

**CITY OF CELINA, TEXAS  
ORDINANCE 2019-16  
THE COLUMNS PD 84 AMENDMENT**

**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 15 ACRE TRACT OF LAND LOCATED IN THE JOHN RAGSDALE SURVEY, ABSTRACT NO. 734, CITY OF CELINA, COLLIN COUNTY, TEXAS, AND , GENERALLY LOCATED 800 FEET NORTH OF LIGHT FARMS WAY AND EAST OF DALLAS NORTH TOLLWAY, WITHIN THE CITY LIMITS; AS DESCRIBED IN EXHIBIT "A" AND DEPICTED IN EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN TO BE ZONED "PD" PLANNED DEVELOPMENT DISTRICT NO. 84; 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**, this Ordinance amends PD #84, which has previously been amended by ordinance 2018-47.

**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 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 No. 95 on a certain tract of land described in in Exhibit “A” and depicted in Exhibit “B.”

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

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, depicted in Exhibit “A” attached hereto and incorporated herein as PD-95, and incorporates the concept plan attached hereto as Exhibit “C” and the development standards attached hereto as Exhibit “D.”

**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 depicted 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, and Effective Date of this Ordinance as required by Section 52.013 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 descriptive Caption 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 14<sup>th</sup> day of May, 2019.



Sean Terry, Mayor  
City of Celina, Texas

ATTEST:



Vicki Faulkner, City Secretary  
City of Celina, Texas



[SEAL]

APPROVED AS TO FORM:



City Attorney  
City of Celina, Texas

**Exhibit A**  
**THE COLUMNS – TRACT 1**  
**LEGAL DESCRIPTION**

**BEING** a tract of land situated in the John Ragsdale Survey, Abstract No.734, City of Celina, Collin County, Texas and being a portion of that tract of land conveyed to CADG Celina Outer Loop, LLC, recorded in Document Number 20170428000546440, Deed Records of Collin County, Texas and being more particularly described as follows:

**BEGINNING** at a x-cut found in the north line of Light Farms Way, for the most southerly southeast corner of said CADG Celina Outer Loop tract:

**THENCE** North 59°00'44" West, with said north line, a distance of 413.75 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the south end of a corner clip for the southwest corner of this tract;

**THENCE** North 15°14'38" West, with said corner clip, a distance of 40.79 feet to a 5/8" iron rod found in the east line of Dallas Parkway for the north end of said corner clip;

**THENCE** North 28°30'48" East, with said east line, a distance of 371.50 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner at the beginning of a non-tangent curve to the left having a central angle of 25°16'46", a radius of 3044.79 feet, a chord bearing and distance of North 15°52'26" East, 1332.52 feet;

**THENCE** in a northeasterly direction, continuing with said east line and curve to the left, an arc distance of 1343.39 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for the northwest corner of this tract;

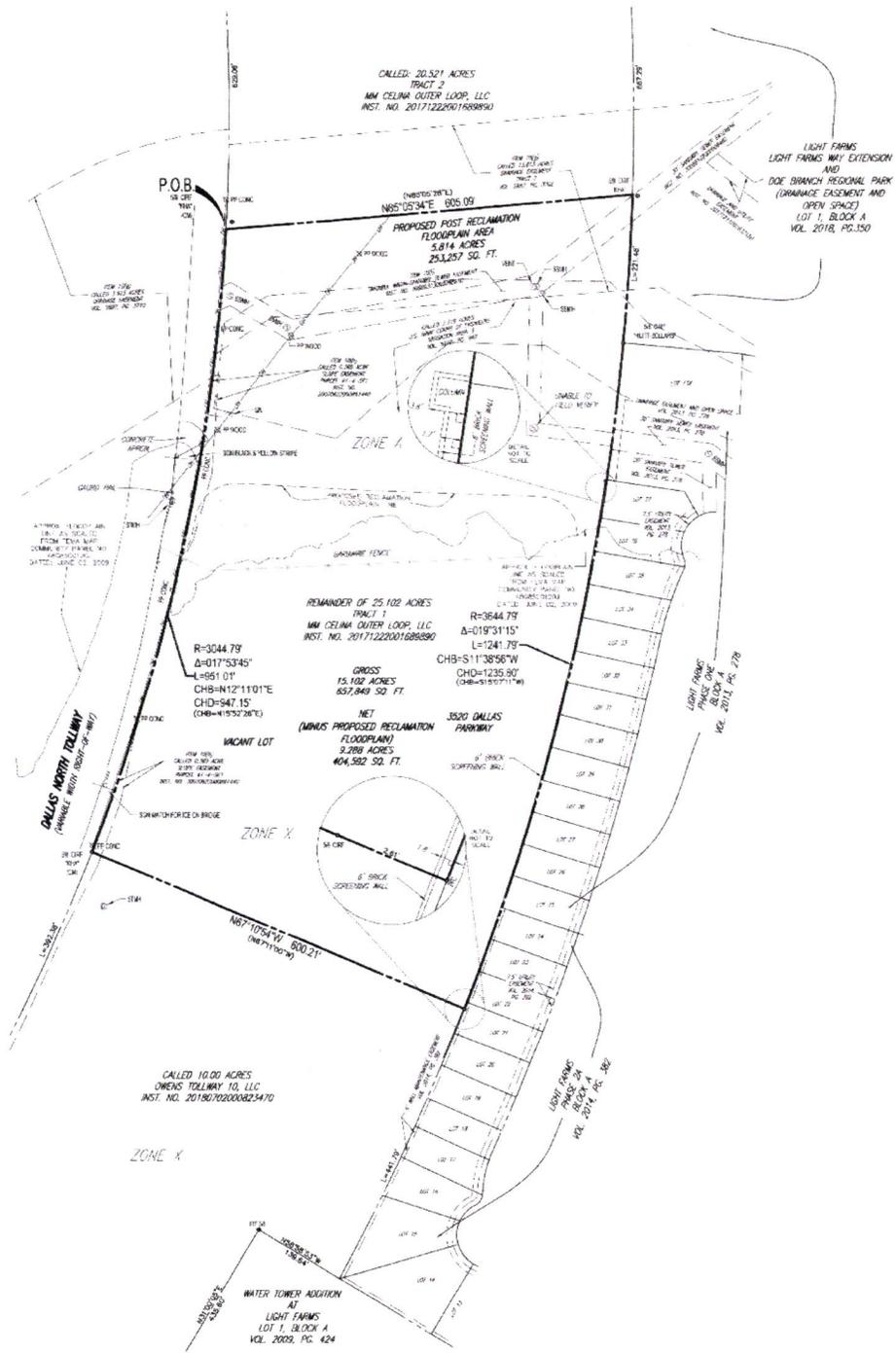
**THENCE** North 85°05'28" East, leaving said east line, over and across said CADG Celina Outer Loop tract, a distance of 605.09 feet to a 5/8" iron rod with plastic cap stamped "KHA" set in the east line of said CADG Celina Outer Loop tract, for the northeast corner of this tract and being the beginning of a non-tangent curve to the right having a central angle of 26°27'57", a radius of 3644.79 feet, a chord bearing and distance of South 15°07'11" West, 1668.66 feet;

**THENCE** in a southwesterly direction, with said east line and curve to the right, an arc distance of 1683.59 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for the most easterly southeast corner of this tract, from which a x-cut in concrete bears North 58°58'59" West, 1.82 feet;

**THENCE** North 58°58'59" West, a distance of 139.64 feet to a point for an interior "ell" corner of said CADG Celina Outer Loop tract and this tract;

**THENCE** South 30°59'59" West, a distance of 435.58 feet to the **POINT OF BEGINNING** and containing 25.102 acres of land, more or less.

# Exhibit B Zoning Exhibit





**EXHIBIT D**  
**Tract 1**  
**Development Regulations**

Development within this Planned Development (PD) District must follow the regulations outlined below and meet the intent of the Concept Plan attached herein as Exhibit C. Any significant changes to the land uses depicted on the Concept Plan shall require approval of the City of Celina Planning & Zoning Commission, as well as the City of Celina City Council as outlined in Sec. 14.03.031 of the Code of Ordinances, as it exists or may be amended.

**TRACT 1:**

**PART 1 – Uses.** All Commercial and Retail Development within Tract 1 (see Exhibit C) shall meet the standards of the Retail and Office (RO) zoning district as established in the City of Celina Zoning Ordinance as they exist or may be amended, except as noted below.

(a) General purpose and description. This district is established to provide areas for retail sales and professional offices which may not be part of an overall larger development. These retail and office buildings will be freestanding buildings, fully contained on a single lot or tract of land. The retail and office district should be located along or at the intersection of major collectors or thoroughfares to accommodate higher traffic volumes.

(b) Permitted Uses by Right:

1. Armed Services Recruiting
2. Artist Studio
3. Auto Supply Store (new & rebuilt parts)
4. Bakery or Confectionary (retail)
5. Bank/Credit Union
6. Child Daycare (business)
7. Church/Place of Worship
8. Convenience Store
9. Convenience Store (with or without gas sales)
10. Food or Grocery Store
11. Franchised Private Utility
12. Gas Station
13. General Retail Store
14. Laundry/Dry Cleaning (drop off/pick up)
15. Medical Facilities
16. Offices (professional and general business)
17. Personal Services Shop
18. Pet and Animal Grooming Shop
19. Restaurant (drive-in service)
20. Restaurant (drive-through service)
21. Restaurant
22. Seasonal Business
23. Temporary Business
24. Veterinarian (indoor kennels)

Permitted with a Conditional Use Permit:

1. Auto Laundry or Carwash
2. Auto Repair (minor)
3. Club, Private (Class I & II)

4. Concrete or Asphalt Batching Plant (temporary)
  5. Farmers Market (public)
  6. Funeral Home (without crematorium)
  7. Kiosk (providing a service, must have principal use)
  8. Mini Warehouse/Self Storage
  9. Nursery (retail sales outdoor)
  10. Outdoor Display-Sales (shall be screened and may not exceed 15% of the total gross floor area of the entire associated structure)
- (c) Prohibited Uses:
1. Check Cashing Services
  2. Motorcycle Sales and Repair
  3. Recycling Kiosk
  4. Sexually Oriented Businesses
- (d) Definitions:
1. Urban Style Apartments - Multi-Family Dwellings no more than four (4) stories in height. Urban Style Apartments are typically designed to either have structured parking or designed where surface parking is interior to the site and screened from public streets using landscape or hardscape. The intent of this type of development is to prevent large visible parking areas. Urban Style Apartments shall be located in the northern border of Tract 1 along the south of Doe Branch Creek.
  2. Cottage Style Residential – Cottage Style Residential are a unique concept of single story residential homes for lease. The appearance and general function of the structures are single-family in concept, elevation, and design. The unit mix includes one-bedroom units (two units in one structure), two-bedroom units (one unit in one structure), and three-bedroom units (one unit in one structure). Each unit is to be sprinkled according to NFPA 13D. Cottage Style Residential shall be located in the northern border of Tract 1 along the south side of Doe Branch Creek.

## **Part 2 – MULTIPLE FAMILY REGULATIONS**

- (a) Density: Multiple-family units (Urban Style); maximum thirty-five (35) dwelling units per net acre;  
(Cottage Style Residential) maximum fifteen (15) dwelling units per acre;
- (b) Land use mix limits: MU-2 zoning districts may include a mix of residential and nonresidential uses at the following rates:
1. Residential uses (stand-alone). Cottage Style Residential is the only allowed stand-alone residential within Tract 1; and
  2. Residential uses (integrated). No integrated residential use is allowed within Tract 1; and
  3. Nonresidential uses (stand-alone). between 0% and 100% of the net developable acres; or
  4. Multiple-family uses (stand-alone). Stand-alone Multiple-Family use may be up to 55% of the net developable acres bordering Doe Branch Creek, +/- 5%. Max 400 Units.
- (c) Open space:  
Regardless of the type of development, a minimum of twenty percent (20%) of the gross acreage of tract will be reserved as usable open space. Open Space may consist of any pervious areas including landscape reserves, landscape islands, publicly accessible detention/drainage facilities, natural open space areas including floodplain, and public or private parks and plazas. Any detention areas counted towards the open space requirement will be landscaped with trees spaced at no greater than sixty-feet (60') on center and improved with five-foot (5') sidewalk and benches on a minimum of two (2) sides. A minimum of 1.5 acres of Open Space shall be provided outside

the floodplain or detention areas. Open space must be maintained through a Property Owner's Association (POA). Trees shall be provided at a rate of one (1) tree per 5,000 square feet of the required Open Space.

1. Impervious surface. Maximum eighty percent (80%) of the gross area, including but not limited to, main buildings, accessory buildings, parking lots, roads, drives, alleys, and loading areas.
  2. Connectivity. A minimum of two (2) fire lane and vehicular points of connection to adjacent roadways and a minimum of two (2) pedestrian points of connection to adjoining sidewalks, trails or developments shall be provided.
- (d) Landscaping requirements: Refer to article 14.05, division 3, except that a twenty-five (25) foot for Urban Style and a twenty (20) foot for Cottage Style landscape buffer shall be provided adjacent to any single family residential development. Within that buffer, one large canopy tree (evergreen) shall be provided every thirty-five (35) linear feet. A forty (40) foot wide landscape buffer is required along the DNT service roads.
- (e) Amenities: A minimum 12 foot wide concrete trail is required along the north area of the property, connecting the existing Light Farms trail to the DNT service road. Additional amenities shall include a pool/spa, indoor fitness room or flex space, a sports court (tennis, basketball, volleyball, or comparable), and installations that promote gathering areas (benches, tables, fire pits, pergola, yard games, corn hole, horseshoes, etc.).
- (f) Architecture: The front façade of each residential building shall incorporate 85% Category A and 15% Category B (with a minimum 20% stone) per the Architectural Standards of the City's Zoning Ordinance. The leasing office shall incorporate an equal or greater percentage of material composition as the residential units for the same front, side and rear façades. In addition, the leasing office shall provide a standing seam metal roof. Enclosed garages shall be masonry. Variation of roof elevations and exterior wall materials and colors shall be incorporated to provide architectural variety. Allowable materials to include brick, stone, synthetic stone, stucco, and fiber cement siding.
- (g) Additional Cottage Style standards:  
 Detached garages and carports interior to the development are permitted. Any interior fencing shall be enhanced. Any wooden fences should be cedar, board-on-board with a decorative cap with metal posts on the interior of the yard (smooth side out). Decorative and ornamental iron fencing, or masonry walls, are also allowed.

Minimum Building Separation: The minimum building separation shall be 8' between foundations, if properly sprinkled in conformance with the City's adopted model codes.

Minimum floor area per dwelling unit:

- (A) 1BR = 600 sq-ft
- (B) 2BR = 800 sq-ft
- (C) 3BR = 1,200 sq-ft

(h) Lot regulations for Multiple-Family on Tract 1:

1. Lot Size: Minimum five (5) acres
2. Height:

Number of Stories	Maximum Height
One (1)	Twenty-Five (25) feet for residential units and Thirty (30) feet for leasing office
Three (3)	Fifty (50) feet
Four (4)	Sixty Five (65) feet

3. Setbacks:

	Common Property Line Adjacent to Single Family Residential when Structure is 1 story	Common Property Line Adjacent to Single Family Residential when Structure is 1-3 stories	Common Property Line Adjacent to Single Family Residential when Structure is 4 stories	Common Property Line Adjacent to Non-Residential
Front Yard	Twenty (20) feet	Sixty (60) feet	Seventy (70) feet	Fifteen (15) feet
Side Yard	Twenty (20) feet	Sixty (60) feet	Seventy (70) feet	Fifteen (15) feet
Rear Yard	Twenty (20) feet	Sixty (60) feet	Seventy (70) feet	Fifteen (15) feet

4. Parking:

(i) Number per unit:

- a. 1.75 spaces per one-bedroom unit.
- b. 2 spaces per two-bedroom unit.
- c. 2.5 spaces per three-bedroom unit.
- d. 3 spaces per unit with four or more bedrooms.

(ii) Density bonus:

- a. An increase in density of five percent (5%) for the total units allowed per net acre is permitted when at least seventy-five percent (75%) of the parking spaces are constructed as a combination of structured parking, covered parking, or enclosed parking (garage).

(iii) Standards:

- a. A paved walkway shall connect the front door of each ground floor unit to a parking area.
- b. Boats, campers, trailers and other recreational vehicles shall be prohibited unless oversize parking areas are provided as a part of an approved site plan. This parking area shall not be used to meet the minimum parking requirements and shall not be visible from a public street.
- c. Parking is not allowed between the building and a public street.
- d. Buildings with enclosed garages, when adjacent to a public street, must face garage doors internally to the development. Garage doors may not face a public street.
- e. Monument signs are allowed within setbacks, but must honor sight visibility restrictions.