

**CITY OF CELINA, TEXAS**

**ORDINANCE 2015-36  
CELINA VILLAGE PD#54**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, AMENDING ORDINANCE NO. 2006-57, AS HERETOFORE AMENDED, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY DESIGNATING THE ZONING OF LAND THAT IS AN APPROXIMATELY 3.596 ACRE TRACT OF LAND LOCATED IN THE JOHN WILLCOK SURVEY, ABSTRACT NUMBER 1055, COLLIN COUNTY, TEXAS; AS DESCRIBED IN EXHIBIT "A" AND DEPICTED IN EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN TO BE ZONED "PD" PLANNED DEVELOPMENT DISTRICT #54; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT OF ZONING CLASSIFICATION; PROVIDING FOR ZONING DESIGNATION AND DEVELOPMENT STANDARDS; PROVIDING FOR REVISION OF ZONING MAP; PROVIDING FOR COMPLIANCE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES AND INCLUDING PROVISIONS FOR THE AUTHORIZATION TO SEEK INJUNCTIVE RELIEF TO ENJOIN VIOLATIONS WHICH CONSTITUTE AN IMMINENT HAZARD OR DANGER TO PUBLIC HEALTH AND SAFETY; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Celina is a home rule municipality located in Collin, and Denton County, Texas created in accordance with the provisions of the Texas Local Government Code, The Texas Constitution and operating pursuant to the enabling legislation of the state of Texas; and

**WHEREAS**, the City Council of the City of Celina, Texas is empowered under Local Government Code 54.001 to do all acts and make all regulations which may be necessary or expedient for the promotion of the public health, safety and general welfare; and

**WHEREAS**, Title 7 Chapter 211.003 of the Texas Local Government Code, empowers a municipality to, among other things, establish and amend zoning districts, classifications of land use, adopt a comprehensive plan to regulate the use of land and open spaces, adopt and amend zoning regulations, regulate population density, and regulate the use and location of buildings; and

**WHEREAS**, the establishment of a zoning classification has been requested for the property more specifically described in Exhibit "A" attached hereto and incorporated herein; and

**WHEREAS**, the tract comprising the property has been depicted in detail in Exhibit "B" attached hereto; and incorporated herein; and

**WHEREAS**, the concept plan and development regulations set forth in Exhibit "C" and Exhibit "D" attached hereto and incorporated herein define the base zoning districts and provide for certain modifications to such district regulations.

**WHEREAS**, the City Council has considered, among other things, the character of the property and its suitability for particular uses, with a view of encouraging the most appropriate use of land in the City, and is in the interest of public health, safety, and welfare, and does hereby find that the requested zoning accomplishes such objectives and is consistent with the provisions of the 2030 Comprehensive Plan of the City of Celina; and

**WHEREAS**, the Planning and Zoning Commission of the City of Celina and the City Council of the City of Celina, in compliance with the laws of the State of Texas and the ordinances of the City of Celina, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof; and

**WHEREAS**, the City Council, in the exercise of its legislative discretion has concluded that the zoning classification on the tract of land described herein should be changed and the zoning map so amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS**

**SECTION 1**  
**INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2**  
**FINDINGS**

After due deliberations the City Council has concluded that the adoption of this Ordinance is in the best interest of the City of Celina, Texas and of the public health, safety and welfare.

**SECTION 3**  
**AMENDMENT OF ZONING CLASSIFICATION**

That the zoning classification is hereby established as "PD" Planned Development District, #54 on a certain tract of land described in in Exhibit "A" and depicted in Exhibit "B".

**SECTION 4**  
**ZONING DESIGNATION AND DEVELOPMENT STANDARDS**

4.01 That Ordinance No. 2006-57 of the City of Celina, Texas, as heretofore amended, the same being the City's Comprehensive Zoning Ordinance, is hereby amended by designating the zoning on the land, described in Exhibit "A" attached hereto and incorporated herein, as "PD" Planned Development District #54.

4.02 This ordinance only regulates the uses allowed for the property identified above. All development and construction shall occur in accordance with the requirements of this ordinance; the concept plan set forth in Exhibit "C"; the development standards set forth in Exhibit "D" and all other applicable ordinances, rules, and regulations of the City.

**SECTION 5**  
**REVISION OF ZONING MAP**

That the City Manager for the City of Celina is hereby directed to mark and indicate on the official Zoning District Map of the City the zoning change herein made.

**SECTION 6**  
**COMPLIANCE REQUIRED**

That the property described on Exhibit "A" hereto shall be used only in the manner and for the purposes provided for in this ordinance and the Comprehensive Zoning Ordinance, of the City of Celina as amended.

**SECTION 7**  
**PENALTY**

7.01 Any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Celina, and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense.

7.02 If the governing body of the City of Celina determines that a violation of this Ordinance has occurred, the City of Celina may bring suit in district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

**SECTION 8**  
**CUMULATIVE REPEALER CLAUSE**

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

**SECTION 9**  
**SAVINGS CLAUSE**

All rights and remedies of the City of Celina, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning regulation which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

**SECTION 10**  
**SEVERABILITY**

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

**SECTION 11**  
**PUBLICATION CLAUSE**

The City Secretary of the City of Celina is hereby directed to publish in the Official Newspaper of the City of Celina the Caption, Penalty and Effective Date Clause of this Ordinance as required by Section 52.011 of the Local Government Code.

**SECTION 12**  
**ENGROSSMENT AND ENROLLMENT**

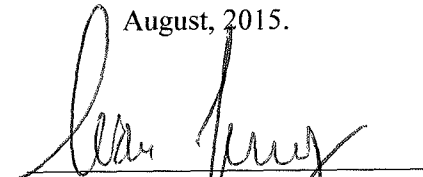
The City Secretary is hereby directed to engross and enroll this Ordinance by copying the exact Caption and Effective Date clause in the minutes of the City Council and by filing this Ordinance in the Ordinance records of the City.

**SECTION 13**  
**EFFECTIVE DATE**

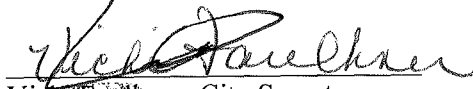
This Ordinance shall become effective from and after its date of passage and publication as required by law.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the City Council of the City of Celina, Texas this 11<sup>th</sup> day of August, 2015.


  
Sean Terry, Mayor  
City of Celina, Texas

ATTEST:

  
Vicki Faulkner, City Secretary  
City of Celina, Texas



APPROVED AS TO FORM:  
TEXAS

  
City Attorney  
City of Celina, Texas

**Exhibit "A"**

**LEGAL DESCRIPTION**

BEING a tract of land situated in the John Willock Survey, Abstract No. 1055, City of Celina, Collin County, Texas and also being all of a called 3.59 acre tract as conveyed to Santhosh Pillai and Renil Radhakrishnan and recorded in Volume 5956, Page 4626, Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

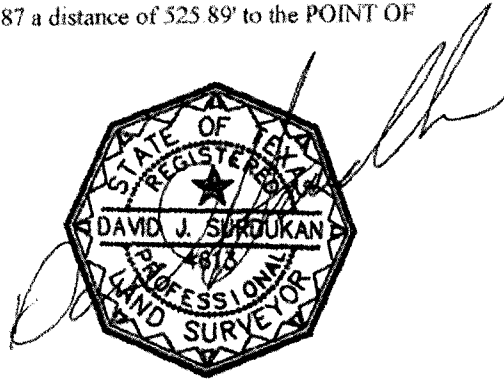
BEGINNING at a bois d'arc post found for corner at the southwest corner of said 3.59 acre tract, said post being in the east ROW line of N. Florida Drive;

THENCE N 00°50'08" W following the east ROW line of N. Florida Drive a distance of a distance of 298.09' to a capped 1/2" iron rod set for corner in the south line of a called 5.00 acre tract as conveyed to James Heptig and Teddy Maltezos and recorded in C.C. No. 20070904001222180, Collin County, Texas;

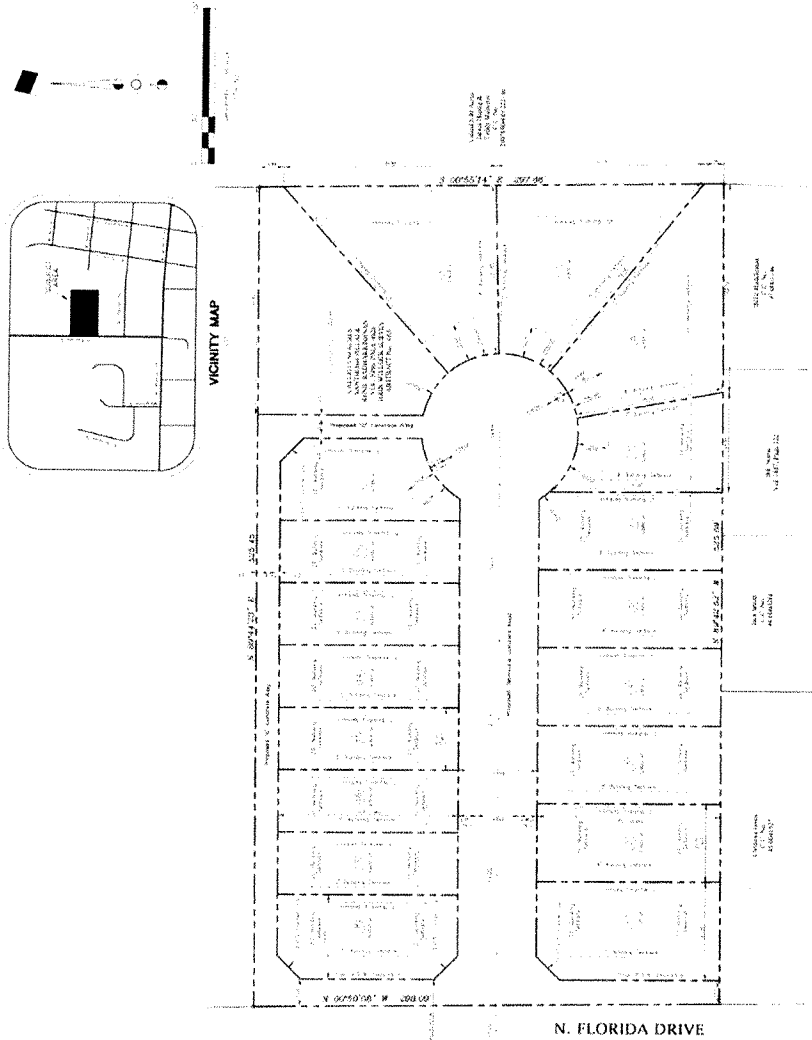
THENCE N 89°44'23" E following the south line of said called 5.00 acre tract a distance of 525.45' to a capped 1/2" iron rod set for corner at the southeast corner of said 5.00 acre tract;

THENCE S 00°55'14" E a distance of 297.86' to a capped 1/2" iron rod set for corner in the north line of Block 87 of Perkins Addition as recorded in Volume 40, Page 316, D.R.C.C.T.;

THENCE S 89°42'52" W following the north line of said Block 87 a distance of 525.89' to the POINT OF BEGINNING and 156,626 square feet, 3.596 acres of land.



# EXHIBIT "B"



<b>CROSS</b>	<b>ENGINEERING</b>	<b>CONSULTANTS</b>	<b>EXHIBIT B</b>
John Willcock Survey, Abstract No. 1853, A.C. CITY OF CELINA, TEXAS			<b>B</b>
Prepared by: [Blank] Checked by: [Blank] Date: [Blank]			Scale: [Blank] Date: [Blank]

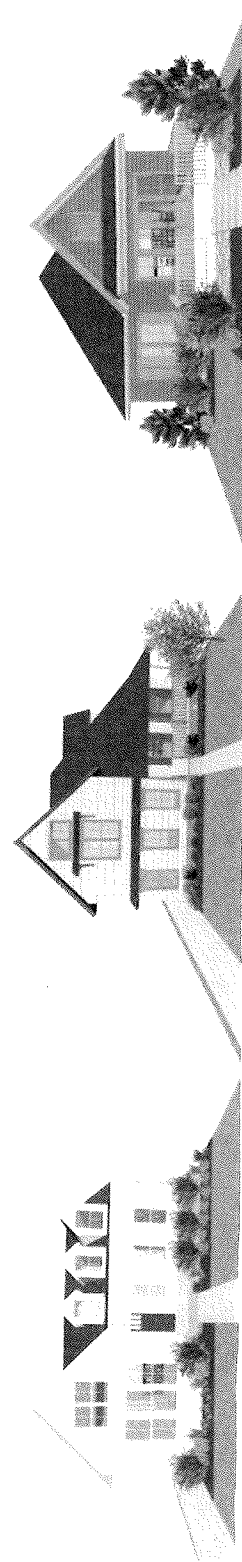
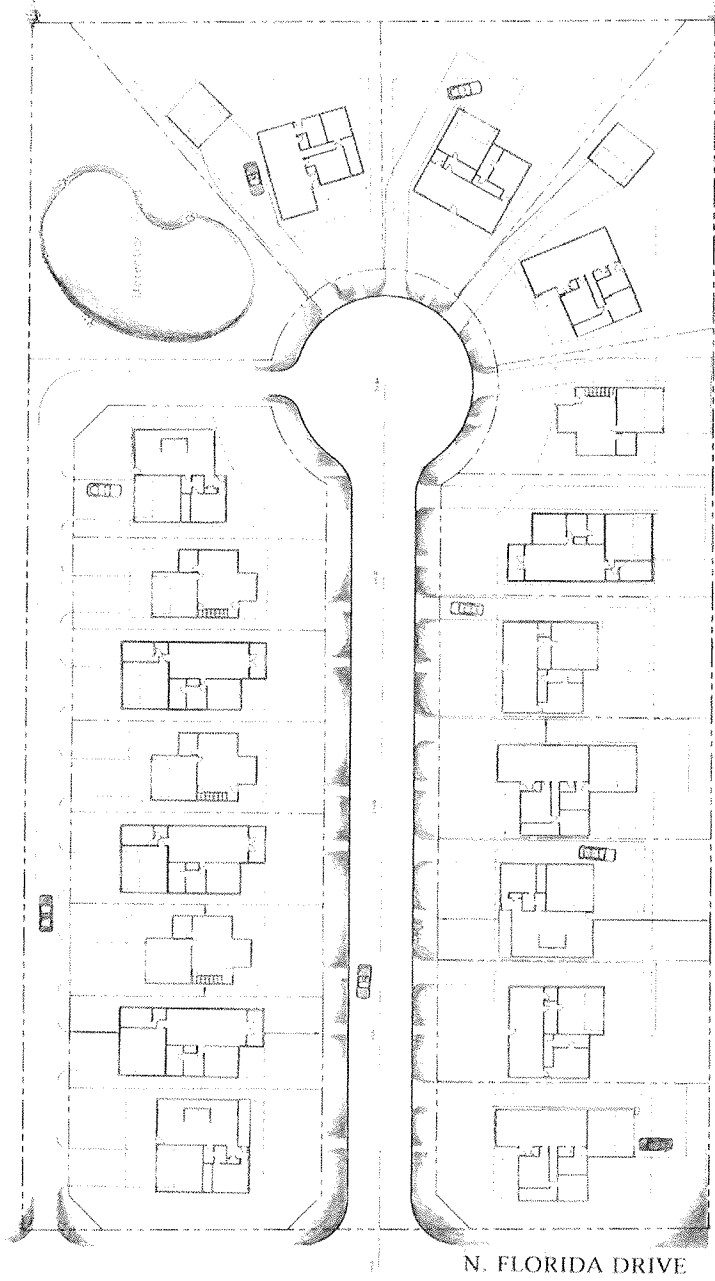
JOHN WILLCOCK SURVEY, A.C.  
 JOHN WILLCOCK  
 1000 WEST 10TH STREET  
 DALLAS, TEXAS 75208  
 (214) 343-1234  
 FAX (214) 343-1235

THE ENGINEERING CONSULTANTS OF THE CITY OF CELINA, TEXAS  
 HAS REVIEWED THIS PLAN AND FINDS IT TO BE CORRECT AND COMPLETE  
 AS SHOWN ON THESE PLANS.  
 DATE: [Blank]

**PROFESSIONAL ENGINEER**  
 JOHN WILLCOCK  
 JOHN WILLCOCK SURVEY, A.C.  
 1000 WEST 10TH STREET  
 DALLAS, TEXAS 75208  
 (214) 343-1234  
 FAX (214) 343-1235  
 LICENSE NO. 12345

**ENGINEER**  
 JOHN WILLCOCK  
 JOHN WILLCOCK SURVEY, A.C.  
 1000 WEST 10TH STREET  
 DALLAS, TEXAS 75208  
 (214) 343-1234  
 FAX (214) 343-1235  
 LICENSE NO. 12345

Exhibit "C"



## Exhibit "D"

### Celina Village Development Standards

All development shall meet the standards of the Old Town Residential (OT-R) zoning district as established in the City of Celina Zoning Ordinance as they exist or may be amended. The following regulations shall also be applicable:

(c) Area regulations.

(1) Size of lots.

(A) Minimum lot area. 4,500 square feet.

(B) Minimum lot width. 40 feet for lots served by an alley, lots served by a front entry shall have a 50 foot minimum lot width.

(C) Minimum lot depth. 105 feet.

(2) Size of yards.

(A) Minimum front yard. Minimum 25 feet, may stagger to 20 feet but no more than 3 adjacent lots shall have the same front yard setback.

(B) Minimum side yard. In no case shall there be less than a minimum of 10 feet of separation between adjacent single family detached structures and may be encompassed by one of the following 3 feet / 7 feet, 8 feet / 2 feet, or 5 feet / 5 feet; 15 feet from a street right-of-way for a corner lot.

(C) Minimum rear yard. Minimum 20 feet for the main building.

(3) Maximum impervious surface. 70% of the total lot area by main buildings and accessory buildings.

(d) Special requirements.

(3) Garage Setback. Minimum 40 feet from front property line for front entry garages.

(6) Minimum roof pitch. All single-family structures shall have a minimum roof pitch of 8:12.

(7) Alley. Alleyways must have a 10 foot paving section within a 15 foot Right-of-Way.



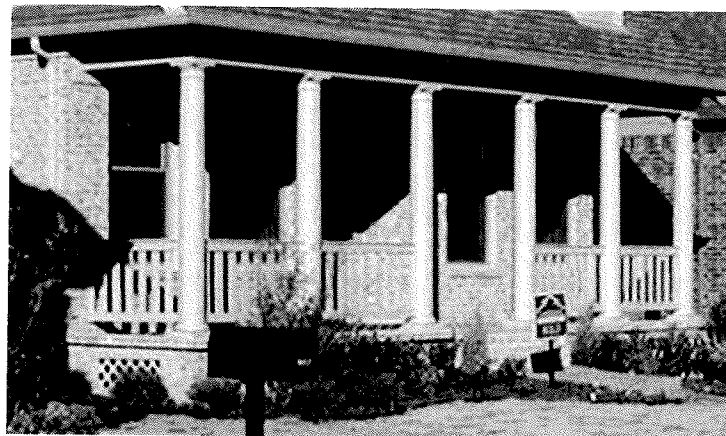
(8) Architectural design.

(A) To achieve the architectural style characteristic of homes constructed from the 1890's to the 1930's, a minimum of four of the following elements must be incorporated into the design of the primary structure:

- (i) Multiple pane (divided light) windows:



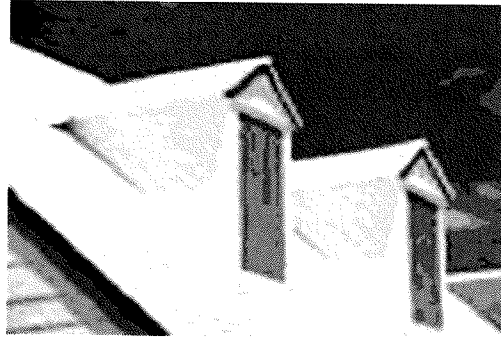
- (ii) Decorative columns and railings within the front porch area:



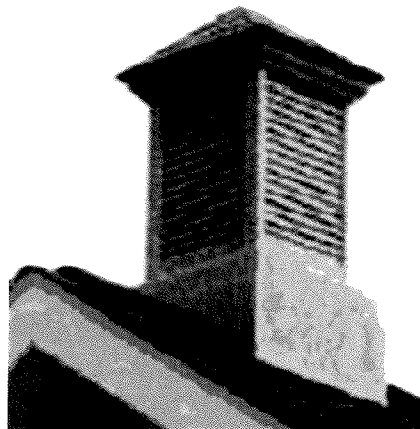
(iii) Gables with decorative vents and windows:



(iv) Dormer windows:



(v) Cupolas: Minimum of 1.25 inches in height per 1 foot of building width for single story structures. Minimum of 1.5 inches per 1 foot of building width for structures 2 stories or higher.



- (vi) Bay windows with a maximum projection of 24 inches:



- (vii) Window shutters: Limited to windows facing public streets.

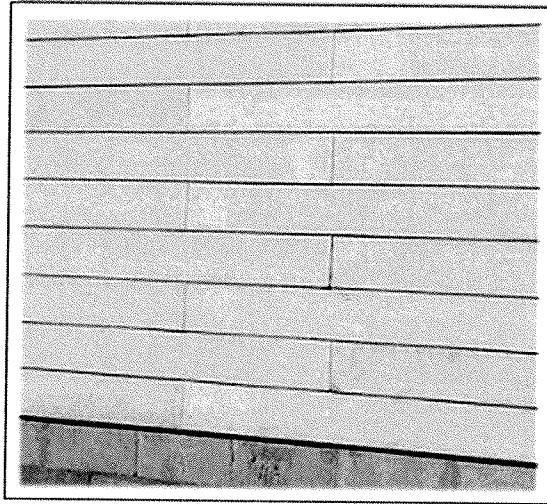


(B) Additional required design standards.

(iii) Exterior building construction. The exterior of the primary structure shall be clad in masonry, smooth stucco, stone, or Hardiplank/Hardiboard. Additionally, the exterior of the primary structure shall comply with the architectural design standards set forth in subsection (d)(7)(A).

(ii) Decking required. For homes with exteriors clad in HardiBoard/Hardiplank, such cladding shall be installed over plywood or OSB sheathing with a minimum thickness of 1/2 inch.

(iii) Joins for all HardiBoard/Hardiplank or other high-quality wood substitute shall be centered and face nailed on a stud with a maximum gap of 1/8 inches or as otherwise specified by the manufacturer. Joins shall be staggered at random lengths and in accordance with manufacturers specifications and “zipper joins” shall be prohibited. (See illustrations below.)



(iv) Walls facing a public street, other than an alley, must contain a minimum of 10% of the wall area in windows or doors.

(v) Windows shall be provided with trim. Windows shall not be flush with the exterior building facade and shall be provided with an architectural surround at the jamb.

(8) Other regulations. Refer to article 14.05, development standards and use regulations.