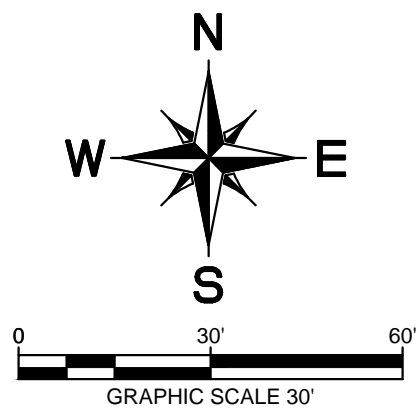


PD CONCEPT PLAN

30 LOTS ON 6.076 ACRES (4.94 UNITS / AC)

AUGUST 15, 2019

- NOTES:**
1. ALL SIDEWALKS AND CROSSINGS SHALL COMPLY WITH ADA STANDARDS.
 2. THE LANDSCAPE BUFFER OR LOT AREA/DEPTH MAY BE INCREASED IN THE EVENT THAT RIGHT-OF-WAY ALONG THE EAST/WEST PORTION OF DOBBS ROAD TRANSFERRED TO THE DEVELOPER.
 3. DEVELOPER TO INSTALL CONCRETE CURB ALONG EXISTING EDGE OF PAVEMENT AND AT BACK OF PROPOSED PARKING WITHIN THE PROPOSED STREET LOT.
 4. NO PARKING SHALL BE ALLOWED IN ALLEYS OR FIRE LANES.
 5. PAVING THICKNESS FOR PROPOSED PAVEMENT IN ALLEY LOT SHALL BE IN ACCORDANCE WITH STANDARD CITY OF CORINTH ALLEY SPECIFICATIONS.
 6. NO FILL OR BERMS SHALL BE ALLOWED WITHIN THE FLOODPLAIN WITHOUT APPROVAL FROM THE FLOODPLAIN ADMINISTRATOR FOLLOWING THE APPROVAL OF A CLOMR WITH FEMA, IF REQUIRED.
 7. AN APPROVED LOMR SHALL BE REQUIRED PRIOR TO BUILDING PERMITS BEING ISSUED FOR ANY LOTS SHOWN WITHIN THE FLOODPLAIN.



OWNERS:
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P (940) 365-9816

LVBP INC.
PO BOX 1000
LAKE DALLAS, TX 75065
P (972) 841-3715
CONTACT: JOHN LUGENHEIM

DEVELOPER:
FIELDS BROTHERS HOMES, LLC
2310 N HENDERSON AVE, NUM 219,
DALLAS, TX 75206
P (214) 821-5300
CONTACT: C.W. FIELDS

ENGINEER:
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214-852-0233
CONTACT: CRAIG MALAN, PE

Kimley-Horn

400 North Oklahoma Drive, Suite 105
Celina, Texas 75009
972-335-3580
State of Texas Registration No. F-928

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGES BASED ON PENDING REVIEW AND APPROVAL BY THE CITY.

EXHIBIT “B”
LAND USE REGULATIONS

SECTION 1: REGULATIONS

A. Purpose

The regulations set forth in this Exhibit provide development standards for single family residential lots within the Henderson Farms Planned Development District. The Planned Development (PD) District is identified by metes and bounds on Exhibit A and the Concept Plan is depicted on Exhibit C. Every use not authorized herein is expressly prohibited in this Planned Development (PD) District.

B. Base District

In this Planned Development (PD) District, the “SF-4” Single Family Residential District (detached) regulations of the Corinth Unified Development Code (UDC), Ordinance No. 13-05-02-08 as exists, or may be amended, shall apply except as modified herein. If a change to the Concept Plan is requested, the request shall be processed in accordance with the development standards in effect at the time the change is requested for the proposed development per PD Regulations in the UDC.

SECTION 2: USES AND AREA REGULATIONS

A. Purpose

Henderson Farms is envisioned as a higher-density, lower-maintenance, neighborhood offering owners a higher quality of architecture, landscaping, and interior finish-out than what can be found in a comparably priced traditional single family neighborhood.

B. Permitted Uses and Use Regulations

In the Planned Development (PD) District, no building or land shall be used and no building shall be hereafter erected, reconstructed, enlarged or converted, unless permitted by the SF-4 Single Family Residential District (detached) regulations of the Unified Development Code except as otherwise included in this PD ordinance.

The Permitted Uses in the SF-4 Single Family Residential District (detached) as listed in Subsection 2.07.03 of the Unified Development Code shall be permitted uses.

C. Dimensional Regulations

The Dimensional Regulations described in Section 2.08.04 of the Unified Development Code, Ordinance No. 13-05-02-08 as exists, or may be amended, for the SF-4 Single Family Residential (detached) shall apply, except as follows:

	SF-4	PD
Minimum Front Yard Setback	25'	5' measured from edge of "street lot"
Minimum Side Yard Setback	7.5'	5' Brick ledges can project up to 6" into side yard setback
Minimum Rear Yard Setback	30% of depth or 30'	5' measured from edge of "alley lot"
Minimum Lot Area	7,500 square feet	2,800 square feet
Minimum Lot Width	70' at building line / 60' at front property line	20' measured at the front building line Front entry 33' min, measured front building line.
Minimum Lot Depth	100'	100' for alley served 80' for front entry
Minimum Floor Area	1,500 square feet	1,700 square feet
Maximum Height	35' / 2.5 Stories	36'
Maximum Building Coverage	30%	70%
Maximum Density		Per concept plan

D. Development Standards

The Development Standards described in Section 2.04.04 of the Unified Development Code, Ordinance No. 13-05-02-08, for the SF-4 Single Family (detached) District, as amended shall apply except as follows:

1. See the following sections for development standards:

1) UDC Section 2.07.07 **Accessory Buildings and Uses** shall apply, except:

	Residential (up to 13,999 sf)	PD
Garage Rear Setback (off of alley)	0' if less than 100 s.f., 5' if over 100 s.f.	8'
Garage Front Setback (off of private drive, not alley served)		20'
Garage Side Setback (off of alley lot line)		5'
Max Garage Height	15'	20'
Max Garage Floor Area	400 square feet	500 square feet

a) Garages shall be accessed through an Alley or Street lot.

- b) Only lots located east of the private drive may have garages fronting onto the private drive.
 - c) Accessory building permits for garages are not required. Garages will be permitted with the home.
- 2) UDC Section 2.09.01 **Landscape Regulations** shall apply, except:
- a) Common areas will be landscaped as laid out on the landscape plan, as shown in exhibits D.1 & D.2.
- 3) UDC Section 2.09.02 **Tree Preservation Regulations** shall apply.
- 4) UDC Section 2.09.03 **Vehicle Parking Regulations** shall apply, except:
- a) There will be two (2) off-street parking spaces per home.
 - b) There will be 15 guest parking spaces total within the PD as illustrated on Concept Plan.
 - c) All parking spaces in garages will be a minimum size of 8.5' x 19. Parallel spots will be 8x22, per concept plan. Head in guest spots will be 9'x18', per concept plan.
- 5) UDC Section 2.09.04 **Building Façade Material Standards** shall apply, except:
- a) All of the buildings will consist of a combination of any two (2) of the following materials in any percentages; brick, stone, fiber cement siding, fiber cement board-and-batten.
 - b) All porch posts will be solid cedar stained and sealed.
 - c) All homes will have porches with standing seam roofs.
- 6) UDC Section 4.01 **Sign Regulations** shall apply.
- 7) UDC Section 4.02 **Fence and Screening Regulations** shall apply, except:
- a) Existing screening along the north and east property lines will remain and suffice for screening along those property lines.
 - b) Along Carpenter Lane and Dobbs Road a 4-foot-tall landscape berm shall be required as shown in Exhibits D.1 & D.2.
 - c) Maintenance and ownership of the wall shall be with the HOA.

E. Amenities

- 1. The following amenities shall be required in the Street/ Alley lots and common open space areas:
 - a. A sidewalk with a minimum width of 5 feet in front of all lots.
 - b. The sidewalks, street, and Alleys shall be maintained by the HOA.

F. Streets

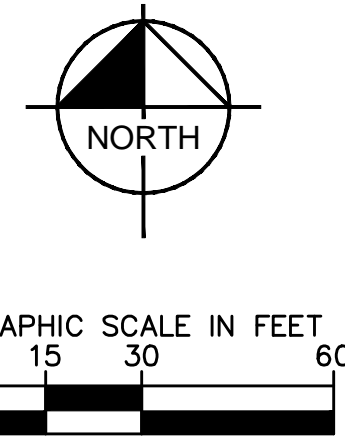
Minimum street design criteria for Local Street.

	3.05.13(H)	PD
Minimum Right-of-Way	50'	East-West Section: 52' street lot width North-South Section: 36' street lot width
Roadway Width	30'	East-West Section: 25' pavement width North-South Section: 25' pavement width
Number of Lanes and Width	2—15'	East-West Section: 2—12' North-South Section: 2—12'
Number of Parkways and Width	2—10'	East-West Section: 2—13.5' (parallel parking and sidewalks within parkway) North-South Section: 2—5.5' (sidewalks within parkway)

G. Private Streets and Gated Subdivisions

- 1) Access Restrictions.
 - a. No access restrictions will be required.

CALLED 3.00 ACRES
DENTON KOREAN BAPTIST CHURCH
CC# 05-156045 RPR
ZONED SF-1



CALLLED 24.601 ACRES
RICHARD WILLIAMSON
MOHAMMAD J TARIQ
DN 2006-88251 RPR
ZONED L1-2

FOUND 3/8" IRON PIN
FOUND 1/2" IRON PIN



LOT 6, BLOCK1
CORINTH FARMS
CAB B, PG 9 PR
ZONED SF-3

FOUND 1/2" IRON PIN

LOT 5, BLOCK1
CORINTH FARMS
CAB B, PG 9 PR
ZONED SF-3

LOT 4, BLOCK1
CORINTH FARMS
CAB B, PG 9 PR
ZONED SF-3

LOT 3, BLOCK 1
CORINTH FARMS
CAB B, PG 9 PR
ZONED SF-3

LOT 2, BLOCK 1
CORINTH FARMS
CAB B, PG 9 PR
ZONED SF-3

LOT 1, BLOCK 1
CORINTH FARMS
CAB B, PG 9 PR
ZONED SF-3

NO FILL/BERMS ALLOWED
WITHIN FLOODPLAIN

SET PK
NAIL

H. GARRISON SURVEY
ABSTRACT NO. 507

CALLLED 17.26 ACRES
STACEY MARTIN
CC# 05-24264 RPR
ZONED L1-2

CALLLED 5.00 ACRES
ROBERT L REYNOLDS
VOL 540 PG 340 DR
ZONED L1-2

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS	REMARKS
	CAN	72	Canopy Tree	3" cal, 12' ht, 4'-5' spr	To be one of the following or approved equal: Autumn Blaze Maple Bald Cypress Shumard Oak
SHRUB AREAS	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS	REMARKS
	SGC	5,598 sf	Shrubs and Groundcover	3 Gal. Avg.	Planting to be mix of shrubs, grasses, and groundcovers

NOTE: 3'-5' TALL UNDULATING BERM (4' AVG.) WITH 2:1 SLOPE

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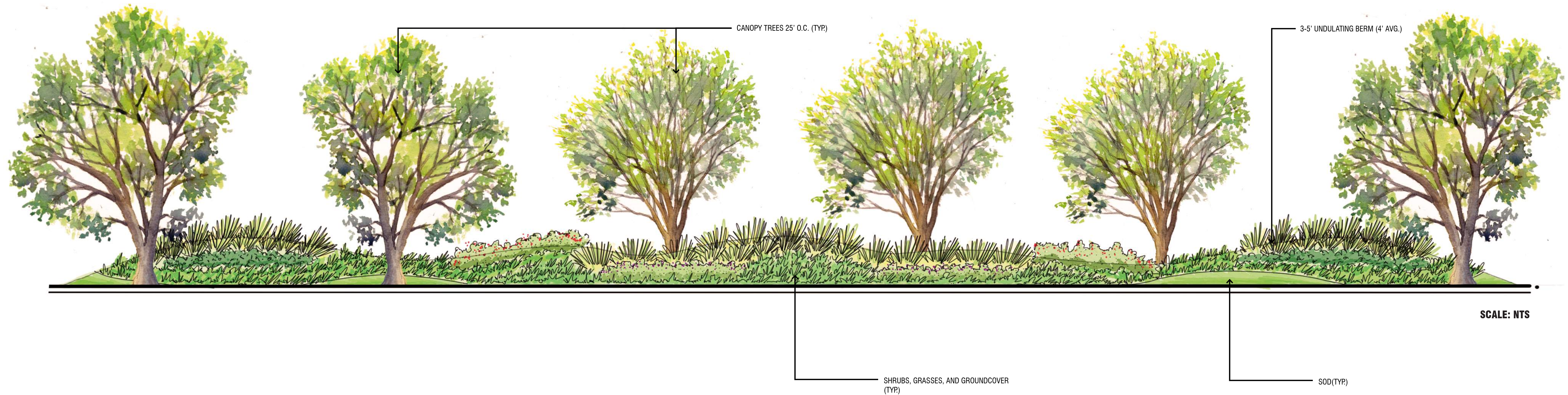
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LANDSCAPE PLAN
30 LOTS ON 6.076 ACRES (4.94 UNITS / AC)
AUGUST 15, 2019

Kimley Horn

400 North Oklahoma Drive, Suite 105
Celina, Texas 75009
972-335-3580
State of Texas Registration No. F-928

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE BASED ON PENDING REVIEW AND APPROVAL BY THE CITY.



SCALE: NTS

LANDSCAPE BERM ELEVATION

30 LOTS ON 6.076 ACRES (4.94 UNITS / AC)
AUGUST 15, 2019

THIS GRAPHIC IS CONCEPTUAL. THE INFORMATION SHOWN IS BASED ON THE BEST INFORMATION AVAILABLE AND IS SUBJECT TO CHANGE WITHOUT NOTICE.

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Exhibit "F"
Elevations







Memorandum

To: **The Corinth Planning and Zoning Commission**
From: Ben Rodriguez, AICP, Planning and Development Manager
Meeting Date: August 19, 2019
Re: Building Materials Update

Action Requested:

The Planning and Zoning Commission will conduct a public hearing, consider testimony and act upon an amendment to the City's Unified Development Code, Section 2: Zoning Regulations, subsection 2.09: Zoning Development Standards, and subsection 2.11 Zoning Relief Procedures (Building Façade & Material Standards and Zoning Board of Adjustments

Background Information:

On June 14, 2019 Governor Abbot signed HB 2439 which places limits on municipal regulation of building materials used for both residential and non-residential structures.

Beginning on September 1, 2019, any material listed as approved for use in a National Model Code, including the International Building Code within the last three code cycles are allowed.

The effect of this means that municipalities may no longer specify required masonry percentages, or the materials, that the structure is built with provided it is allowed in a National Model Code.

Additionally, H.B. 2497 which will also be in effect on September 1, 2019 amends municipal Zoning Board of Adjustment procedures to allow anyone within 200 feet of a property to appeal a decision made by an administrative official to the Board of Adjustment. Previously only property owners or those with direct interest in a property affected by a decision made by an administrative official could appeal the decision.

The proposed ordinance ensures that the City will be in compliance with the changes in state law effective on September 1, 2019.

Supporting Documents:

- Proposed Ordinance

Staff Recommendation:

Staff recommends approval as presented.

ORDINANCE NO. _____

**BUILDING MATERIAL STANDARDS AND BOARD OF ADJUSTMENTS AMENDMENTS
RELATED TO H.B. 2439 & H.B. 2497**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AMENDING SECTION 2 “ZONING REGULATIONS” OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CORINTH; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas is a home rule municipality located in Denton County, Texas created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to its Charter and the laws of the state of Texas; and

WHEREAS, the City is authorized to adopt regulations for the peace and welfare of the City and the order and security of its residents; and

WHEREAS, H.B. 2439 as signed by the Governor on June 14, 2019 places limitations on municipal regulation of building façade materials; and

WHEREAS, H.B. 2497 effective on September 1, 2019 amends the zoning decision appeal procedures; and

WHEREAS, the City Council of the City of Corinth finds amending the city’s building façade standards and Zoning Board of Adjustment procedures are necessary to comply with H.B. 2439 & H.B. 2497 prior to September 1, 2019; and

WHEREAS, the City Council finds that the procedures set forth herein promote order and the safe construction and occupation of structures and such regulations reasonably promote the health, safety and welfare of the public.

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 are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

SECTION 2
AMENDMENTS

2.01 That section 2.09.04 “Building Façade Material Standards” of Subsection 2.09 “Zoning Development Standards” of Section 2, “Zoning Regulations” of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 2, “Zoning Regulations” not specifically amended hereby shall remain in full force and effect without amendment:

“2.09.04. - Building Façade Material Standards

A. Definitions. The following definitions apply to the provisions of this Article:

(a) “Building Code(s)” means any and all of the codes adopted by the City of Corinth as set forth in Chapter 150, “Building Regulations” of the Code of Ordinances of the City, as amended, including local amendments thereto, as currently existing or as later adopted or amended.

(b) “City” means City of Corinth, Texas.

(c) “Commercial Building” means a building for the use or occupation of people for a public purpose or economic gain, or a residence if the building is a multi-family residence that is not defined as a residential building.

(d) “National Model Code” means a publication that is developed, promulgated, and periodically updated at a national level by organizations consisting of industry and government fire and building safety officials through a legislative or consensus process and that is intended for consideration by units of government as local law. “National Model Code” includes the International Residential Code, the National Electrical Code and the International Building Code.

(e) “Official” means an official responsible for enforcement of the City’s Zoning Ordinance or Building Codes, as designated by City Charter, ordinance or other authorization of the City

(f) “Residential Building” means a building having the character of a one-family or two-family dwelling or a multiple single-family dwelling that is not more than three (3) stories high with separate means of egress, including the accessory structures of the dwelling and that does not have the character of a facility used for the accommodation of transient guests or a structure in which medical, rehabilitative, or assisted living services are provided in connection with the occupancy of the structure.

(g) “Zoning Ordinance” means the Zoning Ordinance of the City of Corinth, Texas, codified as Appendix “B” to the Code of Ordinances of the City, as currently existing or as later adopted or amended.

B. Prohibitions on Enforcement.

(a) Notwithstanding any other provision contained in the City’s ordinances, regulations or rules to the contrary, an official responsible for enforcement of the City’s Zoning Ordinance or Building Codes, as designated by City Charter, ordinance or other authorization of the City, shall not:

(1) prohibit or limit, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a National Model Code published within the last three (3) code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or

(2) enforce a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or

aesthetic method under a National Model Code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building.

(b) An applicant who proposes to use a building material, product or aesthetic method in the construction or alteration of a residential or commercial building that is prohibited or limited by the City's adopted Zoning Ordinance or building codes, as amended, or that is less stringent than the standard established by such Ordinance or building codes, as amended, shall identify each provision in a National Model Code published within the last three code cycles that approves the use of such building material, product or aesthetic method, as a necessary requirement of the application.

(c) An applicant may agree in writing to employ a building material, product or aesthetic method for use in the construction or alteration of a residential or commercial building that otherwise cannot be enforced under subsection (a).

C. Exemptions for ordinances, requirements and programs.

The prohibitions in Section B above do not apply to the ordinances, requirements or programs of the City or State listed in this Section, and the officials responsible for enforcement of the City's Zoning Ordinance and Building Codes, as designated by City, shall apply all regulations and standards prescribed by such ordinances, requirements or programs listed herein, whether such ordinances, requirements or programs listed herein are currently existing or are hereafter adopted or established by City or State, to the fullest extent therein provided. This Section applies to:

(a) a local amendment of a Building Code to conform to local concerns if the amendment does not conflict with Sections B(a) or B(b) of this Article;

(b) a program established by a state agency that requires particular standards, incentives, or financing arrangements in order to comply with requirements of a state or federal funding source or housing program;

(c) a requirement for a building necessary to consider the building eligible for windstorm and hail insurance coverage under Chapter 2210, Texas Insurance Code, as amended;

(d) an ordinance or other regulation that regulates outdoor lighting that is adopted for the purpose of reducing light pollution and that: (1) is adopted by a governmental entity that is certified as a Dark Sky Community by the International Dark-Sky Association as part of the International Dark Sky Places Program; or (2) applies to outdoor lighting within five miles of the boundary of a military base in which an active training program is conducted;

(e) an ordinance that regulates outdoor lighting and is adopted under Subchapter B, Chapter 229, Texas Local Government Code, as amended, or under Subchapter B, Chapter 240, Texas Local Government Code, as amended; or

(f) installation of a fire sprinkler protection system under Texas Occupation Code, section 1301.551(i), as amended, or under Texas Health and Safety Code, section 775.045(a)(1), as amended.

D. Exemptions for Buildings. The prohibitions in Section B do not apply to the following buildings, and the officials responsible for enforcement of the City's Zoning Ordinance and Building Codes, as designated by the City, shall apply all regulations and standards prescribed by those ordinances or codes to such buildings, where such provisions are currently existing or

hereafter adopted or established by City or State, to the fullest extent therein provided. This Section applies to:

- (a) a building located in a place or area designated for its historical, cultural, or architectural importance and significance by the City which were adopted by the City Council prior to April 1, 2019;
- (b) a building located in a zoning district designated by the City Council after April 1, 2019 for its historical, cultural, or architectural importance and significance by the City, and for which the owner has voluntarily consented in writing to the application of the regulations or standards prohibited by Section 3, including the following zoning districts and any district that may hereafter be created by the City Council for its historical, cultural, or architectural importance and significance;
- (c) a building located in a place or area designated for its historical, cultural, or architectural importance and significance the City may regulate under Section 211.003(b), Texas Local Government Code, as amended, if the City (1) is a certified local government under the National Historic Preservation Act (54 U.S.C. Section 300101 et seq.); or (2) has an applicable landmark ordinance that meets the requirements under the certified local government program as determined by the Texas Historical Commission;
- (d) a building located in an area designated as a historic district on the National Register of Historic Places;
- (e) a building designated as a Recorded Texas Historic Landmark;
- (f) a building designated as a State Archeological Landmark or State Antiquities Landmark;
- (g) a building listed on the National Register of Historic Places or designated as a landmark by a governmental entity;
- (h) a building located in a World Heritage Buffer Zone; and
- (i) a building located in an area designated for development, restoration, or preservation in a main street city under the main street program established under Section 442.014, Texas Local Government Code, as amended.

E. Appeal.

An applicant, landowner or other aggrieved person (“Appellant”) may appeal the decision of an Official applying a regulation or standard to the construction, renovation, maintenance, or other alteration of a Residential Building or a Commercial Building, when the application of such regulation or standard by the Official is asserted by the Appellant to be prohibited by Section B, and such appeal shall be asserted as follows:

- (a) If the decision applies a requirement of a Building Code, to the Board of Construction Appeals, or if there is no Board of Construction Appeals, to the Zoning Board of Adjustment; or
- (b) if the decision applies a requirement of the Zoning Ordinance, to the Zoning Board of Adjustment.

The appeal shall identify the specific provision or provisions which the Appellant alleges to have been applied in violation of Section B of this Article. The appeal shall be filed, processed and decided in the manner provided for other appeals by the body designated by this Section.”

2.02 That section 2.11.01 “Zoning Regulation Appeal” of Subsection 2.11 “Zoning Relief Procedures” of Section 2, “Zoning Regulations” of the Unified Development Code of the City of Corinth, Texas is hereby amended to be read in its entirety as follows, and all other subparagraphs and subsections of Section 2, “Zoning Regulations” not specifically amended hereby shall remain in full force and effect without amendment:

“2.11.01. - Zoning Regulation Appeal

A. Types of Appeals The following are the types of Zoning Regulation Appeal contained within this UDC:

1. Appeal of a City Administrative or Interpretative Decision.
 - a. An appeal of a decision by an administrative official that is not related to a specific application, address or project may be made by an aggrieved person or any officer, department, board, or bureau of the City affected by the decision.
 - b. An appeal of a decision by an administrative official that is related to a specific application, address or project may be made by any one of the following
 - (i) the applicant;
 - (ii) the owner or owner’s representative of the property that is the subject of the decision;
 - (iii) an aggrieved person who is the owner of property located within two hundred (200) feet of the property that is the subject of the decision; or
 - (iv) any officer, department, board, or bureau of the City affected by the decision.
 - c. In exercising the Board's authority herein, the Board may reverse or affirm, in whole or in part, or modify the City administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the Board has the same authority as the City's administrative official.
 - d. Public hearings shall be held in accordance with 2.10.05. E.4 of the Unified Development Code
2. Appeal to the City Council of a SCSP or a Zoning Vested Rights Petition Decision.
 - a. See 2.10.08. H.2.c.i Appeal of a Substantially Conforming Site Plan Decision made by the Director of Planning.
 - b. See 2.11.04. G Appeal to the Council of a Decision on a Zoning Vested Rights Petition.
3. Appeal to District Court of a decision of the City Council or Board of Adjustment. Any person, department, board, or bureau of the City affected by a decision of the City Council or Board of Adjustment may appeal to District Court.

B. Appeals Procedure to the City Council or Board of Adjustment

1. Timing and Fee. Appeal to the City Council or Board of Adjustment shall be taken within thirty (30) calendar days from the date of the decision by filing with the Responsible Official from

whom the appeal is taken and with the City Secretary a notice of appeal specifying the grounds thereof, and by paying a filing fee at the office of the City Secretary at the time the notice is filed.

2. **Transmission of Record.** The Responsible Official from whom the appeal is taken shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.
3. **Stays of Proceedings.** An appeal stays all proceedings in furtherance of the action appealed from, unless the Responsible Official certifies to the City Council or Board of Adjustment, that by reason of facts stated in the certificate a stay would, in the Responsible Official's opinion, cause imminent peril to life or property.

C. Appeals Procedure to District Court

1. **Timing.** An appeal from any action, decision, ruling, judgment, or order of the City Council or Board of Adjustment may be taken by any person or persons, jointly or severally, or any taxpayer; or any officer, department, board, or bureau of the City to the district or county court by filing notice of appeal with the City Secretary and with the Board of Adjustment within ten (10) calendar days from the filing of the decision of the board, which notice shall specify the grounds of such appeal.
 2. **Transmission of Record.** Upon filing of the notice of appeal as herein provided, the court may grant a writ of certiorari directed to the board in this event, the City Council or Board of Adjustment shall transmit to the court clerk and the petitioner the original or certified copy of the papers constituting the record in the case, together with the order, decision, or ruling.
 3. **Stays of Proceedings.** An appeal to the district court from the City Council or Board of Adjustment stays all proceedings in furtherance of the action appealed from, unless the mayor or chairman of the Board of Adjustment, from which the appeal is taken certifies to the court clerk, after the notice of appeal shall have been filed, that by reasons of fact stated in the certificate, a stay would, in her or his opinion, cause imminent peril to life or property.
- D. Fees. All fees for all types of Applications, forms, plans, notifications, appeals, and petitions required under this UDC shall be established by the City Council within the Fee Schedule.
- E. Rules. Rules of the Board of Adjustment adopted or amended on or after September 1, 2019, shall be approved by the City Council prior to becoming effective.

SECTION 3
CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances of the City of Corinth 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 or where expressly repealed hereby. 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.

SECTION 4
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 5
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 6
PENALTY

Any person, firm or corporation who 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 an intentional, knowing, reckless or criminally negligent violation of any provision of this ordinance or Code of Ordinances, as amended hereby, governing public health 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 7
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.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS on this the _____ day of _____ 2019.

APPROVED:

Bill Heidemann, Mayor
City of Corinth, Texas

ATTEST:

Ordinance No. _____
Page 8 of 8

Kimberly Pence, City Secretary
City of Corinth, Texas

APPROVED AS TO FORM AND LEGALITY:

Patricia A. Adams, City Attorney



Memorandum

To: **The Corinth Planning and Zoning Commission**
From: Ben Rodriguez, AICP, Planning and Development Manager
Meeting Date: August 19, 2019
Re: Platting Procedure Update

Action Requested:

The Corinth City Council will conduct a public hearing, consider testimony and act upon an amendment to the City's Unified Development Code, Section 3: Subdivision Regulations, subsection 3.02: "Subdivision submittal and processing procedures."

Background Information:

H.B. 3167 was signed by Governor Abbott on June 14, 2019. H.B. 3167 places statutory time requirements for plat approvals effective on September 1, 2019.

The new time requirements state that plats must be approved within 30 days of receiving an application. While this 30 day rule has been in state law for a number of years, typically developers and residents would submit a waiver of their right to a 30 day review to allow additional time for communication with staff and to allow their consultants time to make any necessary changes to the documents following the City's review.

The changes to state law remove the ability for applicants to waive their right to a 30 day review and requires that any extensions be granted by the Planning and Zoning Commission and are limited to one 30 day extension.

The ordinance under consideration will ensure that the City is in compliance with the state law changes which will go into effect on September 1, 2019.

Supporting Documents:

- Proposed Ordinance

Staff Recommendation:

Staff recommends approval as presented.

ORDINANCE NO. _____

SUBDIVISION PROCEDURE UPDATE RELATED TO H.B. 3167

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AMENDING SECTION 3 “SUBDIVISION REGULATIONS” OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CORINTH; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas is a home rule municipality located in Denton County, Texas created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to its Charter and the laws of the state of Texas; and

WHEREAS, the City is authorized to adopt regulations for the peace and welfare of the City and the order and security of its residents; and

WHEREAS, H.B. 3167 as signed by the Governor on June 14, 2019 places statutory time requirements for plat approvals; and

WHEREAS, the City Council of the City of Corinth finds amending the city’s plat review and approval procedures are necessary to comply with H.B. 3167 prior to September 1, 2019; and

WHEREAS, the City Council finds that the procedures set forth herein promote order and the safe construction and occupation of structures and such regulations reasonably promote the health, safety and welfare of the public.

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 are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

SECTION 2
AMENDMENTS

2.01 That Section 3.02.01 “Applicability, Completeness, and Expiration” of Subsection 3.02 “Subdivision Submittal and Processing Procedures” of Section 3, “Subdivision Regulations” of the Unified Development Code of the City of Corinth, Texas is hereby amended to be and read in its entirety as follows, and all other subparagraphs and subsections of Section 3, “Subdivision Regulations” not specifically amended hereby shall remain in full force and effect without amendment:

“3.02.01 Plat processing procedures”

A. Definitions. The following definitions apply to the provisions of this Ordinance:

(a) “Administrative Official” or “Official” means the administrative official(s) designated by the Subdivision Ordinance, or otherwise designated by the City, as the person(s) responsible for reviewing and evaluating Plats, Subdivision Plans, and Subdivision Applications under this Article, the City’s Subdivision Ordinance, and other applicable City ordinances and state law, including such person(s) authorized designee.

(b) “City” means the City of Corinth, Texas

(c) “City Council” means the City Council of the City of Corinth, Texas.

(d) “Design Standards” means the Design Criteria and Construction Standards” adopted as part of The Unified Development Code of the Code of Ordinances of the City of Corinth, Texas.

(e) “Planning Commission” means the Planning and Zoning Commission of the City of Corinth as designated by the City Charter and is also referred to herein as “Commission”.

(f) “Plat” means a preliminary plat, general plan (including a master plan or plat), final plat, and replat. The terms preliminary plat, general plan, final plat and replat may be referred to individually, and each shall have the meaning set forth in the Subdivision Ordinance.

(g) “Subdivision Application” means a request for approval of a Plat or Subdivision Plan required to initiate the division or development of land pursuant to Tex. Loc. Gov’t Code Ch. 212, Subchapters A and/or B, as amended.

(h) “Subdivision Plan” means a subdivision development plan, subdivision plan, subdivision construction plan, land development application, site development plan or site plan required for approval of a Plat, which is authorized under Tex. Loc. Gov’t Code Ch. 212, Subchapters A and/or B. A Subdivision Plan excludes a Zoning Plan. A Subdivision Plan does not include a site plan required for a Zoning Plan or for building permit approval.

(i) “Subdivision Ordinance” or “Subdivision Regulations” means the Subdivision Ordinance duly adopted by the Corinth City Council and codified as Section 3 of the Unified Development Code of the City of Corinth, Texas, as amended, prior to the effective date of this Ordinance.

(j) “Zoning Plan” means a concept plan, site plan or similar document required to determine compliance with land use regulations which are authorized under Tex. Loc. Gov’t Code, Ch. 211, as amended.

B. Applicability.

(a) This Ordinance applies to the procedures for approval of Plats and Subdivision Plans for the division or development of property pursuant to Tex. Loc. Gov’t Code Ch. 212, Subchapters A and/or B.

(b) This Ordinance does not apply to the procedures for approval of Zoning Plans or plans required to accompany applications for building permits.

(c) This Ordinance does not apply to any Subdivision Application, as defined herein, that is filed before September 1, 2019.

D. Stages of Plat Approval.

Notwithstanding any other provision of the Subdivision Ordinance to the contrary, the stages of plat approval shall be as follows:

(a) Except for minor plats, as allowed, replats and amending plats, all applications for Plat approval shall consist of an application for preliminary plat approval, followed by an application for final plat approval. Applications for preliminary plat approval and final plat approval shall not be submitted nor processed simultaneously. Each plat application shall require the approval of the Planning Commission as hereinafter provided.

(b) Any procedure in the Subdivision Ordinance that provides for a different time period or process for approval of a Subdivision Application than that required for approval of a Subdivision Application under this Ordinance is superseded by the procedures of this Ordinance, and all other provisions not superseded by this Ordinance shall remain in full force and effect, shall be interpreted as complimentary to, and shall work in concert with the provisions adopted in this Ordinance.

(c) Except as hereinafter provided, the procedure for any appeal from a Planning Commission decision on a Subdivision Application to the City Council is superseded by the procedures of this Ordinance.

(d) Procedures for review of a Subdivision Application for completeness authorized by the Subdivision Ordinance or to be undertaken pursuant to Tex. Loc. Gov't Code sec 245.002(e) are superseded by the procedures in Sections 5 and 6 of this Ordinance, except as otherwise provided in Section 7 of this Ordinance.

(f) Conditional approval of a preliminary Plat application shall mean that each such condition must be satisfied prior to final Plat approval. Such conditions are not subject to the procedures in Section 6 of this Ordinance.

(g) Because the technical requirements for submittal of a Plat or Subdivision Plan application are essential for determining whether the application should be approved, conditionally approved, or disapproved, any deficiency in the submittal requirements for such application shall be grounds for disapproval of the application, unless the Plat or Subdivision Plan application is to be reviewed under the alternative procedures in Section G of this Ordinance.

E. Procedures for Approval of Plats and Subdivision Plans.

(a) Approval by Commission. The Planning Commission shall approve, approve with conditions, or disapprove a preliminary plat, final plat or Subdivision Plan application within thirty (30) days after the date the Plat or Subdivision Plan application is filed. A Plat or Subdivision Plan application is deemed approved by the Commission unless it is conditionally approved or disapproved within that period in the manner provided in subsection (e).

(c) Extension by Agreement. The applicant may request in writing and the Planning Commission, may approve the request for an extension of the time for Plat or Subdivision Plan approval required by subsections (a) or (b) for a period not to exceed thirty (30) days. The written request must be made within fifteen (15) days of the date the application is filed and approved by the Commission prior to the time for a decision on the application required by subsections (a) or (b).

(d) Limitation on Submittals. Following the filing of the Plat or Subdivision Plan application, the applicant may not submit additional materials in support of the application during the initial thirty (30) day period during which the Commission or the City Council must decide the application, unless the applicant withdraws the original application and submits a new application with the additional materials. If an extension is sought and granted under subsection (c), the applicant may submit additional materials in support of the application no later than fifteen (15) days from the date the Commission is scheduled to review the application without filing a new application.

(e) Documentation for Conditional Approval or Disapproval. The Planning Commission shall provide the applicant a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval. Each such condition or reason shall be directly related to the requirements of the Subdivision Regulations, Zoning Regulations, and/or Design Standards and shall include a citation to the applicable law, including a state law or City ordinance, which serves as the basis for the conditional approval or disapproval. The conditions or reasons shall be consistent with this Section and may not be arbitrary.

F. Post-Decision Procedures.

(a) Applicant's Response. After the conditional approval or disapproval of a Plat or Subdivision Plan under Section E, the applicant may submit to the Commission that conditionally approved or disapproved the Plat or Subdivision Plan, a written response that satisfies each condition for the conditional approval or that remedies each reason for disapproval provided. Neither the Commission nor the City Council may establish a deadline for an applicant to submit the response authorized by this Subsection.

(b) Reply to Applicant's Response. The Commission that receives an applicant's response in accordance with Subsection (a) of this Section shall determine whether to approve, conditionally approve or disapprove the applicant's previously conditionally approved or disapproved Plat or Subdivision Plan not later than the fifteenth (15th) day after the date the response was submitted by the applicant. The Commission may further conditionally approve or disapprove the application for a specific condition or reason that is provided to the applicant in the manner prescribed in Section 5(e) of this Article. The Commission shall approve the Plat or Subdivision Plan application if the response adequately addresses each condition of the conditional approval or each reason for the disapproval.

(c) Delegation to Administrative Official. The Administrative Official(s) is hereby delegated the authority to reply to an applicant's response in the manner provided in section 5(e). The applicant may appeal the administrative official's decision within 15 days thereof to the Planning Commission which shall hear the appeal at its next scheduled regular meeting. The applicant may also request a delay in the reply in order to have the response considered and decided by the Planning Commission, as the case may be, at its next scheduled regular meeting.

(d) Failure to Timely Reply. If the response meets the criteria in subsection (a) and the administrative official, or the Planning Commission as the case may be, fails to act upon the response within the time provided in subsections (b) or (c), the plat or Subdivision Plan application shall be deemed approved.

(e) New Application Required. In the event that the administrative official, or the Planning Commission as the case may be, timely disapproves the Plat or Subdivision Plan application, a new application and fees shall be required.

G. Alternative Review Procedures.

In lieu of the procedures set forth in Sections E and F, every applicant for approval of a Subdivision Application may request in writing to follow the procedures in this Section if the request is made at the time such Subdivision Application is first submitted for filing. Election of approval under this Section does not waive the procedures in Sections E and F of this Ordinance, which shall commence as provided in subsection (c).

(a) Within ten (10) business days of the time the Subdivision Application is submitted for filing, the Administrative Official shall make a determination whether such Application meets the technical requirements for submittal. The Administrative Official shall notify the applicant in writing not later than the tenth (10th) business day after the Subdivision Application is submitted whether the Application is complete or incomplete. If the Subdivision Application is incomplete, the notice shall specify the documents or information that are necessary to complete the Application and shall also state that the application is subject to expiration, as provided in subsection (b).

(b) Following the receipt of written notice, the applicant shall have forty-five (45) days from the time the Subdivision Application was submitted for filing to submit the necessary documents or information to render such Application complete. If the applicant fails to do so, the Subdivision Application shall expire on the forty-fifth (45th) day after such Application was submitted for filing. An applicant may request a conference with the Administrative Official to assist in completing the Application. If the Subdivision Application expires, the applicant may submit a new Subdivision Application without prejudice. If the new Application is submitted within ten (10) days after the expiration of the original application, review fees will be waived.

(c) The procedures for review of an application for Plat or Subdivision Plan approval in Sections E and F of this Article shall commence on one of the following dates:

- (1) The date of the notice required by subsection (a) if the application is determined to be complete.
- (2) The date the applicant submits documents or information necessary to complete the application within the forty-five (45) day period specified in subsection (b).
- (3) The date the applicant submits a new application in the event the original application has expired.

H. Procedures for Approval of Replats. Notwithstanding any other provision of the Subdivision Ordinance to the contrary, the procedures for replats as set forth in the Subdivision Ordinance are hereby amended as follows:

(a) A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding Plat without vacation of the Plat if the replat is (1) signed and acknowledged by only the owner of the property being replatted, (2) is approved by the Planning Commission and (3) does not attempt to amend or remove any covenants or restrictions. A public hearing is not required before approval of the replat.

(b) A replat without vacation of the preceding plat must conform to the requirements of Tex. Loc. Gov't Code section 212.015(a), in addition to the provisions of section 212.014, as amended. If such replat requires a variance or exception, a public hearing must be held by the Planning Commission or the City Council. If such replat does not require a variance or exception, the City shall, not later than the fifteenth (15th) day after the date the replat is approved, provide written notice by mail of the approval of the replat to each owner of a lot in the original subdivision that is within two hundred (200) feet of the lots to be

replatted according to the most recent municipal or county tax roll. The notice must include (1) the zoning designation of the property after the replat; and (2) a telephone number and e-mail address that an owner of a lot may use to contact the City about the replat. This requirement does not apply to a proposed replat if the City holds a public hearing and gives notice of the hearing pursuant to Tex. Loc. Gov't Code section 212.015(b).”

SECTION 3
CONFLICT CLAUSE

To the extent any provisions of the Subdivision Ordinance are in conflict with this Ordinance, this Ordinance shall control and all other provisions of the Subdivision Ordinance not in conflict herewith shall remain in full force and effect.

SECTION 4
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 5
SAVINGS

It is hereby declared by the City Council of the City of Corinth, Texas that if any of the sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance should be declared unconstitutional or otherwise invalid for any reason, such event shall not affect any remaining sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance.

SECTION 6
PENALTY

Any person, firm or corporation who 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 an intentional, knowing, reckless or criminally negligent violation of any provision of this ordinance or Code of Ordinances, as amended hereby, governing public health 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 7
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.

Ordinance No. _____

Page 7 of 7

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH,
TEXAS on this the ____ day of _____ 2019.**

APPROVED:

Bill Heidemann, Mayor
City of Corinth, Texas

ATTEST:

Kimberly Pence, City Secretary
City of Corinth, Texas

APPROVED AS TO FORM AND LEGALITY:

Patricia A. Adams, City Attorney