

Ordinance No. 24-07-18-26

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**CITY OF CORINTH, TEXAS  
ORDINANCE NO. 24-07-18-26**

**REZONING TO MX-C**

**AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, AMENDING THE CITY'S ZONING ORDINANCE AND THE "OFFICIAL ZONING DISTRICT MAP OF THE CITY OF CORINTH, TEXAS," EACH BEING A PART OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CORINTH, BY AMENDING THE ZONING CLASSIFICATION FOR AN APPROXIMATE ±20.6 ACRES OF LAND IDENTIFIED AS NORTH CENTRAL TEXAS COLLEGE ADDITION NO 2, BLOCK A, LOT 1R1, CITY OF CORINTH, DENTON COUNTY, TEXAS, AND MORE COMMONLY KNOWN BY ADDRESS AS 1500 NORTH CORINTH STREET, AND AS MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT "A" ATTACHED HERETO, BY ADOPTING THIS ORDINANCE TO REZONE THE PROPERTY FROM ITS CURRENT ZONING DESIGNATION OF INDUSTRIAL "I" TO A NEW DESIGNATION OF "MX-C" MIXED-USE COMMERCIAL DISTRICT; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR A LEGAL PROPERTY DESCRIPTION/AMENDMENT; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 A DAY FOR EACH VIOLATION OF THE ORDINANCE AND A SEPARATE OFFENSE SHALL OCCUR ON EACH DAY THAT A VIOLATION OCCURS OR CONTINUES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS/CONFLICT CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth, Texas has adopted a Unified Development Code of the City as part of its Code of Ordinances, which includes the Comprehensive Zoning Ordinance and which, in accordance with the City's Comprehensive Plan, establishes zoning districts and adopts a Zoning Map; and

**WHEREAS**, the property described as an approximate ±20.6 acres of land identified as North Central Texas College Addition No. 2, Block A, Lot 1R1, City of Corinth, Denton County, Texas, and more commonly known by address as 1500 North Corinth Street, as described and depicted in **Exhibit "A"** (the **"Property"**), was previously zoned as "I" Industrial under the City's Unified Development Code and as designated on the City's Zoning Map; and

**WHEREAS**, the City of Corinth, with consent from an authorized person having a proprietary interest in the Properties, has initiated a change in the zoning classification of said Properties by zoning the Property as MX-C Mixed-Use Commercial District under the City's Unified Development Code ("UDC"); and

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

**WHEREAS**, the Planning and Zoning Commission has recommended approval of the requested change in zoning to the Property, which includes the adoption of this Ordinance zoning the Property as

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MX-C Mixed Use Commercial District, and the City Council has determined that zoning the Property to MX-C Mixed-Use Commercial District is the most appropriate zoning for the Property, thus an amendment to the Comprehensive Zoning Ordinance and the Zoning Map of the City's Unified Development Code, in accordance with the standards and specifications set forth therein should be approved; and

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

**WHEREAS**, the City Council further considered among other things the character of the proposed district and its peculiar suitability for particular use requested and the view to conserve the value of buildings, and encourage the most appropriate use of the land throughout this City; and

**WHEREAS**, the City Council finds that the requested Amendment to the City's Comprehensive Zoning Ordinance and Zoning Map to adopt this Ordinance to effect the change in zoning for the Property to the MX-C Commercial Zoning District 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 1** **INCORPORATION OF PREMISES**

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

## **SECTION 2** **LEGAL PROPERTY DESCRIPTION; AMENDMENT**

The Unified Development Code of the City of Corinth ("UDC"), which UDC includes the Comprehensive Zoning Ordinance that establishes zoning districts in accordance with the City's Comprehensive Plan and adopts the Zoning Map of the City of Corinth, is hereby amended by the adoption of this Ordinance to rezone an approximate ±20.6 acres of land, identified as North Central Texas College Addition No. 2, Block A, Lot 1R1, City of Corinth, Denton County, Texas, and more commonly known by address as 1500 North Corinth Street, as more specifically described and depicted in **Exhibit "A"**, attached hereto

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and incorporated herein (the “Property”), from its current zoning designation of “I” Industrial to a new zoning designation of “MX-C” Mixed Use Commercial District.

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

A. The regulations described in the City of Corinth Unified Development Code, including without limitation the regulations applicable to the MX-C Mixed Use Commercial District, as amended from time to time, shall be adhered to in its entirety for the purposes of use and development of the Property.

B. That the zoning regulations and district herein established for the Property has been adopted in accordance with the Comprehensive Plan for the purpose of promoting the health, safety, morals and the general welfare of the community. They have been designed, with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future; to lessen congestion in the streets; to provide adequate light and air; to prevent 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.

C. The official Zoning Map of the City of Corinth, Texas shall be amended in accordance with this Ordinance to reflect the repeal of the “I” Industrial zoning classification for the Property and to reflect the adoption of this Ordinance zoning the Property identified in **Exhibit “A”** hereto as “MX-C” Mixed Use Commercial District.

### **SECTION 4** **CUMULATIVE REPEALER**

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

### **SECTION 5** **SEVERABILITY**

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

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**SECTION 6**  
**SAVINGS/CONFLICT**

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

**SECTION 7**  
**PENALTY FOR VIOLATIONS**

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

**SECTION 8**  
**PUBLICATION/EFFECTIVE DATE**

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH THIS 18<sup>th</sup> DAY OF JULY, 2024.**

APPROVED:

DocuSigned by:

*Bill Heidemann*

AC74FAA88CA6468...

Bill Heidemann, Mayor

ATTEST:

DocuSigned by:

*Lana Wylie*

D77DD89EB0C3473

Lana Wylie, City Secretary



**APPROVED AS TO FORM:**

DocuSigned by:

*Patricia Adams*

B5BAF55D871D428

Patricia A. Adams, City Attorney

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## EXHIBIT "A" THE PROPERTY

### LEGAL DESCRIPTION AND DEPICTION

1500 N Corinth St, Corinth, TX

North Central Texas College Addition No 2, Block A, Lot 1R1

