



\* \* \* \* PUBLIC NOTICE \* \* \* \*

**NOTICE OF A CITY COUNCIL REGULAR SESSION IMMEDIATELY FOLLOWING  
A WORKSHOP SESSION  
OF THE CITY OF CORINTH  
Thursday, May 21, 2020, 5:45 P.M.  
CITY HALL - 3300 CORINTH PARKWAY**

Pursuant to Section 551.127, Texas Government Code, one or more Councilmembers or employees may attend this meeting remotely using videoconferencing technology. The videoconferencing technology can be accessed at <http://meetings.cityofcorinth.com>  
The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting.  
**Due to Red Level status the doors to City Hall will be closed to the public.**

**CALL TO ORDER:**

**WORKSHOP BUSINESS AGENDA**

1. Hold a discussion on the 2020-2021 Preliminary Budget.
2. Hold a discussion and provide an update on DCTA.
3. Receive a report and hold a discussion on water meter the system wide review of the digital water meter system.
4. Receive a report and hold a discussion on the Lake Cities' effort relative to broadband services.
5. Discuss Regular Meeting Items on Regular Session Agenda, including the consideration of closed session items as set forth in the Closed Session agenda items below.

**ADJOURN WORKSHOP SESSION**

**\*NOTICE IS HEREBY GIVEN** of a Regular Session of the Corinth City Council to be held at Corinth City Hall located at 3300 Corinth Parkway, Corinth, Texas. The agenda is as follows:

**CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE:**

**"Honor the Texas Flag: I pledge allegiance to thee, Texas, one state under God, one and indivisible".**

**CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine and will be enacted in one motion. Should the Mayor, a Councilmember, or any citizen desire discussion of any Item that Item will be removed from the Consent Agenda and will be considered separately.

1. Consider and act on an agreement with SHI Government Solutions to renew the Enterprise Agreement with Microsoft, providing software and email services.
2. Consider and act on minutes from the April 16, 2020 Workshop Session.
3. Consider and act on minutes from the April 16, 2020 Regular Session.

### **CITIZENS COMMENTS**

In accordance with the Open Meetings Act, Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes. Comments about any of the Council agenda items are appreciated by the Council and may be taken into consideration at this time or during that agenda item. Please complete a Public Input form if you desire to address the City Council. All remarks and questions addressed to the Council shall be addressed to the Council as a whole and not to any individual member thereof. Section 30.041B Code of Ordinance of the City of Corinth.

### **PUBLIC HEARING**

4. Conduct a public hearing, consider testimony, and act upon an ordinance amending the zoning classification from SF-4, Single Family Residential to PD, Planned Development with a base district of SF-4, Single Family Residential on an ±3.691 acre tract of land legally described as Tracts 31 and 32 of the E. Marsh Survey, Abstract No. 0833, within the City of Corinth, Denton County, Texas and is more commonly known as 3100 Tower Ridge Drive, Corinth, TX. (Tower Ridge Single Family PD)
  - Staff Presentation
  - Applicant Presentation
  - Public Hearing
  - Staff Response
  - Take Action

### **BUSINESS AGENDA**

5. Consider and act on an ordinance of the City Council of the City of Corinth, Texas, amending Chapter 152, "Floodplain Damage Prevention", of Title XV, "land usage", of the Code of Ordinances of the City of Corinth and readopting Chapter 152 in its entirety; adopting new flood maps released by the Federal Emergency Management Agency; providing for the incorporation of premises; providing for an amendment; providing a cumulative repealer clause; providing a severability clause; providing a penalty clause; providing for publication; and providing an effective date.

### **COUNCIL COMMENTS & FUTURE AGENDA ITEMS**

The purpose of this section is to allow each councilmember the opportunity to provide general updates and/or comments to fellow councilmembers, the public, and/or staff on any issues or future events. Also, in accordance with Section 30.085 of the Code of Ordinances, at this time, any Councilmember may direct that an item be added as a business item to any future agenda.

### **CLOSED SESSION**

The City Council will convene in such executive or (closed session) to consider any matters regarding any of the above agenda items as well as the following matters pursuant to Chapter 551 of the Texas Government Code.

**Section 551.071.** (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551.

**a. Completion of Lake Sharon Drive Project.**

**Section 551.072.** To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

**a. Right-of-way consisting of .198 acres located at 6801 S I-35E and 3404 Dobbs Road along Dobbs Road within the H. Garrison Survey, Abstract No. 507, within the City of Corinth, Denton County, Texas.**

**b. Right-of-way consisting of 1.56 acres located at 6881 South I-35E and along Dobbs Road within the H. Garrison Survey, Abstract No. 507, within the City of Corinth, Denton County, Texas.**

**Section 551.074.** To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

**Section 551.087.** To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

**a. Project Agora**

**b. Project Daylight**

After discussion of any matters in closed session, any final action or vote taken will be in public by the City Council. City Council shall have the right at any time to seek legal advice in Closed Session from its Attorney on any agenda item, whether posted for Closed Session or not.

RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON CLOSED SESSION ITEMS.

6. Consider and take appropriate action regarding a contract between the City and Wildstone Construction, LLC for the completion of the Paving, Drainage and Water Improvements for Lake Sharon Drive in an amount not to exceed \$4,100,000, authorizing the City Engineer to finalize standard city construction documents and authorizing the City Manager to execute final construction documents.

**ADJOURN:**

Posted this \_\_\_\_\_ day of \_\_\_\_\_, 2020 at \_\_\_\_\_ on the bulletin board at Corinth City Hall.

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Lana Wylie, Interim City Secretary  
City of Corinth, Texas

**WORKSHOP BUSINESS ITEM 1.**

**City Council Regular and Workshop Session**

**Meeting Date:** 05/21/2020  
**Title:** Preliminary Budget  
**Submitted For:** Bob Hart, City Manager  
**Submitted By:** Lana Wylie, Administrative Assistant  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Infrastructure Development  
Economic Development  
Citizen Engagement & Proactive  
Government  
Regional Cooperation  
Organizational Development

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**AGENDA ITEM**

Hold a discussion on the 2020-2021 Preliminary Budget.

**AGENDA ITEM SUMMARY/BACKGROUND**

**RECOMMENDATION**

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**WORKSHOP BUSINESS ITEM 2.**

**City Council Regular and Workshop Session**

**Meeting Date:** 05/21/2020  
**Title:** DCTA Status  
**Submitted For:** Bob Hart, City Manager  
**Submitted By:** Lana Wylie, Administrative Assistant  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Land Development  
Infrastructure Development  
Economic Development  
Citizen Engagement & Proactive  
Government  
Regional Cooperation

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**AGENDA ITEM**

Hold a discussion and provide an update on DCTA.

**AGENDA ITEM SUMMARY/BACKGROUND**

The construction and operation of a transit stop is a key project within the Transit Oriented Development (TOD) District. Efforts to stimulate and encourage investment within the TOD District are focused around the transit stop. The purpose of this discussion is to provide an update to the City Council on staff's progress to secure a transit stop along the Denton County Transportation Authority (DCTA) Rail.

**RECOMMENDATION**

N/A

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**WORKSHOP BUSINESS ITEM 3.**

**City Council Regular and Workshop Session**

**Meeting Date:** 05/21/2020  
**Title:** Utility Meter Status  
**Submitted For:** Bob Hart, City Manager  
**Submitted By:** Lana Wylie, Administrative Assistant  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Infrastructure Development  
Citizen Engagement & Proactive  
Government

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**AGENDA ITEM**

Receive a report and hold a discussion on water meter the system wide review of the digital water meter system.

**AGENDA ITEM SUMMARY/BACKGROUND**

**RECOMMENDATION**

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**WORKSHOP BUSINESS ITEM 4.**

**City Council Regular and Workshop Session**

**Meeting Date:** 05/21/2020  
**Title:** Broadband Update  
**Submitted For:** Bob Hart, City Manager  
**Submitted By:** Lana Wylie, Administrative Assistant  
**City Manager Review:**  
**Strategic Goals:** Infrastructure Development  
Economic Development  
Citizen Engagement & Proactive  
Government  
Regional Cooperation

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**AGENDA ITEM**

Receive a report and hold a discussion on the Lake Cities' effort relative to broadband services.

**AGENDA ITEM SUMMARY/BACKGROUND**

Residents have inquired about opportunities to improve broadband in the City. These inquiries range from faster residential broadband speeds to businesses needing more broadband width. The four cities have created a task force to review options and make a recommendation to the four cities.

**RECOMMENDATION**

N/A

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**City Council Regular and Workshop Session**

**Meeting Date:** 05/21/2020  
**Title:** Microsoft Enterprise Agreement  
**Submitted For:** Lee Ann Bunselmeyer, Director  
**Submitted By:** Shea Rodgers, Technology Services Manager  
**Finance Review:** Yes **Legal Review:** N/A  
**City Manager Review:**  
**Strategic Goals:** Organizational Development

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**AGENDA ITEM**

Consider and act on an agreement with SHI Government Solutions to renew the Enterprise Agreement with Microsoft, providing software and email services.

**AGENDA ITEM SUMMARY/BACKGROUND**

Corinth participates in 3-year Enterprise Agreements with Microsoft, which provides server and workstation software, along with email services. The current Enterprise Agreement expires at the end of May 2020.

With the transition away from the City of Denton hosting model, Corinth will expect to spend more on server licensing costs. Additionally, Technology Services is looking to transition away from the Office 365 licensing model, which only provides email hosting and Office products, to the Microsoft 365 model, which provides additional software licensing and email threat protection.

The proposed agreement (attached: AGREEMENT) is under the Texas DIR contract vehicle (DIR-TSO-4092), thus no additional bids were necessary.

**RECOMMENDATION**

It is Staff's recommendation that the City Council authorize the City Manager to execute the proposed agreement with SHI, not to exceed \$85,508.

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**Attachments**

AGREEMENT

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Pricing Proposal  
 Quotation #: 18681240  
 Created On: 3/27/2020  
 Valid Until: 5/8/2020

**CITY OF CORINTH**

**Inside Account Executive**

**Shea Rodgers**

3300 CORINTH PARKWAY  
 ATTN: ACCOUNTS PAYABLE  
 CORINTH, TX 76208  
 United States  
 Phone: 9404974145  
 Fax:  
 Email: Shea.Rodgers@cityofcorinth.com

**Jessica Vos**

290 Davidson Ave  
 Somerset, NJ 08873  
 Phone: 800-477-6479  
 Fax: 800-477-6479  
 Email: Jessica\_Vos@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 O365GCCE1 ShrdSvr ALNG SubsVL MVL PerUsr Microsoft - Part#: U4S-00002 Contract Name: Microsoft Software VAR Contract #: DIR-TSO-4092 Coverage Term: 6/1/2020 – 5/31/2021 <b>Note:</b> Year 1 of 3	50	\$78.59	\$3,929.50
2 M365 E3 GCC Unified ShrdSvr ALNG SubsVL MVL PerUsr Microsoft - Part#: AAD-34704 Contract Name: Microsoft Software VAR Contract #: DIR-TSO-4092 Coverage Term: 6/1/2020 – 5/31/2021 <b>Note:</b> Year 1 of 3	200	\$353.64	\$70,728.00
3 CoreCALBridgeO365 ALNG SubsVL MVL PerUsr Microsoft - Part#: AAA-12414 Contract Name: Microsoft Software VAR Contract #: DIR-TSO-4092 Coverage Term: 6/1/2020 – 5/31/2021 <b>Note:</b> Year 1 of 3	50	\$19.25	\$962.50
4 WINENTperDVC ALNG UpgrdSAPk MVL Pltfrm Microsoft - Part#: KV3-00356 Contract Name: Microsoft Software VAR Contract #: DIR-TSO-4092 Coverage Term: 6/1/2020 – 5/31/2021 <b>Note:</b> Year 1 of 3	50	\$54.85	\$2,742.50
5 WinSvrSTDCore ALNG SA MVL 2Lic CoreLic Microsoft - Part#: 9EM-00270 Contract Name: Microsoft Software VAR Contract #: DIR-TSO-4092 Coverage Term: 6/1/2020 – 5/31/2021 <b>Note:</b> Year 1 of 3	100	\$18.01	\$1,801.00

6	WinSvrSTDCore ALNG LicSAPk MVL 2Lic CoreLic Microsoft - Part#: 9EM-00562 Contract Name: Microsoft Software VAR Contract #: DIR-TSO-4092 Coverage Term: 6/1/2020 – 5/31/2021 <b>Note:</b> Year 1 of 3	36	\$41.75	\$1,503.00
7	Microsoft SQL Server Standard Core Edition - Software assurance - 2 cores - Win - All Languages Microsoft - Part#: 7NQ-00292 Contract Name: Microsoft Software VAR Contract #: DIR-TSO-4092 Coverage Term: 6/1/2020 – 5/31/2021 <b>Note:</b> Year 1 of 3	2	\$576.29	\$1,152.58
8	Microsoft SQL Server Standard Core Edition - License & software assurance - 2 cores - Enterprise - Win - All Languages Microsoft - Part#: 7NQ-00302 Contract Name: Microsoft Software VAR Contract #: DIR-TSO-4092 Coverage Term: 6/1/2020 – 5/31/2021 <b>Note:</b> Year 1 of 3	2	\$1,344.14	\$2,688.28
			Total	\$85,507.36

#### Additional Comments

#### Service Level Agreements:

**1. Quotes:** Quote requests will be acknowledged within 4 business hours of each request. Under normal circumstances, quotes will be provided within 24-48 hours of the initial request. If quotes will take longer than this timeframe, status updates will be provided at reasonable intervals.

**2. Orders:** All valid orders will be processed within 24 hours.

**3. Contract Documents:** All submissions will be reviewed and responded to within 24 business hours. Actual processing time will vary based on quality and complexity of the submission.

Thank you for choosing SHI-GS! The pricing offered on this quote proposal is valid through the expiration date set above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. SHI Government Solutions, Inc. is 100% Minority Owned, Woman Owned Business. TAX ID# 22-3695478; DUNS# 14-724-3096

*The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.*

**CONSENT ITEM 2.**

**City Council Regular and Workshop Session**

**Meeting Date:** 05/21/2020  
**Title:** April 16, 2020 Workshop Session Minutes  
**Submitted For:** Bob Hart, City Manager  
**Submitted By:** Lana Wylie, Administrative Assistant  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Citizen Engagement & Proactive Government

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**AGENDA ITEM**

Consider and act on minutes from the April 16, 2020 Workshop Session.

**AGENDA ITEM SUMMARY/BACKGROUND**

Attached are the minutes from the April 16, 2020 Workshop Session. The minutes are in draft form and are not considered official until formally approved by the City Council.

**RECOMMENDATION**

Staff recommends approval of the April 16, 2020 Workshop Session Minutes.

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**Attachments**

Minutes

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

On this the 16<sup>th</sup> day of April 2020 the City Council of the City of Corinth, Texas met in Workshop Session at the Corinth City Hall at 5:45 P.M., 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:**

Mayor Heidemann  
Sam Burke, Mayor Pro Tem  
Scott Garber, Council Member  
Tina Henderson, Council Member  
Lowell Johnson, Council Member  
Kelly Pickens, Council Member

**Staff Members Present**

Bob Hart, City Manager  
Patricia Adams, Messer, Fort & McDonald  
Jerry Garner, Police Chief  
Jason Alexander, Corinth Economic Development Corporation Director  
George Marshall, City Engineer  
Shea Rodgers, Technology Services Communications Manager  
Brett Cast, Engineering Services Coordinator  
Lana Wylie, Sr. Administrative Assistant

**CALL TO ORDER:**

Mayor Heidemann called the meeting to order at 5:45 p.m.

**WORKSHOP BUSINESS AGENDA:**

- 1. Hold a discussion on the Street Maintenance Sales Tax, Short Term Motor Vehicle Sales Tax, and the Fire Control, Prevention & Emergency Medical Services Sales Tax elections.**

**Bob Hart, City Manager** – We are working through these areas. We have until July 16<sup>th</sup> to finalize our election plans.

- 2. Discuss City wide speed limit philosophy and implementation opportunities.**

**Bob Hart, City Manager** – We discussed reviewing speed limits within the city. George Marshall will provide a presentation. There is no action and will not be for several months. There is an item on the agenda to establish the speed limit on 2499, raising it five miles per hour but this is looking at our streets city wide and would like a reaction in terms of approach or philosophy.

**George Marshall, City Engineer** – From the Transportation Code, speed limits are set based on the type of district, they can be altered but requires an engineering study.



City of Corinth

City Council

Speed Limits

April 16, 2020

Discuss City wide speed limit philosophy and implementation opportunities

## General Speed limits In Texas

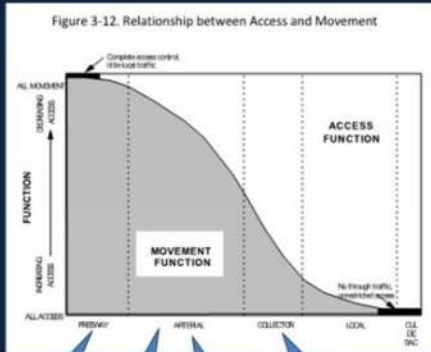
Texas Transportation Code Sec. 545.352 Prima Facie Speed Limits	
Street In Urban District	30 MPH
Alley In Urban District	15 MPH
Highway Numbered by State Outside Urban District	70 MPH
Other Highway Outside Urban District	60 MPH
On a Beach	15 MPH

## Setting Speed Limits

- Texas Transportation Code Sec. § 545.356 Authority of Municipality to Alter Speed Limits
  - alter by ordinance prima facie speed limits from the results of an engineering and traffic investigation
  - the governing body of a municipality, for a highway... that is not a ... road of the state highway system, may declare a lower speed limit of not less than 25 miles per hour, if ...determines... speed limit... is unreasonable or unsafe
    - applies only to a two-lane, undivided highway
    - municipality that declares a lower speed limit... shall publish on its Internet website and submit to the department a report that compares for each of the two previous calendar years:
      - (1) the number of traffic citations issued by peace officers of the municipality and the alleged speed of the vehicles, for speed limit violations on the highway or part of the highway;
      - (2) the number of warning citations issued by peace officers of the municipality on the highway or part of the highway; and
      - (3) the number of vehicular accidents that resulted in injury or death and were attributable to speed limit violations on the highway or part of the highway.

Amended 1995, 2005, 2009, 2011

# Functional Street Classifications



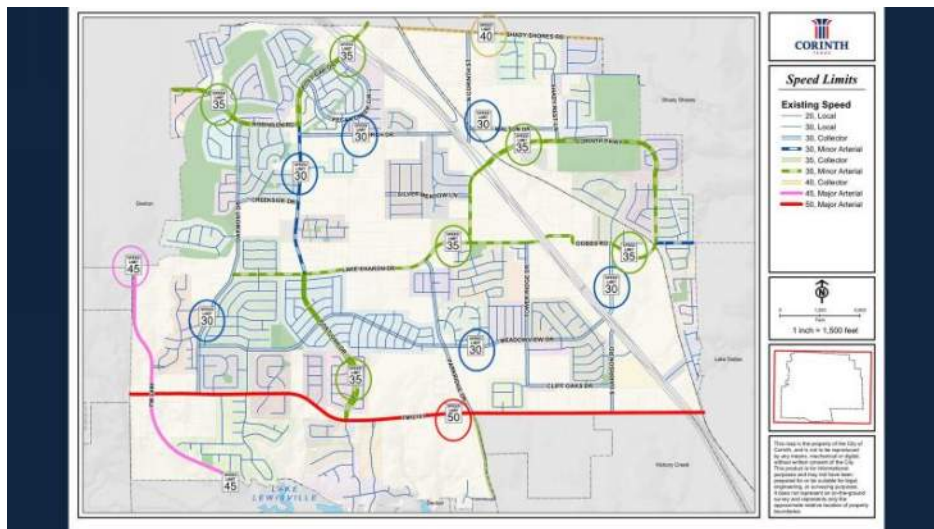
- I-35E
- FM 2181
- Lake Sharon
- Parkridge



# Roadway Classifications



- Major Arterial (40-55 MPH)
- Minor Arterial (30-45 MPH)
- Collector (30-40 MPH)
- Residential (20-30 MPH)



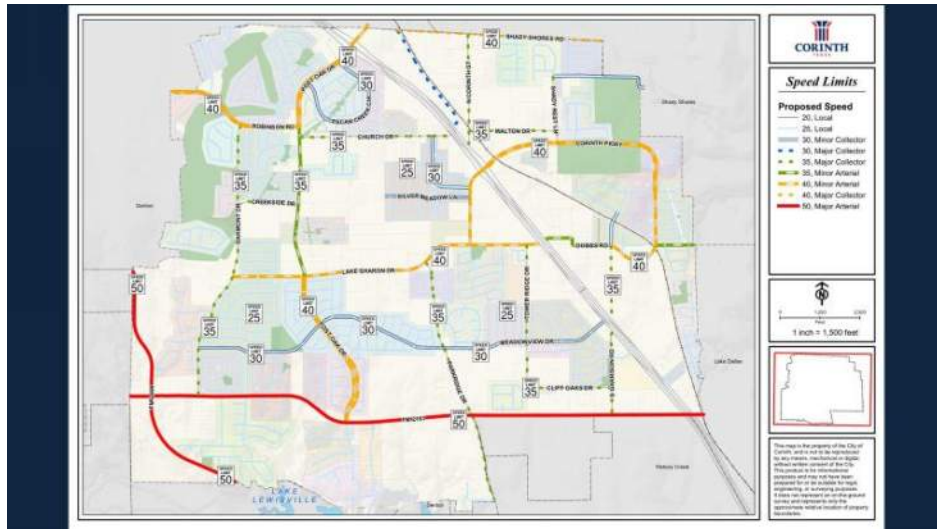
We received a request from Texas Department of Transportation (TxDOT) to increase the speed on FM2499

from 45 miles per hour to 50 miles per hour.

### Proposed Roadway Classifications

Major Arterial	Minor Arterial	Major Collector	Minor Collector	Residential/Local
(45-55 MPH)	(30-45 MPH)	(35-40 MPH)	(30-35 MPH)	(25 MPH)
<ul style="list-style-type: none"> <li>• FM 2181 &amp; FM 2499</li> </ul>	<ul style="list-style-type: none"> <li>• Lake Sharon</li> <li>• Post Oak</li> <li>• Corinth Parkway</li> <li>• Robinson</li> </ul>	<ul style="list-style-type: none"> <li>• Parkridge</li> <li>• Church</li> <li>• Oakmont</li> <li>• Creekside</li> <li>• Quail Run</li> <li>• N. Corinth</li> <li>• Shady Rest</li> <li>• Shady Shores</li> <li>• Tower Ridge</li> <li>• Walton</li> <li>• Garrison</li> <li>• Cliff Oaks etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Meadowview</li> <li>• Silver Meadow</li> <li>• Pecan Creek</li> <li>• North Haven</li> </ul>	

We would like to reduce the residential streets by five miles per hour and increase the other streets, no more than five miles per hour.



**Scott Garber, Council Member** – The speed limit on Shady Rest Lane, is there any discussion about changing it? We get a lot of questions on lowering the speed limits in neighborhoods, but we seem to get a lot of complaints about speeding on Shady Rest Lane.

**George Marshall, City Engineer** – Yes, I recommend bringing that up to 35mph. We are required to have the speed study to back up that data.

**Sam Burke, Mayor Pro Tem** – This strikes a nice balance.



## Reaction Time and Breaking Distance



PLEASE  
DRIVE  
SLOWLY  
WE ♥ OUR  
CHILDREN

WE ♥  
OUR CHILDREN  
Please DRIVE  
CAREFULLY

Velocity	Velocity <sup>2</sup>	Breaking Deceleration Distance	Perception Reaction Distance	Total Stopping Distance	5 MPH Change Distance	5 MPH Change %
MPH	FT/Sec.	FT	FT	FT	FT	%
10	14.7	5	22	27		
15	22	11	33	44	17	39%
20	29.3	19	44	63	29	30%
25	36	30	55	85	32	26%
30	44	43	66	109	24	22%
35	51.3	59	77	136	27	20%
40	58.7	76	88	164	28	17%
45	66	97	99	196	32	16%
50	73.3	119	110	229	33	14%
55	80.7	144	121	265	36	14%
60	88	172	132	304	39	13%
65	95.3	202	143	345	41	12%
70	102.7	234	154	388	43	11%
75	110	268	165	433	45	10%
80	117.3	305	176	481	48	10%
85	124.7	345	187	532	51	10%
90	132	386	198	584	52	9%



- Children Playing
- Children at Play
- Slow Children
  - All signs that promote children playing in the street.
  - Provides parents and children a false sense of security that they can play in the street
  - Not an approved TxMUTCD street sign.
  - Sign clutter
  - Does not provide clear guidance



### Children Playing

- The signs are a suburban mainstay even though no evidence suggests they do anything but make parents feel better.
- Do streets without the signs *not* have children at play?
- Signs should only be installed when they fulfill a need based on an engineering study or engineering judgment. In general, signs are often ineffective in modifying driver behavior, and overuse of signs breeds disrespect and diminishes effectiveness. Unnecessary signs and posts represent a hazard to errant motorists and may cause an obstruction to pedestrians and bicyclists. Furthermore, unnecessary signs are a waste of taxpayer dollars, represent an ongoing maintenance cost, and are a source of visual blight.



**Scott Garber, Council Member** – Besides the private signs, how many children playing signs do we have?

**George Marshall, City Engineer** – Cody said the signs are primarily at the entrances of subdivisions.

**Scott Garber, Council Member** – Do you foresee removing them to be a problem or not because we are reducing the speed?

**George Marshall, City Engineer** – I guarantee we will receive calls. We are only trying to solve a problem with the correct engineering tools.

**Mayor Heidemann** – Have you worked with the police department?

**George Marshall, City Engineer** – We have and will continue to work with them on the analysis of each street.

**Jerry Garner, Police Chief** – Our staff has reviewed the recommendations. We do not object to any of the changes. The specific issue of the children playing signs, my opinion is the 25mph sign will be more beneficial. I do agree we will receive phone calls.

## Summary

- Propose to bring forward an ordinance to reduce speed limits in residential neighborhoods from 30 mph to 25.
  - Effective as soon as speed limit signs are installed
  - Remove “Children Playing” Signs. (good place for a 25mph sign to be installed.)
- Perform speed studies on other streets to evaluate for possibility of increasing speeds by approximately 5 mph.
  - Bring forward as either all one action or take separate action as the studies are performed.

**Sam Burke, Mayor Pro Tem** – I would prefer we do it all at once so we will not have inconsistent speed limits throughout the city, especially if we changed a neighborhood in one place but not another.

**George Marshall, City Engineer** – The 25mph speed limits, we can set those with an ordinance at the next council meeting. Are you asking for us to do everything at once or to go forward with dropping the residential speeds first and move forward later with the others?

**Sam Burke, Mayor Pro Tem** – I was thinking everything at once, but I am not sure if there is a good reason for holding off on lowering the speed limits. If you do it at once, it is a comprehensive plan as to what we are doing but safety first.

**Tina Henderson, Council Member** – With summer coming along, we could lower the residential neighborhoods, that does not require a study. The increased speed limit requires a study, so I would suggest we lower the neighborhoods now.

**George Marshall, City Engineer** – True, there are more people out on the streets today because of the stay at home order.

**Mayor Heidemann** – Is the recommendation for staff to come back with the decreased speed limits in the residential areas and then have the study on the other areas or hold off and do it all at once?

**Tina Henderson, Council Member** – I would vote to lower it next meeting and do the study.

**Councilmember Burke, Garber, Johnson and Pickens agreed to Councilmember Henderson's suggestion.**

### **3. Hold a discussion on City Broadband.**

**Bob Hart, City Manager** – The four Lake Cities have been working together. We have a taskforce reviewing options. We are looking in two areas, we are working with Connected Nation; they will work with local communities to do an inventory on broadband capabilities, the level of support and alternatives that a community might pursue. They are working in cities, in a number of states across the country, with quite a few in Texas. The four Lake Cities managers will review this on May 4<sup>th</sup> so we can have some reaction to take back tot the task force when they meet mid-May. Concurrent with this, we have had conversations with Next Link, they do a combination of hardwire and fiber internet services. We've discussed with them particularly about Corinth but also discussing options within the Lake Cities. Next Link could be a good option, coming out of Connected Nation and that has happened in a few cases. We will continue that conversation and try to schedule both companies to look at options within the task force. We are maintaining a schedule so we will have options for you to consider toward the middle or end of summer.

**Sam Burke, Mayor Pro Tem** – Next Link's service is good so far, from personal experience.

**Bob Hart, City Manager** – They use the water towers to help with the line of sight connection and in the case of a place like Corinth, it would be that line of sight coming off the water towers and also off the LCMUA towers and having some fiber in some of the areas that are difficult to reach.

### **4. Provide an update and hold a discussion on the Coronavirus (COVID-19) in regard to City operations and practices.**

**Bob Hart, City Manager** – We are working with staff and involved with a call in from the North Texas Commission. There is a lot of information available. Based on the information we have locally, we will have approximately five more weeks of the stay at home mandate. Most of the health experts, within Texas, are projecting a peak about three weeks from now and want to maintain the quarantine two weeks following the peak. We would look forward to a general reopening Monday, May 25<sup>th</sup>.



**Scott Garber, Council Member** – Where in the plan, are you able to tell when they are going to reopen schools?

**Bob Hart, City Manager** – I am not sure, probably sometime in the fall. The call today included judges and representatives within a business roundtable in the Dallas/Fort Worth region.

**Sam Burke, Mayor Pro Tem** – Did they discuss when businesses reopen, that it will be back to normal operations or recommendations of continued social distancing/extra precautions?

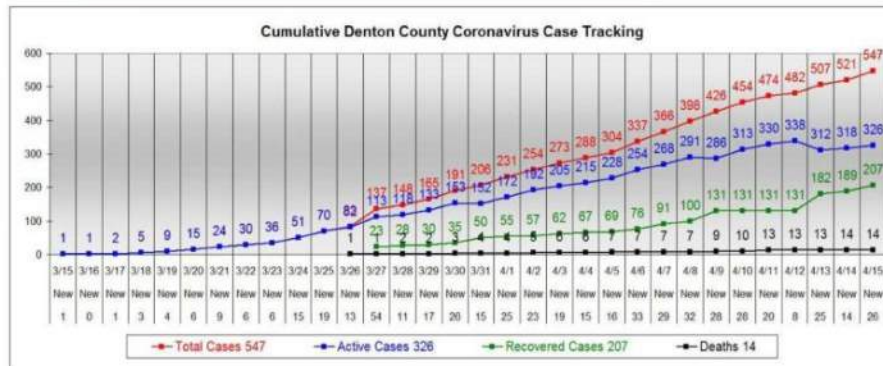
**Bob Hart, City Manager** – There will be extra precautions, masks and gloves. One discussion was with restaurants having partitions between tables to maintain some distancing. They also talked about the servers wearing gloves and masks. As they would begin the two week intervals, they would do by business sector, apply the best practices, make sure they work and then go to the next business sector. They will continue these calls intensively over the next several weeks. The county judges are concerned partly with compliance but mainly with support. They are beginning to understand we need a clear plan or there will be a decline in compliance. The business round table is looking at how to get the businesses reopened and best practices. I think everyone is waiting on the governor's press conference tomorrow to lay out expectations.

## COVID19 - What we know so far?

- » 16,553+ cases in Texas
- » Total Cases in Denton County 564
  - 335 active cases
  - 214 total recovered
- » 8 confirmed positives in City of Corinth.
  - 4 Recovered, 4 Active
- » Zero Corinth employees have tested positive or have symptoms of COVID-19
- » Declarations from Denton County and Governor Abbott
  - Both issued "Stay at Home" mandate until April 30<sup>th</sup>.
  - Golf Courses Allowed to Reopen
  - Governor Abbott to form committee that will develop plan to reopen businesses. Plan is to be completed by April 30<sup>th</sup>.
  - Expect a minimum of 5 more weeks with "Stay Home" mandate.
    - Three weeks to peak. 2 additional weeks of quarantine.
    - Reopening will be in 2 week increments by business sector.

Denton County	
COVID-19 Confirmed Cases in Denton County	
Total Cases	564
Active Cases	335
Total Recovered	214
Total Deaths	15
Location	
Argyle	2
Aubrey	3
Bartonville	1
Carrollton	62
Colton	1
Copper Canyon	4
Corinth	8
Crane Swamp	2
Dallas	22
Duncan	19
Denton Oaks Supportive Living Center	34
Drizzle Lake	6
Flower Mound	22
Flower Springs	5
Forestburg	43
Georgetown	3
Hickory Creek	3
Irvington Village	6
Levelland	1
Little Elm	40
Littlefield	40
Littleton	2
Maple Valley	1
Meridianville	1
Northwest	15
Northwest	15
Southwest	15
Southwest	15
Age	
0 - 14	12
15 - 24	14
25 - 34	68
35 - 44	115
45 - 54	114
55 - 64	104
65 - 74	48
75+	18
Sex	
Male	281
Female	283
Initial Infection Status	
Home/Work	463
Hospital	101
Pending Investigation	0
Transmission Type	
Person to Person	327
Local Transmission	215
Contact with Confirmed Case	234
Pending Investigation	0
Undetermined	0
Denton County Case Counts Daily by City	
Last updated on 04/15/2020	
Information is subject to change as additional data is provided from hospitals, individuals, or jurisdictions.	

## COVID19 Curve



## Golf Courses Amended Regulations



Golf courses are permitted to re-open to the public today, following an amendment to the Denton County executive order. On April 15, the Texas Attorney General posted a letter clarifying the Governor's Executive Order GA-14, as it relates to golf courses. As a result, Denton County determined the following rules to be best practices at this time, in keeping with the classification of essential activities.

- » Golf pro shop and clubhouse must remain closed to all guests. No restrooms in the clubhouse can be used.
- » All tee times must be made in advance by phone or online. Fees must be collected over the phone or online. No cash or credit payments are allowed onsite, no walk-ups.
- » Must schedule a minimum of 15 minutes between each tee time.
- » Only golfers will be allowed on the course.
- » Walking is preferred and pull carts are allowed. The use of golf carts is permitted only if the cart is privately owned and operated by the owner, or is a cart that has been assigned to an individual and the individual is the sole user for the duration of the Stay at Home order. In either case, usage of a cart is limited to a single person and anyone living in their same household. No more than four golfers will be allowed to tee off every 15 minutes.
- » Golfers must self-park.
- » Members only at this time. No guests of members allowed.
- » All players must maintain a minimum of six feet between each person.
- » No tees or amenity stations may be made available.
- » Driving range and practice areas will remain closed.
- » Minimal staffing beyond those for golf course maintenance and security is allowed.
- » Please arrive on time for a tee time, and leave immediately following your round of golf.
- » No rakes will be in the bunkers. Bunkers should be considered ground under repair.
- » No ball washers will be available for use.
- » Please do not touch the flagsticks.
- » No coolers or ice will be available on course. Please bring water or beverage.
- » Exhibit social distancing of 6 feet at all times, no exceptions.
- » No direct contact with any staff members.
- » Groups are not permitted to congregate anywhere.
- » Only takeout and delivery of food is allowed at clubhouse restaurants.

We extended Level Red through May 8<sup>th</sup>. The Mayor has signed a declaration proclamation that will

continue through May 8<sup>th</sup> with the possibility of extending through May 22<sup>nd</sup>. We are beginning to evaluate return to work schedules.

Level 1 - Red	Widespread confirmed COVID-19
<p><b>Public</b></p> <ul style="list-style-type: none"><li>» City facilities closed except for essential personnel.</li><li>» Members of the public are to conduct business with city staff online and through phone calls and emails.</li><li>» All public places of business are required to adhere to recommendations made by the Centers for Disease Control and Prevention as well as Governmental Declarations eliminating person-to-person exposure.</li><li>» City Council and Boards will transition to teleconferencing meetings consistent with the Open Meetings Act.</li></ul>	<p><b>Internal</b></p> <ul style="list-style-type: none"><li>» City facilities closed except for essential personnel.</li><li>» All gatherings canceled.</li><li>» All travel contingent to prior approval.</li><li>» Remote work policy in full effect.</li></ul>
<p>Extended Level Red until May 8<sup>th</sup>. Planning for a gradual return to normal operations</p>	

5 |

### Community Waste Disposal



- » Zero CWD employees have tested positive or have symptoms of COVID-19
- » Zero work stoppage has occurred at CWD, all waste and recycling is being picked up and processed as usual.
- » There is a substantial increase in residential volumes and CWD has strived daily to complete all routes in full and on schedule.
- » Customers have been encouraged, but not required, to bag and tie their waste
- » CWD made adjustments to their work accommodations to protect all personnel from exposure.

6 |

## Operational & Budgetary Changes due to COVID-19



- » Revenue Impacts
  - **Municipal Court** is continuing to delay court proceedings until June 16.
    - Current projections of \$250,000 (33%) loss of revenue.
  - **Development Fines & Fees.** Currently projecting \$150,000 (32%) loss of revenue.
  - **Property Taxes.** Current unpaid property taxes of \$229,090.
  - **Sales Tax receipts** lag two months. 10% equals \$168,329.
- » Summer Activities
  - **Summer Camp** - Canceled. Loss of revenue of approximately \$35,000.
  - **CSI Camp**- Delaying start of camp for at least a month (August) and will delay advertising until June/July.
- » Expenditure Impacts
  - » Departments are limiting expenditures and are looking at possible budgetary cuts
    - **Salary Savings** from vacant positions of \$422,090
      - Currently have realized \$312,741 from vacant positions from Oct – Mar.
      - Have 6 vacant positions. Projections total \$109,349 from Apr –Sept.
    - **Suspended Training** for the rest of the fiscal year. Approximately \$125,000 savings
    - **Cancellation of Special Events** (Easter & Fish N' Fun). Savings of \$24,000.

**Tina Henderson, Council Member** – How do our vacant positions affect operations?

**Bob Hart, City Manager** – It creates additional work for others and affects us when others are out sick or on vacation. There are two vacancies in police, one in public works, two in planning and Kim will be leaving soon. I will keep that open a couple months and capture some salary savings there.

## Looking Ahead at FY 2020-2021 Budget



- » Council Budget Planning and Priority Session on May 28
- » Revenues
  - **SB2** Property Tax Limits
  - Fire Service Agreements with Lake Cities
- » Expenditures
  - Anticipate a fairly flat budget
  - Focus on Broadband, TOD and TIRZ Development
  - No pay increases are anticipated at this time
  - Health Insurance increase projected at 25%

**Mayor Heidemann** – Thank you and your staff for being proactive and getting us up to speed.

### 5. Discuss Regular Meeting Items on Regular Session Agenda, including the consideration of closed session items as set forth in the Closed Session agenda items below.

**There was no discussion on regular session agenda items.**

### CLOSED SESSION

The City Council will convene in such executive or (closed session) to consider any matters regarding any of the above agenda items as well as the following matters pursuant to Chapter 551 of the Texas Government Code.

**Section 551.071.** (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

**Section 551.072.** To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

**Section 551.074.** To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

**Section 551.087.** To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

**RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON CLOSED SESSION ITEMS.**

**ADJOURN:**

**Mayor Heidemann adjourned the work session at 6:34 p.m.**

**AYES:**

**Meeting adjourned.**

Approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Lana Wylie, Interim City Secretary  
City of Corinth, Texas

**CONSENT ITEM 3.**

**City Council Regular and Workshop Session**

**Meeting Date:** 05/21/2020  
**Title:** April 16, 2020 Regular Session Minutes  
**Submitted For:** Bob Hart, City Manager  
**Submitted By:** Lana Wylie, Administrative Assistant  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Citizen Engagement & Proactive Government

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**AGENDA ITEM**

Consider and act on minutes from the April 16, 2020 Regular Session.

**AGENDA ITEM SUMMARY/BACKGROUND**

Attached are the minutes from the April 16, 2020 Regular Session. The minutes are in draft form and are not considered official until formally approved by the City Council.

**RECOMMENDATION**

Staff recommends approval of the April 16, 2020 Regular Session minutes.

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**Attachments**

Minutes

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

On this the 16<sup>th</sup> day of April 2020 the City Council of the City of Corinth, Texas met in Regular Session at the Corinth City Hall at 7:00 P.M., 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:**

Mayor Heidemann  
Sam Burke, Mayor Pro Tem  
Scott Garber, Council Member  
Lowell Johnson, Council Member  
Tina Henderson, Council Member  
Kelly Pickens, Council Member

**Staff Members Present**

Bob Hart, City Manager  
Patricia Adams, Messer, Fort & McDonald  
Jerry Garner, Police Chief  
Jason Alexander, Corinth Economic Development Corporation Director  
George Marshall, City Engineer  
Shea Rodgers, Technology Services Communications Manager  
Brett Cast, Engineering Services Coordinator  
Lana Wylie, Sr. Administrative Assistant

**CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE:**

**Mayor Heidemann called the meeting to order at 7:00 P.M. City Manager Bob Hart delivered the Invocation, due to the COVID-19, the Pledge of Allegiance and the Texas Pledge did not take place.**

**CONSENT AGENDA**

**All matters listed under the Consent Agenda are considered to be routine and will be enacted in one motion. Should the Mayor, a Councilmember, or any citizen desire discussion of any Item that Item will be removed from the Consent Agenda and will be considered separately.**

1. Consider and act on the minutes from March 5, 2020 Workshop Session.
2. Consider and act on the minutes from the March 5, 2020 Regular Session.
3. Consider and act on an Ordinance to amend the prima facie speed limit of FM 2499, within the City of Corinth, to 50 MPH.

**MOTION** made by Councilmember Henderson to approve the Consent Agenda as presented. Seconded by Councilmember Garber.

**AYES:** Burke, Garber, Johnson, Henderson, Pickens  
**NOES:** None  
**ABSENT:** None

**MOTION CARRIED**

### **CITIZENS COMMENTS:**

In accordance with the Open Meetings Act, Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes. Comments about any of the Council agenda items are appreciated by the Council and may be taken into consideration at this time or during that agenda item. Please complete a Public Input form if you desire to address the City Council. All remarks and questions addressed to the Council shall be addressed to the Council as a whole and not to any individual member thereof. Section 30.041B Code of Ordinance of the City of Corinth.

### **COUNCIL COMMENTS & FUTURE AGENDA ITEMS**

**The purpose of this section is to allow each councilmember the opportunity to provide general updates and/or comments to fellow councilmembers, the public, and/or staff on any issues or future events. Also, in accordance with Section 30.085 of the Code of Ordinances, at this time, any Councilmember may direct that an item be added as a business item to any future agenda.**

**Sam Burke, Mayor Pro Tem** – I would like to thank staff for their work during this very unusual time.

**Scott Garber, Council Member** – I would like to have a general meeting about golf carts and electric vehicles in a future meeting.

### **CLOSED SESSION**

The City Council will convene in such executive or (closed session) to consider any matters regarding any of the above agenda items as well as the following matters pursuant to Chapter 551 of the Texas

**Section 551.071.** (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

**Section 551.072.** To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

**Council met in Closed Session from 6:34 P.M. until 6:48 P.M.**

**a. Right-of-way consisting of .198 acres located at 6801 S I-35E and 3404 Dobbs Road along Dobbs Road within the H. Garrison Survey, Abstract No. 507, within the City of Corinth, Denton County, Texas.**

**b. Right-of-way consisting of 1.56 acres located at 6881 South I-35E and along Dobbs Road within the H. Garrison Survey, Abstract No. 507, within the City of Corinth, Denton County, Texas.**

**c. Right-of-way consisting of 0.821 acres located along Dobbs Road, within the H. Garrison Survey, Abstract No. 511, within the City of Corinth, Denton County, Texas 76208.**

**d. Project Festival**

**Section 551.074.** To deliberate the appointment, employment, evaluation, reassignment, duties,

discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

**Section 551.087.** To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

After discussion of any matters in closed session, any final action or vote taken will be in public by the City Council. City Council shall have the right at any time to seek legal advice in Closed Session from its Attorney on any agenda item, whether posted for Closed Session or not.

**RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON CLOSED SESSION ITEMS.**

4. Consider and take appropriate action regarding purchase of right-of-way consisting of 0.821 acres located along Dobbs Road, within the H. Garrison Survey, Abstract No. 511, within the City of Corinth, Denton County, Texas.

**MOTION** made by Councilmember Burke to approve Resolution 20-04-16-12 and move to approve and grant the Town Manager authority to purchase the Reynolds tract for \$252,221, which is equivalent to \$7.05 per square foot. Seconded by Councilmember Pickens.

**AYES:** Burke, Garber, Johnson, Henderson, Pickens  
**NOES:** None  
**ABSENT:** None

**MOTION CARRIED**

**ADJOURN:**

**Mayor Heidemann adjourned the Regular meeting at 7:05 p.m.**

**AYES:** All

Meeting adjourned.

Approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Lana Wylie, Interim City Secretary  
City of Corinth, Texas

**City Council Regular and Workshop Session**

**Meeting Date:** 05/21/2020  
**Title:** Tower Ridge PD Zoning  
**Submitted For:** Helen-Eve Liebman, Director **Submitted By:** Helen-Eve Liebman, Director  
**Finance Review:** N/A **Legal Review:** Yes  
**City Manager Review:** **Approval:** Bob Hart, City Manager  
**Strategic Goals:** Land Development

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**AGENDA ITEM**

Conduct a public hearing, consider testimony, and act upon an ordinance amending the zoning classification from SF-4, Single Family Residential to PD, Planned Development with a base district of SF-4, Single Family Residential on an ±3.691 acre tract of land legally described as Tracts 31 and 32 of the E. Marsh Survey, Abstract No. 0833, within the City of Corinth, Denton County, Texas and is more commonly known as 3100 Tower Ridge Drive, Corinth, TX. (Tower Ridge Single Family PD)

- Staff Presentation
- Applicant Presentation
- Public Hearing
- Staff Response
- Take Action

**AGENDA ITEM SUMMARY/BACKGROUND**

**Background Information:**

The applicant is requesting a Planned Development district to facilitate the development of a single-family subdivision encompassing 18 lots plus two homeowners’ association (HOA) lots.

The property is located near the southwest corner of Tower Ridge Drive and Meadowview Drive. The property is bounded by single family homes to the north, single family homes, and a church to the east, single family homes to the south, and the Lake Dallas High School baseball field to the west.

**Adjacent Land Uses:**

- North Single-family residential – SF-4, zoning
- East Single-family residential and church – SF-4, zoning
- South Single-family residential – SF-4, zoning
- West School (Lake Dallas High School Baseball Field) – SF-4, zoning

Due to current market trends and the very small size of the property the applicant is requesting consideration in the reduction of the size of the lots. The SF-4, Single Family Residential zoning district requires that each lot be a minimum of 7,500 square feet in size. The applicant is requesting consideration of a reduction of the lot size to a 5,000 square foot minimum. The proposed lots range in size from 5,321 square feet to 9,677 square feet. The applicant is requesting a reduction on lot width from 70 feet in width to 50 feet along the front building line with 40 foot widths being the minimum for lots on cul-de-sac “Lots 11-14” and on the eyebrow “Lots 3-5” when measured along the building line. Additionally, the applicant requests a reduction in the lot depth for cul-de-sac and eyebrow lots from 100 feet to 85 feet. Reference Concept Plan.

The smaller lot sizes ensure that the applicant can provide a product at the price point that the market will support. The applicant is also proposing the utilization of 85% of the City’s “Class 1” masonry materials on the exterior of

the homes. Last fall the Texas Legislature removed cities' ability to regulate exterior materials on residential and commercial developments meaning that any material currently allowed by the International Building Codes are allowed to be used on the exterior of buildings. Staff requested, and the applicant has agreed to language being included within the Planned Development District regulations which ensures that the proposed homes are built to the same standard as other homes in the community. The addition of the masonry requirement supports the consideration of smaller lot sizes.

It is the applicant's intent to attempt to preserve as many of the existing trees as possible on the site. In our initial conversations with the developer last fall they stated that the existing trees on the property were a motivating factor for their purchase of the property. The applicant intends to utilize the existing trees to provide buffers from adjacent roadways and neighboring properties as well as to improve the aesthetics of the development. That being said, an analysis has not yet been performed on the property to determine the number of trees that may be saved, but the applicant has stated that they are going to make every effort possible to reduce the impact to the existing tree canopy including developing all of not the majority of the homes as two story to reduce the buildings foot print on each lot so that trees may be preserved. The applicant is responsible for mitigation of the protected trees "6 inches and greater" that are removed from the property by either replacing the caliper inches of protected trees removed or by paying a fee in lieu into the City's tree fund for each caliper inch of protected trees removed. Tree mitigation plans are reviewed and approved by City Council and occur later in the development process.

On April 16, 2020 the applicant and staff met with homeowners that chose to participate living within 200 feet notification area of the subject property via a Zoom web conference to inform them of the development and to address any questions or concerns that they may have had with the development. While the residents were disappointed to see the property being developed after so many years, the general consensus was that they were understanding of the development need and were generally pleased to hear that the homes would be priced above the average price of their existing homes, but did have some very small concerns about the taxing implications of rising home values resulting from the development.

One of the concerns expressed by residents was regarding drainage on the property. Residents stated that the current drainage situation is very poor. The applicant has stated that they will mitigate any additional runoff as a result of their development. However, the developer could make no guarantees that the existing conditions would be improved as a result of their development but did promise that the drainage conditions would not be worsened following the development of the property. The City's development regulations will not allow any increased runoff from the property and the proposed detention pond will accommodate the anticipated drainage.

Residents also asked about any planned improvements to Tower Ridge Drive. The applicant will be responsible for paying roadway impact fees for each home built within the development, but the applicant has no requirement to improve Tower Ridge Drive. The roadway impact fees are deposited into a City fund for roadway improvements or expansions throughout the City. Tower Ridge Drive is listed as a five plus year project on the City's Capital Improvements Plan (CIP) meaning that while the City does have plans to improve Tower Ridge Drive, it does not have any plans to improve the roadway within the next five years.

The final concerns expressed by residents were the sidewalks along Tower Ridge. Currently there is an existing sidewalk on the eastern "northbound" side of Tower Ridge. Residents stated that there is an ample amount of foot traffic along Tower Ridge due to it being in close proximity to an Elementary School and a High School. The residents asked when a sidewalk would be constructed on the western "southbound" side of Tower Ridge as there are a number of individuals that choose to walk across their property or within the road rather than crossing the road to walk in the sidewalk on the eastern side.

The applicant stated that they will be constructing a sidewalk along the boundaries of their property as required but had no plans to construct a sidewalk along the entire western length of Tower Ridge. It is staff's position since there is an existing sidewalk along the eastern side of Tower Ridge, at a four-way stop, pedestrians cross safer at intersections rather than midblock. The City would prefer to construct the sidewalk in this location with the complete upgrade of Tower Ridge through a CIP project.

### **Proposed Development Regulations:**

Base Zoning: Single Family SF-4

Modifications to Base Zoning:

1. – Residential Dimensional Regulations Chart

- Minimum Front Yard Setback – 20 feet
- Garage Setback – 20 feet
- Minimum Lot Area – 5,000 square feet
- Minimum Lot Width – 50 feet minimum along the front building line (40 feet along front building line for cul-de-sac and eyebrow lots)
- Minimum Lot Depth – 100 feet (85 feet for cul-de-sac and eyebrow lots)
- Maximum Building Area (all buildings) – 45%

If not specifically listed above, the regulations from SF-4 shall apply.

Building Material Standards: The combined percentage of exterior facades shall not be less than 85% Class 1 masonry materials: “fired brick, natural and manufactured stone, granite, and marble.”

**Public Notices:**

Public hearing notices were mailed to all residents within 200 feet of the proposed zoning change request on April 20, 2020 for the Planning and Zoning Commission meeting and the on April 30, 2020 for the City Council meeting. At the time of packet creation there was one letter in support and four letters in opposition to the proposed change.

Notice of the public hearings were published in the Denton Record Chronicle on April 15, 2020 edition for the Planning and Zoning Commission and on May 4, 2020 for the City Council public hearing.

**Compliance with the Comprehensive Plan:**

The Comprehensive Plan designates the future land use of this tract as Low Density Residential.

The proposal complies with the City’s Comprehensive Plan.

**Supporting Documents:**

- Proposed Ordinance
- Applicant’s PD Design Statement and Development Regulations
- Concept Plan
- Mailed Public Notices (P&Z and City Council)
- Public Hearing Notification Area Exhibit
- Letters of Support and Opposition for Zoning Change

**Planning & Zoning Commission Recommendation:**

The Planning and Zoning Commission considered the rezoning request at a special called meeting on May 4, 2020 and during the public hearing several property owners voiced their opposition to the change of zoning. In summary, the oppositions voiced concerns of the development causing their property taxes to increase, the loss of the trees to development, safety and privacy, construction noise, increased traffic generated by the development, and the condition of Tower Ridge Drive and when the City will be making improvements to the property.

The Planning and Zoning Commission unanimously recommended the item for City Council approval with a vote of 3-0.

**RECOMMENDATION**

Staff recommends approval as presented.

The Planning and Zoning Commission unanimously recommended the item for City Council approval with a vote of 3-0.

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**Attachments**

PD Ordinance

PD Statement and Regs

Concept Plan

Notices Combined

Zoning Notification Map

Letters of Support and Opposition

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**ORDINANCE NO. 20-05-21-\_\_**

**TOWER RIDGE PLANNED DEVELOPMENT DISTRICT #56**

**AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, AMENDING THE CITY'S COMPREHENSIVE PLAN, SPECIFICALLY THE COMPREHENSIVE 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 THE PROPERTY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN, FROM SF-4, SINGLE FAMILY RESIDENTIAL TO PD-PLANNED DEVELOPMENT ZONING DISTRICT WITH A BASE ZONING DESIGNATION OF SF-4, SINGLE FAMILY RESIDENTIAL ON AN APPROXIMATE 3.691 ACRE TRACT OF LAND SITUATED IN THE E. MARSH SURVEY, ABSTRACT NO. 833 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS, AND IDENTIFIED AS TOWER RIDGE DEVELOPMENT DISTRICT NO. 56 ("PD-56"); PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A LEGAL PROPERTY DESCRIPTION; APPROVING A PLANNED DEVELOPMENT CONCEPT PLAN (EXHIBIT "B"); APPROVING PLANNED DEVELOPMENT LAND USE REGULATIONS (EXHIBIT "C"); 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 ON CONTINUES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth, Texas, adopted Ordinance No. 13-05-02-08, which established a Unified Development Code of the City, including the Comprehensive Zoning Ordinance and the "Official Zoning District Map of the City of Corinth, Texas," (the "Zoning Map"), in accordance with the City's Comprehensive Plan; and

**WHEREAS**, the Property, described in Exhibit "A", is zoned as PD-Planned Development zoning district, more specifically identified as Tower Ridge Planned Development District No. 56 ("PD-56"), with a base zoning designation of SF-4, Single Family Residential under the City's Unified Development Code and as designated on the Zoning Map; and

**WHEREAS**, an authorized person having a proprietary interest in the Property has requested an Amendment to the Comprehensive Zoning Ordinance and the Zoning Map to change the zoning classification of the Property; and



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

**WHEREAS**, the City Council has determined that the Property has unique characteristics and that zoning through a planned development district is the most appropriate mechanism for zoning 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 Land Use Regulations set forth in Exhibit "C", 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 the 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 Comprehensive Zoning Ordinance and Zoning Map to effect the change in zoning for the Property promotes the health and the general welfare, provides the Property with adequate light and air, prevents over-crowding of land, avoids undue population concentration, and facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; as well as 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 are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

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

That Ordinance No. 13-05-02-08, adopting the Unified Development Code of the City of Corinth, (“UDC”), including the Comprehensive Zoning Ordinance that establishes zoning districts in accordance with the City’s Comprehensive Plan and the Zoning Map of the City of Corinth, is hereby amended to change the zoning classification on an approximate 3.691 acre tract of land situated in the E. Marsh Survey, Abstract No. 833 in the City of Corinth, Denton County, Texas, legally described in "**Exhibit A**", attached hereto and incorporated herein (the “Property”), from SF-4, Single Family Residential to a PD-Planned Development zoning district with a base zoning designation of SF-4, Single Family Residential and identified as Tower Ridge Planned Development District No. 56 (“PD-56”), and the Zoning Map of the City is also hereby amended to reflect the new zoning classification for the Property.

**SECTION 3.**  
**PLANNED DEVELOPMENT CONCEPT PLAN**

The Planned Development Concept Plan for the Property as set forth in “**Exhibit B**”, a copy of which is attached hereto and incorporated herein, is hereby approved.

**SECTION 4.**  
**LAND USE REGULATIONS**

- A. The Zoning and Land Use Regulations set forth in “**Exhibit C**” attached hereto and made a part hereof for all purposes are hereby adopted and shall be adhered to in their entirety for the purposes of this PD-Planned Development zoning district with a base zoning designation SF-4, Single Family Residential. In the event of conflict between the provisions of “**Exhibit C**” and provisions of any other City zoning regulations, including without limitation the regulations governing the SF-4, Single Family Residential zoning district, the provisions of “**Exhibit C**” shall control.
  
- B. That the zoning regulations and district herein established have 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 overcrowding 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 Planned Development Concept Plan (Exhibit “**B**”) and the Land Use Regulations (Exhibit “**C**”) shall control the use and development of the Property in accordance with the

provisions of this Ordinance, and all building permits and development requests shall be in accordance with applicable City ordinances, the PD Concept Plan and adopted Land Use Regulations. The PD Concept Plan and Land Use Regulations shall remain in effect as set forth herein unless amended by the City Council.

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 and shall be subject to the Unified Development Code's conditions for approval.

## **SECTION 5. 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.

## **SECTION 6. 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 7. 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 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 8.  
SAVINGS**

All rights and remedies of the City of Corinth, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning for the Property 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 9.  
EFFECTIVE DATE**

This ordinance shall become effective after approval and publication as provided by law. The City Secretary is directed to publish the caption and penalty of this ordinance two times.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH THIS \_\_\_\_\_ DAY OF MAY, 2020.**

APPROVED:

\_\_\_\_\_  
Bill Heidemann, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Pence, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Patricia Adams, City Attorney

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**BEING** a tract situated in the E. Marsh Survey, Abstract No. 833, City of Corinth, Denton County, Texas, being part of the tract described to David Reed and Karla A. Dorman, recorded in Volume 1116, Page 333, Deed Records, Denton County, Texas, the subject tract being more particularly described as follows:

**BEGINNING** at a 1/2 inch rebar with cap stamped "G&A" found at the southeast corner of the herein described tract, same being the southwest corner of the tract described in the deed to the City of Corinth, recorded in Document Number 2008-90911, Deed Records, Denton County, Texas;

**THENCE** with the perimeter and to the corners of said Dorman tract, the following calls:

1. NORTH 89 degrees 49 minutes 26 seconds WEST, a distance of 298.15 feet to an aluminum disc with illegible markings found;
2. NORTH 01 degrees 07 minutes 11 seconds WEST, a distance of 527.01 feet to the northwest corner of said Dorman tract, from which a fence post found bears NORTH 01 degree EAST, 1.62 feet;
3. SOUTH 89 degrees 45 minutes 32 seconds EAST, a distance of 309.50 feet to a 1/2 inch rebar with cap stamped "G&A" found at the northwest corner of said City of Corinth tract;

**THENCE** with the west line of said City of Corinth tract, SOUTH 00 degrees 22 minutes 04 seconds EAST, a distance of 339.43 feet to a 1/2 inch rebar with cap stamped "G&A" found;

**THENCE** with the west line of said City of Corinth tract, SOUTH 00 degrees 59 minutes 47 seconds WEST, a distance of 187.13 feet, returning to the **POINT OF BEGINNING** and enclosing 3.691 acres (160,780 square feet) of land, more or less.



**EXHIBIT "C"**  
**LAND USE**  
**REGULATIONS**

**SECTION 1: REGULATIONS**

- A. **Base District:** The current SF-4, Single Family Residential District regulations of the Corinth Unified Development Code, as amended, shall apply except as modified herein.

**SECTION 2: LOT REGULATIONS:**

Lot Regulations:

- Minimum Front Yard Setback – 20’
- Garage Setback – 20’
- Minimum Lot Area – 5,000 sf
- Minimum Lot Width – 50’ minimum (40’ along front building line for cul-de-sac and eyebrow lots)
- Minimum Lot Depth – 100 feet (85 feet for cul-de-sac and eyebrow lots)
- Maximum Building Area (all buildings) – 45%

**SECTION 3: BUILDING MATERIAL STANDARDS:**

Building Material Standards: The combined percentage of exterior facades shall not be less than 85% Class 1 masonry materials: “fired brick, natural and manufactured stone, granite, and marble.”

## Tower Ridge Single Family Planned Development District

### Design Statement & Development Regulations

#### Design Statement:

The Tower Ridge Single Family Planned Development is an 18-lot (plus 2 HOA lots) single-family residential community located on 3.691-acres along the west side of Tower Ridge Drive at the intersection with Peakview Drive and Meadowview Lane. The development is bounded to the west by Lake Dallas High School, the north and south by existing single-family residential neighborhoods, and the east by existing single family and a church across Tower Ridge Drive from the site. The intent is to follow City of Corinth design standards for SF-4 Zoning, with a few modifications to account for the existing dimensions of the property and to provide flexibility to be able to save as many trees as possible. Modifications to the SF-4 requirements are necessary in order to achieve a roadway through the center of the property which allows for maximum utilization of existing trees around the perimeter. The development is anticipated to occur in one phase with construction beginning this year.

<u>Land Area:</u>	3.691-ac.
<u>Lot Yield:</u>	18 single-family, 2 HOA lots for Detention Pond and Landscape Buffer
<u>Density:</u>	4.9 lots/acre
<u>Owner/Developer:</u>	3100 Tower Ridge Land, LLC
<u>Contact:</u>	Gerardo Oseguera
<u>Current Zoning:</u>	SF-4
<u>Future Land Use Plan:</u>	Low Density Residential
<u>Adjacent Zoning:</u>	SF-4 (all sides)
<u>Adjacent Land Use:</u>	
• North	Single-family residential
• East	Single-family residential and church
• South	Single-family residential
• West	School (Lake Dallas High School Baseball Field)

#### Development Regulations:

Base Zoning: SF-4

#### Modifications to Base Zoning:

If not specifically listed here, the regulations from SF-4 shall apply.



#### 2.08.04 – Residential Dimensional Regulations Chart

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#### Access

Access will be provided to each home in the development through a 50’ right-of-way street designed to city standards. The street will connect to Tower Ridge Drive. See PD Concept Plan.

#### Physical Characteristics/Drainage

The site is heavily wooded and slopes down gently from east to west with approximately 6’ of fall across the site. The site will drain through an underground drainage system to the drainage infrastructure within Tower Ridge Drive. A detention pond is proposed to mitigate any increase in runoff caused by the development.

#### Utilities

City water and sanitary sewer lines exist within Tower Ridge Drive. Each has capacity to serve the proposed development. Public water and sewer lines will be extended through the right-of-way of the proposed local street to serve the development.

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The site is heavily wooded and slopes down gently from east to west with approximately 6’ of fall across the site. The site will drain through an underground drainage system to the drainage infrastructure within Tower Ridge Drive. A detention pond is proposed to mitigate any increase in runoff caused by the development.

#### Utilities

City water and sanitary sewer lines exist within Tower Ridge Drive. Each has capacity to serve the proposed development. Public water and sewer lines will be extended through the right-of-way of the proposed local street to serve the development.

## Tower Ridge Single Family Planned Development District

### Design Statement & Development Regulations

#### Design Statement:

The Tower Ridge Single Family Planned Development is an 18-lot (plus 2 HOA lots) single-family residential community located on 3.691-acres along the west side of Tower Ridge Drive at the intersection with Peakview Drive and Meadowview Lane. The development is bounded to the west by Lake Dallas High School, the north and south by existing single-family residential neighborhoods, and the east by existing single family and a church across Tower Ridge Drive from the site. The intent is to follow City of Corinth design standards for SF-4 Zoning, with a few modifications to account for the existing dimensions of the property and to provide flexibility to be able to save as many trees as possible. Modifications to the SF-4 requirements are necessary in order to achieve a roadway through the center of the property which allows for maximum utilization of existing trees around the perimeter. The development is anticipated to occur in one phase with construction beginning this year.

<u>Land Area:</u>	3.691-ac.
<u>Lot Yield:</u>	18 single-family, 2 HOA lots for Detention Pond and Landscape Buffer
<u>Density:</u>	4.9 lots/acre
<u>Owner/Developer:</u>	3100 Tower Ridge Land, LLC
<u>Contact:</u>	Gerardo Oseguera
<u>Current Zoning:</u>	SF-4
<u>Future Land Use Plan:</u>	Low Density Residential
<u>Adjacent Zoning:</u>	SF-4 (all sides)
<u>Adjacent Land Use:</u>	
• North	Single-family residential
• East	Single-family residential and church
• South	Single-family residential
• West	School (Lake Dallas High School Baseball Field)

#### Development Regulations:

Base Zoning: SF-4

#### Modifications to Base Zoning:

If not specifically listed here, the regulations from SF-4 shall apply.

#### 2.08.04 – Residential Dimensional Regulations Chart

- Minimum Front Yard Setback – 20’
- Garage Setback – 20’
- Minimum Lot Area – 5,000 square feet
- Minimum Lot Width – 50’ minimum along the front building line (40’ along front building line for cul-de-sac and eyebrow lots)
- Minimum Lot Depth – 100 feet (85 feet for cul-de-sac and eyebrow lots)
- Maximum Building Area (all buildings) – 45%

Building Material Standards: The combined percentage of exterior facades shall not be less than 85% Class 1 masonry materials: “fired brick, natural and manufactured stone, granite, and marble.”

#### Access

Access will be provided to each home in the development through a 50’ right-of-way street designed to city standards. The street will connect to Tower Ridge Drive. See PD Concept Plan.

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#### Utilities

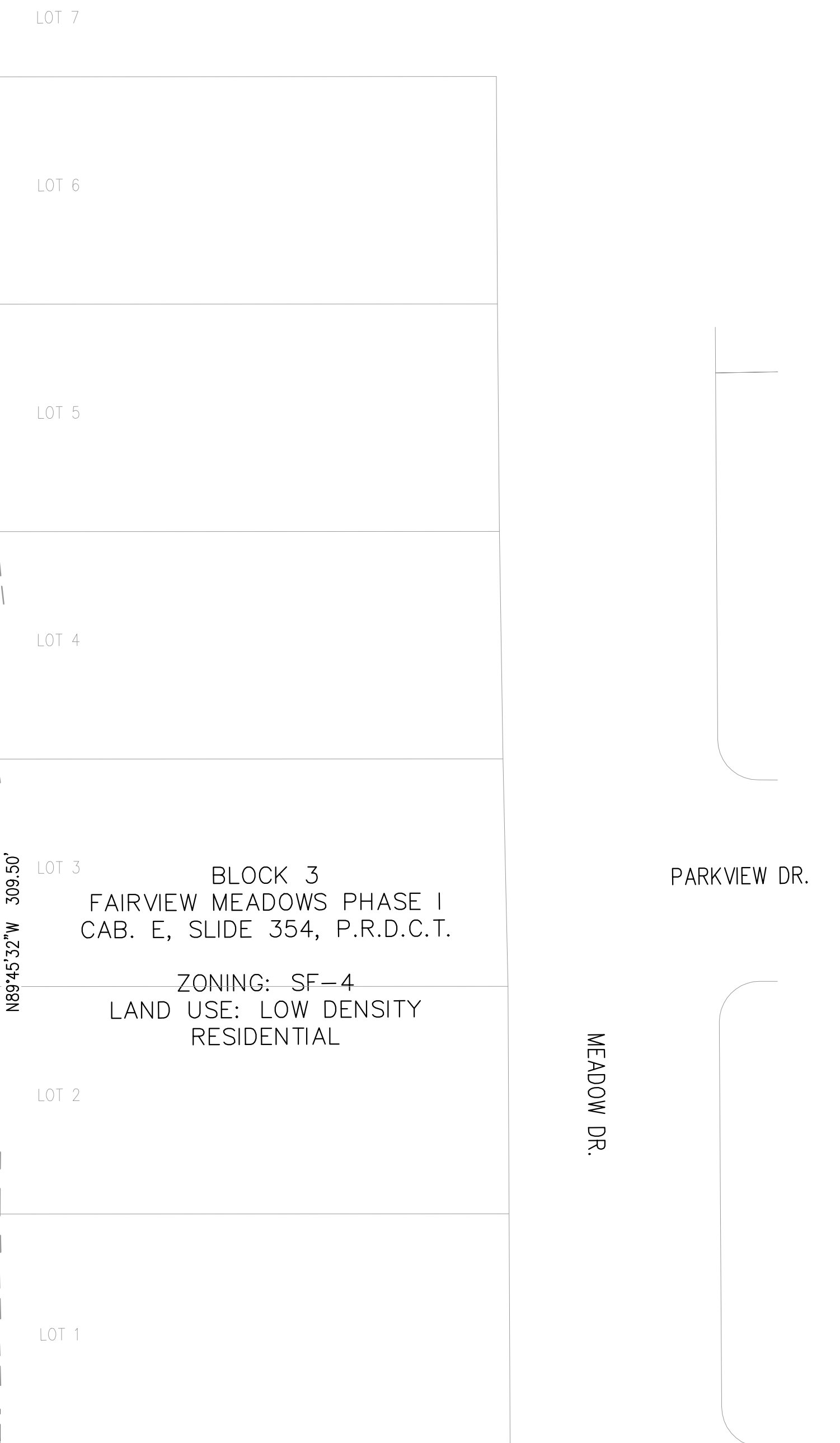
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LOT 1R, BLOCK 1  
LAKE DALLAS ISD SCHOOL ADDITION  
CAB. Y, SLIDE 803, P.R.D.C.T.

ZONING: SF-4  
LAND USE: SCHOOL

BOARD OF TRUSTEES OF THE LAKE  
DALLAS INDEPENDENT SCHOOL  
DISTRICT INST. NO. 2018-58102,  
D.R.D.C.T.

ZONING: SF-4  
LAND USE: LOW DENSITY  
RESIDENTIAL

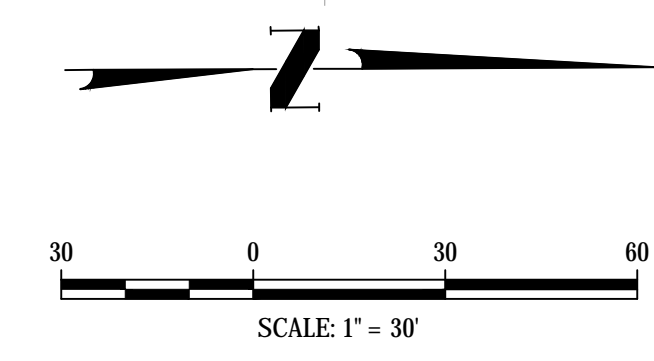


LOT 7  
LOT 6  
LOT 5  
LOT 4  
LOT 3  
BLOCK 3  
FAIRVIEW MEADOWS PHASE I  
CAB. E, SLIDE 354, P.R.D.C.T.

ZONING: SF-4  
LAND USE: LOW DENSITY  
RESIDENTIAL

PARKVIEW DR.

MEADOW DR.



A CONCEPT PLAN  
LOT 1-18  
**TOWER RIDGE,**  
AN ADDITION TO THE CITY OF CORINTH,  
DENTON COUNTY, TEXAS  
TWO TRACTS OUT OF THE  
E. MARSH SURVEY, ABSTRACT NO.833,  
3.691 ACRES  
APRIL 2020

OWNER/DEVELOPER:  
3100 TOWER RIDGE LAND LLC.

101 Summit Avenue, Suite 1014  
Fort Worth, Texas 76102  
P: 817.769.6279 F: 817.769.6298  
HarrisKocherSmith.com  
TBPE Firm#: F-15501 • TBPLS Firm#: 10194145

## Notice of Public Hearings

The City Council of the City of Corinth, Texas will hold a public hearing via web conference on Thursday, May 21, 2020 at 7:00 PM **via the following web address: [meetings.cityofcorinth.com](https://meetings.cityofcorinth.com)** as part of a virtual meeting partially held at Corinth City Hall located at 3300 Corinth Parkway, Corinth Texas 76208 to consider testimony and act upon the following:

A rezoning request from the applicant, 3100 Tower Ridge Land, LLC, to amend the zoning classification from SF-4, Single Family Residential to PD, Planned Development with a base district of SF-4, Single Family Residential on an ±3.691 acre tract of land legally described as Tracts 31 and 32 of the E. Marsh Survey, Abstract No. 0833, within the City of Corinth, Denton County, Texas and is more commonly known as 3100 Tower Ridge Drive, Corinth, TX. (Tower Ridge Single Family PD)

Due to the City of Corinth's Red Level status regarding COVID-19, the doors to City Hall will be closed to the public in an effort to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting. In accordance with Section 418.016 of the Texas Government Code, the Corinth City Council will participate in this meeting remotely in compliance with the Texas Open Meetings Act and under the provisions provided by the Governor of Texas in conjunction with the Declaration of Disaster enacted March 13, 2020 and as subsequently amended.

The video and audio feed of the meeting may be viewed and heard by the public at the web address posted above.

The public is invited to attend the meeting via web conference and make comments either for or against the requested item. **The public may also send written comments before the date of the meeting to the City of Corinth Planning and Development Department at 3300 Corinth Parkway, Corinth, Texas 76208, or to [Ben.Rodriguez@cityofcorinth.com](mailto:Ben.Rodriguez@cityofcorinth.com)**, and the comments will be read aloud at the meeting. Additionally, if you have any questions regarding any of the proposed items you may call 940-498-3261 for assistance.

## Notice of Public Hearings

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City Council **Web Conference Meeting**,  
Date: **THURSDAY, MAY 21, 2020 AT 7:00 P.M. via [Meetings.CityofCorinth.com](https://meetings.cityofcorinth.com)**

**Due to the City of Corinth’s Level Red status regarding COVID-19 City Hall will be closed to the public. Information on how to access and participate in the video conference is provided below.**

Dear Property Owner:

The City Council of the City of Corinth, Texas will hold a Public Hearing on **Thursday, May 21, 2020 at 7:00 P.M. via virtual video conference at the following web address, [meetings.cityofcorinth.com](https://meetings.cityofcorinth.com)** as part of a virtual meeting partially held at Corinth City Hall located at 3300 Corinth Parkway, Corinth Texas 76208 to consider testimony and act upon the following:

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This property is generally located at the southwest corner of the intersection of Tower Ridge Dr. and Meadowview Drive.

As a property owner within two hundred (200) feet of this property, you are invited to attend this **video conference meeting** and voice your opinion at the public hearing. You are not required to be present, but all interested parties wanting to be heard should participate through the time and method stated above.

Additionally, your opinion regarding the request on the property described above may be expressed by notation on this form or by letter. You may support or oppose this request; your opposition will be considered a protest. You may mail this form or letter to Corinth Planning Department, 3300 Corinth Pkwy. Corinth, Texas 76208 or via Email at [Planning@cityofcorinth.com](mailto:Planning@cityofcorinth.com). Please do not hesitate to contact Ben Rodriguez at [Ben.Rodriguez@cityofcorinth.com](mailto:Ben.Rodriguez@cityofcorinth.com) or (940) 498-3261 if you have any questions regarding this rezoning request.

I am writing in (Check as applicable) **Support:**  **Opposition:**  of the proposal.

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**Name/Address: (Please Print)**

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Planning and Zoning Commission Special Called **Video Conference Meeting**,  
Date: **MONDAY, MAY 4, 2020 AT 6:30 P.M. via Meetings.CityofCorinth.com**

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I am writing in (Check as applicable) **Support:** \_\_\_\_\_ **Opposition:** \_\_\_\_\_ of the proposal.

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**Name/Address: (Please Print)**

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## Zoning Change

**3100 Tower Ridge Dr  
200 ft. Buffer**

-  200 ft. Buffer
-  Parcels within 200 ft.



0 115 230  
Feet

1 inch = 134 feet



This map is the property of the City of Corinth, and is not to be reproduced by any means, mechanical or digital, without written consent of the City. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Rec'd. 5/5/2020



REC'D MAY 05 2020

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I am writing in (Check as applicable) Support: Opposition: of the proposal.

Name/Address: (Please Print) 3195 Meadowview Dr., Corinth, TX  
Daniel Fawer & Jacque Stautter Fawer

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To the Planning and Zoning Commission,

RECEIVED MAY 4, 2020

I am writing to state our opposition to the rezoning request by 3100 Tower Ridge Land.

As a home with two small children, we are concerned about the safety concerns and noise disruptions during the construction. Additionally, we are personally (and selfishly) saddened by the loss of the trees and privacy we currently have. It was the main reason we purchased this home. With the planned development, we will have two houses that will overlook our property without a tree barrier between.

Thank you for your consideration,

Colten and Jenny Kisner

3197 Meadowview Dr



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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name/Address: (Please Print)

Colten + Jenny Kisner 3197 meadow view Drive Corinth

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I am writing in (Check as applicable) Support:  Opposition:  of the proposal.

Concerned about safety, crime, loss of privacy, loss of trees, movement of animals that live there. Don't think enough trees will be saved once you disturb the roots of the ones you want to save, they will die. Too much noise from construction, tower ridge is already a crap road in need of repair.  
Name/Address: (Please Print) Elizabeth Heuin 3199 Meadowview Dr.

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Planning and Zoning Commission Special Called **Video Conference Meeting**,  
Date: **MONDAY, MAY 4, 2020 AT 6:30 P.M. via Meetings.CityofCorinth.com**

**Due to the City of Corinth's Red Level status regarding COVID-19 City Hall will be closed to the public. Information on how to access and participate in the video conference is below.**

Dear Property Owner:

The Planning and Zoning Commission of the City of Corinth, Texas will hold a Public Hearing on **Monday, May 4, 2020 at 6:30 P.M. via virtual video conference at the following web address, meetings.cityofcorinth.com** to hear public opinion regarding the following:

**A rezoning request** by 3100 Tower Ridge Land LLC to amend the zoning classification from SF-4, Single Family Residential to PD, Planned Development with a base district of SF-4, Single Family Residential on an ±3.691 acre tract of land legally described as Tracts 31 and 32 of the E. Marsh Survey, Abstract No. 0833, within the City of Corinth, Denton County, Texas and more commonly known as 3100 Tower Ridge Drive, Corinth, Texas. (Tower Ridge Single Family PD)

This property is generally located at the southwest corner of the intersection of Tower Ridge Dr. and Meadowview Dr.

As a property owner within two hundred (200) feet of this property, you are invited to attend this video conference meeting and voice your opinion at the public hearing. You are not required to be present, but all interested parties wanting to be heard should participate through the time and method stated above.

Additionally, your opinion regarding the request on the property described above may be expressed by notation on this form or by letter. You may support or oppose this request; your opposition will be considered a protest. You may mail this form or letter to Corinth Planning Department, 3300 Corinth Pkwy. Corinth, Texas 76208 or via Email at [Planning@cityofcorinth.com](mailto:Planning@cityofcorinth.com). Please do not hesitate to contact Ben Rodriguez at [Ben.Rodriguez@cityofcorinth.com](mailto:Ben.Rodriguez@cityofcorinth.com) or (940) 498-3261 if you have any questions regarding this rezoning request.

I am writing in (Check as applicable) Support:  Opposition:  of the proposal.

Name/Address: (Please Print)

DAVID + LINDA Lovell, 3200 Peakview Drive, Corinth, TX

In accordance with Section 418.016 of the Texas Government Code, the Corinth Planning and Zoning Commission will participate in this meeting remotely in compliance with the Texas Open Meetings Act and under the provisions provided by the Governor of Texas in conjunction with the Declaration of Disaster enacted March 13, 2020 and as amended on March 24, 2020

The public is invited to attend the meeting via virtual video conference and make comments either for or against the requested item. The video and audio feed of the meeting may be accessed by visiting <http://meetings.cityofcorinth.com>.



City Council Web Conference Meeting,  
Date: THURSDAY, MAY 21, 2020 AT 7:00 P.M. via [Meetings.CityofCorinth.com](http://Meetings.CityofCorinth.com)

Due to the City of Corinth's Level Red status regarding COVID-19 City Hall will be closed to the public. Information on how to access and participate in the video conference is provided below.

Dear Property Owner:

The City Council of the City of Corinth, Texas will hold a Public Hearing on **Thursday, May 21, 2020 at 7:00 P.M. via virtual video conference at the following web address, [meetings.cityofcorinth.com](http://meetings.cityofcorinth.com)** as part of a virtual meeting partially held at Corinth City Hall located at 3300 Corinth Parkway, Corinth Texas 76208 to consider testimony and act upon the following:

A rezoning request by 3100 Tower Ridge Land LLC to amend the zoning classification from SF-4, Single Family Residential to PD, Planned Development with a base district of SF-4, Single Family Residential on an ±3.691 acre tract of land legally described as Tracts 31 and 32 of the E. Marsh Survey, Abstract No. 0833, within the City of Corinth, Denton County, Texas and more commonly known as 3100 Tower Ridge Drive, Corinth, Texas. (Tower Ridge Single Family PD)

This property is generally located at the southwest corner of the intersection of Tower Ridge Dr. and Meadowview Drive.

As a property owner within two hundred (200) feet of this property, you are invited to attend this **video conference meeting** and voice your opinion at the public hearing. You are not required to be present, but all interested parties wanting to be heard should participate through the time and method stated above.

Additionally, your opinion regarding the request on the property described above may be expressed by notation on this form or by letter. You may support or oppose this request; your opposition will be considered a protest. You may mail this form or letter to Corinth Planning Department, 3300 Corinth Pkwy. Corinth, Texas 76208 or via Email at [Planning@cityofcorinth.com](mailto:Planning@cityofcorinth.com). Please do not hesitate to contact Ben Rodriguez at [Ben.Rodriguez@cityofcorinth.com](mailto:Ben.Rodriguez@cityofcorinth.com) or (940) 498-3261 if you have any questions regarding this rezoning request.

I am writing in (Check as applicable) Support:  Opposition:  of the proposal.

Name/Address: (Please Print)

*Robert & Tina McGehee 3203 Postview Dr, Corinth TX 76210*

Due to the City of Corinth's Red Level status regarding COVID-19, the doors to City Hall will be closed to the public in an effort to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting. In accordance with Section 418.016 of the Texas Government Code, the Corinth City Council will participate in this meeting remotely in compliance with the Texas Open Meetings Act and under the provisions provided by the Governor of Texas in conjunction with the Declaration of Disaster enacted March 13, 2020 and as subsequently amended.

The video and audio feed of the meeting may be viewed and heard by the public at the web address posted above.

The public is invited to attend the meeting via web conference and make comments either for or against the requested item. The public may also send written comments before the date of the meeting to the City of Corinth Planning and Development Department at 3300 Corinth Parkway, Corinth, Texas 76208, or to [Ben.Rodriguez@cityofcorinth.com](mailto:Ben.Rodriguez@cityofcorinth.com), and the comments will be read aloud at the meeting. Additionally, if you have any questions regarding any of the proposed items you may call 940-498-3261 for assistance.

**City Council Regular and Workshop Session**

**Meeting Date:** 05/21/2020  
**Title:** Updated Flood Maps and Ordinance  
**Submitted For:** Helen-Eve Liebman, Director **Submitted By:** George Marshall, Engineer  
**Finance Review:** N/A **Legal Review:** Yes  
**City Manager Review:** **Approval:** Bob Hart, City Manager  
**Strategic Goals:** Land Development  
Infrastructure Development  
Economic Development  
Citizen Engagement & Proactive  
Government  
Regional Cooperation

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**AGENDA ITEM**

Consider and act on an ordinance of the City Council of the City of Corinth, Texas, amending Chapter 152, "Floodplain Damage Prevention", of Title XV, "land usage", of the Code of Ordinances of the City of Corinth and readopting Chapter 152 in its entirety; adopting new flood maps released by the Federal Emergency Management Agency; providing for the incorporation of premises; providing for an amendment; providing a cumulative repealer clause; providing a severability clause; providing a penalty clause; providing for publication; and providing an effective date.

**AGENDA ITEM SUMMARY/BACKGROUND**

The changes to the FEMA Flood Insurance Rate Maps (FIRM) become official on June 19, 2020. In 2015 city staff became aware of the revised FIRMs and began the long process of developing a study of the entire Lynchburg Creek Watershed. For the purposes of this study the city worked with NCTCOG, FEMA, Shady Shores, and Halff & Associates. The resulting floodplain study added approximately 60 homes to the floodplain. These homes will be required to acquire flood insurance coverage if the homeowner has a federally backed mortgage.

In view of these developments the City hired Jones|Carter to review the Halff study and apply for grant opportunities through FEMA to mitigate the increases to the Lynchburg Creek floodplain. A grant was submitted in January 2019 and the City was not awarded a grant due to a lack of homeowner's having flood insurance policies. Staff held a public meeting in January 2019 as well as October 2019 where the preliminary flood maps and the proposed mitigation project were presented to the residents. These meetings were directed at homeowners who were adjacent or within the floodplain of Lynchburg Creek. The meetings were well attended with approximately 60 people at each meeting. The second meeting in October of 2019 was focused on the need to obtain flood insurance before the maps become effective as there are opportunities to become "grandfathered" at a lower rate. Staff explained that this grandfathering can be passed on to the next homeowner if there is not a lapse in coverage. Staff is pleased to inform the City Council that many homeowners obtained flood insurance as a result of these meetings. In January 2020, city staff and Jones|Carter made a second grant application to FEMA. The recipients of this grant have not been announced.

The City of Corinth Code of Ordinances establishes the adoption of the April 18, 2011 FIRM includes language to include "any revisions thereto are hereby adopted by reference and declared to be a part of this Chapter." FEMA has informed staff that they prefer that the City formally adopt the new maps as part of the Code. In addition, staff was made aware that FEMA did not necessarily agree with the language used for penalty in the Code and therefore a subsequent penalty section has been added. Lastly, there were a few text changes to the Code which support staff's efforts to continue to provide excellent customer service to our existing homeowners as well as future developers. The additional language should have little to no negative impact on future development.

Included as attachments are the ordinance, small scale revised maps, and a document that highlights the text changes within the ordinance.

Staff has published the revised maps on the City's webpage.

<https://www.cityofcorinth.com/engineering/page/corinth-floodplain-information>

**RECOMMENDATION**

The Planning and Development Department recommends approval of the ordinance adopting the new Flood Insurance Rate Maps as presented.

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**Attachments**

Floodplain Damage Ordinance  
Code Language Track Changes

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AMENDING CHAPTER 152, “FLOODPLAIN DAMAGE PREVENTION”, OF TITLE XV, “LAND USAGE”, OF THE CODE OF ORDINANCES OF THE CITY OF CORINTH AND READOPTING CHAPTER 152 IN ITS ENTIRETY; ADOPTING NEW FLOOD MAPS RELEASED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 16.315 of the Texas Water Code delegates the responsibility to local governments to adopt regulations designed to minimize flood losses within the jurisdiction of said local governments resulting from storm waters; and

**WHEREAS**, the City Council finds that flood hazard areas of the City of Corinth are subject to periodic inundation which has in the past resulted in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare; and

**WHEREAS**, such flood losses are caused by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities and by land uses that are situated in flood hazard areas and that are vulnerable to floods as a result of inadequate elevation or floodproofing measures; and

**WHEREAS**, in order for owners of property located within the City of Corinth, which is subject to periodic inundation to obtain flood damage insurance through the National Flood Insurance Program, the United States government, by statute and through regulations promulgated by the Federal Emergency Management Agency, (“FEMA”), requires that the City of Corinth enact floodplain regulations designed to reduce the amount of potential flood losses; and

**WHEREAS**, FEMA has completed a new flood insurance study and developed new flood maps for Denton County, Texas, which will go into effect on June 19, 2020; and

**WHEREAS**, the City of Corinth has previously adopted various ordinances establishing regulations related to the prevention of flood damages; and

**WHEREAS**, based on the findings set forth above, the City Council of the City of Corinth finds it is in the public interest and a benefit to the general health, safety, and welfare of the residents of the City to adopt an ordinance revising and amending the City’s flood damage prevention regulations.

**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**

That Chapter 152 of Title VX the Code of Ordinances of the City of Corinth, Texas is hereby amended and shall be readopted in its entirety as follows:

**CHAPTER 152: - FLOODPLAIN DAMAGE PREVENTION**

**GENERAL PROVISIONS**

**§ 152.01 – STATUTORY AUTHORIZATION.**

The Legislature of the State of Texas has, in the Flood Control Insurance Act, Texas Water Code, Section 16.315, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses.

**§ 152.02 – FINDINGS OF FACT.**

- (A) The designated special flood hazard areas of the City are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- (B) These flood losses may be created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods. The effect of floodplain obstructions can also be hazardous to other lands where existing habitable structures are inadequately elevated, flood proofed or otherwise protected from flood damage.

**§ 152.03 – STATEMENT OF PURPOSE; METHODS OF REDUCING FLOOD LOSSES.**

- (A) It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
  - (2) Minimize expenditure of public money for costly flood control projects;
  - (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
  - (4) Minimize prolonged business interruptions;
  - (5) Minimize damage to public facilities and public and private utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
  - (6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
  - (7) Ensure that potential buyers are notified that property is in a flood area.
- (B) In order to accomplish its purposes, this chapter includes the following methods of regulations:
- (1) Restriction or prohibition of uses that may be dangerous to health, safety or property in times of flood, or may cause excessive increases in flood heights or velocities;
  - (2) Requirements that uses vulnerable to floods, including emergency facilities and facilities which serve such uses, be protected against flood damage at the time of initial construction;
  - (3) Control of the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
  - (4) Control of filling, grading, dredging and other development which may increase flood damage; and
  - (5) Prevention and/or regulation of the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

#### **§ 152.04 - DEFINITIONS.**

Unless specifically defined below, words or phrases used in this chapter shall be interpreted to give them the meaning they have in common usage and to give this chapter its most reasonable application.

***ALLUVIAL FAN FLOODING.*** Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

***APPEAL BOARD.*** The City Council or such commission or board as the City Council by resolution may appoint.

***APEX.*** A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

**APPURTENANT STRUCTURE.** A structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

**AREA OF FUTURE CONDITIONS FLOOD HAZARD.** The land area that would be inundated by the 1%-annual chance (100 year) flood based on future land development conditions hydrology.

**AREA OF SHALLOW FLOODING.** A designated AO, AH, AR/AO, AR/AH, or VO zone on the City's flood insurance rate map (FIRM) with a 1% or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**AREA OF SPECIAL FLOOD HAZARD.** The land in the floodplain within a community subject to a 1% or greater chance of flooding in any given year. The area may be designated as Zone A on the flood hazard boundary map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

**BASE FLOOD.** The flood having a 1% chance of being equaled or exceeded in any given year.

**BASE FLOOD ELEVATION (BFE).** The elevation shown on the flood insurance rate map (FIRM) and found in the accompanying flood insurance study (FIS) for Zones A, AE, AH, A1-30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year - also called the BASE FLOOD.

**BASEMENT.** Any area of the building having its floor subgrade (below ground level) on all sides.

**BREAKAWAY WALL.** A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

**CRITICAL FEATURE.** An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

**DEVELOPMENT.** Any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

**ELEVATED BUILDING.** For insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

**EXISTING CONSTRUCTION.** For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. EXISTING CONSTRUCTION may also be referred to as "existing structures".

**EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**FENCE.** A fence shall have the meaning as defined in Chapter 150 of the City Code of Ordinances, as amended.

**FLOOD OR FLOODING.** A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (A) The overflow of inland or tidal waters.
- (B) The unusual and rapid accumulation or runoff of surface waters from any source.

**FLOOD ELEVATION STUDY or FLOOD INSURANCE STUDY.** An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

**FLOOD INSURANCE RATE MAP (FIRM).** An official map of the City, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the City.

**FLOOD INSURANCE STUDY (FIS).** See **FLOOD ELEVATION STUDY**.

**FLOODPLAIN OR FLOOD-PRONE AREA.** Any land area susceptible to being inundated by water from any source for a specified storm with a specific percentage chance of being equaled or exceeded (see **FLOODING**).

**FLOODPLAIN ADMINISTRATOR.** The Mayor of Corinth or the Mayor's designated representative.

**FLOODPLAIN DEVELOPMENT PERMIT.** A permit required for construction, use or alteration of a structure within an area of special flood hazard.

**FLOODPLAIN MANAGEMENT.** The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain development and management regulations.

**FLOODPLAIN MANAGEMENT REGULATIONS.** Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**FLOOD PROTECTION SYSTEM.** Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

**FLOOD PROOFING.** Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**FLOODWAY.** Has the same meaning as **REGULATORY FLOODWAY.**

**FUNCTIONALLY DEPENDENT USE.** A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

**HIGHEST ADJACENT GRADE.** The highest natural elevation of the ground surface prior to construction next to the walls of a structure.

**HISTORIC STRUCTURE.** Any structure that is:

- (A) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (B) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (C) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(D) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:

- (1) By an approved state program as determined by the Secretary of the Interior or;
- (2) Directly by the Secretary of the Interior in states without approved programs.

**LEVEE.** A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

**LEVEE SYSTEM.** A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

**LOWEST FLOOR.** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

**MANUFACTURED HOME.** A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term MANUFACTURED HOME does not include a recreational vehicle.

**MANUFACTURED HOME PARK OR SUBDIVISION.** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**MEAN SEA LEVEL.** For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

**NEW CONSTRUCTION.** For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, NEW CONSTRUCTION means structures for which the "start of construction" commenced on or after April 20, 1987 and includes any subsequent improvements to such structures.

**NEW MANUFACTURED HOME PARK or SUBDIVISION.** A manufactured home park or subdivision, as defined above, for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after April 20, 1987.

**NON-RESIDENTIAL STRUCTURE.** Any structure other than a residential structure.

**RECREATIONAL VEHICLE.** A vehicle which is:

- (A) Built on a single chassis;
- (B) Four hundred square feet or less when measured at the largest horizontal projections;
- (C) Designed to be self-propelled or permanently towable by a light duty truck; and
- (D) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**REGULATORY FLOODWAY** or **FLOODWAY.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

**RESIDENTIAL STRUCTURE.** A structure intended for use as a single-family or two-family dwelling.

**RIVERINE.** Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**SPECIAL FLOOD HAZARD AREA.** See **AREA OF SPECIAL FLOOD HAZARD.**

**START OF CONSTRUCTION.** For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual START OF CONSTRUCTION means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**STRUCTURE.** A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home, a fence, pathway, trailer, or an oil or gas well.

**SUBSTANTIAL DAMAGE.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.



***SUBSTANTIAL IMPROVEMENT.*** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- (A) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the City's code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (B) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

***VARIANCE.*** A grant of relief from the terms of a floodplain management regulation, the requirements for which are contained in this chapter and in Section 60.3 of the National Flood Insurance Program Regulations.

***VIOLATION.*** The failure of a structure or other development to be fully compliant with the requirements of this chapter. A structure or other development within the Special Flood Hazard Area without an elevation certificate, other certifications, or other evidence of compliance required by this chapter or in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the National Flood Issuance Program Regulations is presumed to be in violation until such time as that documentation is provided.

***WATER SURFACE ELEVATION.*** The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

#### **§ 152.05 - INTERPRETATION.**

In the interpretation and application of this chapter, all provisions shall be considered as minimum requirements, liberally construed in favor of the governing body, and deemed neither to limit nor repeal any other powers granted under state statutes.

#### **§ 152.06 - APPLICATION; JURISDICTION.**

This chapter shall apply to all areas of special flood hazard within the jurisdiction of the City.

#### **§ 152.07 - COMPLIANCE.**

A person commits an offense if the person locates, alters, or changes the use of a structure or land situated within the areas of special flood hazard without full compliance with the terms of this chapter and other applicable regulations.

**§ 152.08 - BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD.**

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Denton County, Texas and Incorporated Areas", dated June 19, 2020, with Flood Insurance Rate Map (FIRM), dated June 19, 2020; and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter.

**§ 152.09 – WARNING AND DISCLAIMER OR LIABILITY.**

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. The provisions of this chapter shall not create liability on the part of the City or any official or employee thereof for any flood damages that result from reliance on the provisions of this chapter or any administrative decision lawfully made hereunder.

**§ 152.10 - ABROGATION AND GREATER RESTRICTIONS.**

The provisions of this chapter are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**PERMITS**

**§ 152.20 - FLOODPLAIN DEVELOPMENT PERMIT.**

- (A) A floodplain development permit shall be required for development within the areas of special flood hazard to ensure conformance with the provisions of this chapter.
- (B) Permit procedures.
  - (1) Application for a floodplain development permit shall be presented to the Floodplain Administrator on forms furnished by him or her and shall include, but not be limited to the following:
    - (a) Plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, in relation to special flood hazard areas.
    - (b) Existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard.

- (c) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures.
  - (d) Elevation in relation to mean sea level, NAVD 1988, to which any nonresidential structure shall be floodproofed.
  - (e) A certificate from a registered professional engineer or architect that each nonresidential structure meets the floodproofing criteria of § 152.31(B).
  - (f) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
  - (g) An exhibit, drawn to scale showing the horizontal limits and vertical elevations for any change within a special flood hazard area.
  - (h) Calculations confirming no net change in volume below the 1% annual base flood elevation.
  - (i) Calculations confirming no rise (0.00') in the 1% annual base flood elevation.
  - (j) If required by the Floodplain Administrator, a hydraulic analysis of the watercourse and floodplain demonstrating the impact of any proposed change within the City's designated special flood hazard area.
- (2) The Floodplain Administrator shall approve or deny a floodplain development permit based on a determination that all of the provisions of this chapter have been satisfied and the following relevant factors:
- (a) The danger to life and property due to flooding or erosion damage;
  - (b) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (c) The danger that materials may be swept onto other lands to the injury of others;
  - (d) The compatibility of the proposed use with existing and anticipated development;
  - (e) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (f) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
  - (g) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
  - (h) The necessity to the facility of a waterfront location, where applicable;
  - (i) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
- (C) The Floodplain Administrator shall maintain a record of all such information in accordance with § 152.45(A).

**§ 152.21 - VARIANCE PROCEDURES.**

- (A) The Floodplain Administrator shall hear and render judgment on requests for variances from the requirements of this chapter.
- (B) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this chapter.
- (C) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.
- (D) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- (E) The Appeal Board may approve a variance for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this chapter.
- (F) The Appeal Board may approve a variance for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in § 152.20(B)(2) have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
- (G) Upon consideration of the factors noted in this chapter, the Appeal Board may attach such conditions to the granting of a variance as it deems necessary to further the purpose and objectives of this chapter.
- (H) Variances shall not be issued for improvements within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (I) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (J) Prerequisites for granting variances:
  - (1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief for a functionally dependent use.

- (2) Variances shall only be issued upon:
  - (a) Showing a good and sufficient cause;
  - (b) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
  - (c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances. This determination shall be based upon calculations performed and submitted by a professional engineer, licensed in the state of Texas, on behalf of the applicant.
- (3) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. Flood insurance rates are determined by insurance carriers and are not subject to the jurisdiction of the city.
- (K) The Appeal Board may issue a variance for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria outlined in divisions (A) through (J) of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

## **FLOOD HAZARD REDUCTION**

### **§ 152.30 - GENERAL STANDARDS.**

In all areas of special flood hazards, the following requirements apply for all new construction and substantial improvements:

- (A) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (B) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (C) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- (D) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities

that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

- (E) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (F) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and
- (G) On-site waste disposal systems shall be located to avoid impairment to them or contamination of flood waters from them during flooding.

### **§ 152.31 - SPECIFIC STANDARDS.**

In all areas of special flood hazards where base flood elevation data has been provided as set forth in §§ 152.08, 152.32(C), and 152.45(H) the following requirements apply:

- (A) *Residential construction.* New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to a minimum of two feet above the base flood elevation. (A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the requirements of § 152.20(B)(1)(a) are satisfied.) Upon construction of foundation forms, a survey shall be provided to the city confirming that construction meets the requirements of this section. Upon completion of construction, a Federal Emergency Management Agency Elevation Certificate shall be provided to the Floodplain Administrator.
- (B) *Nonresidential construction.*
  - (1) New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall comply with the following:
    - (a) Have the lowest floor (including basement) elevated to a minimum of two feet above the base flood level; or
    - (b) Together with attendant utility and sanitary facilities, be designed so that below the base flood level, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
    - (c) Upon construction of foundation forms, a survey shall be provided to the city confirming that construction meets the requirements of this section. Upon completion of construction, a Federal Emergency Management Agency Elevation Certificate shall be provided to the Floodplain Administrator.

- (2) A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice and shall furnish a certification stating that the elevation requirements are met or that the below the base flood level requirements of division (B)(1) of this section are met. The professional engineer shall also provide a statement that the proposed structure is reasonably safe from flooding.
- (3) The Floodplain Administrator shall maintain a record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed.

(C) *Enclosures.*

- (1) New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.
- (2) Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
  - (a) A minimum of two openings on separate walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
  - (b) The bottom of all openings shall be no higher than one foot above grade.
  - (c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(D) *Manufactured homes.*

- (1) All manufactured homes to be placed within a Special Flood Hazard Area, as reflected on the City's FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
- (2) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this section and § 152.20(B) are satisfied.

- (3) Manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the City's FIRM on sites outside of a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to a minimum of two feet above the base flood elevation and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- (4) Manufactured homes placed or substantially improved on sites in an existing manufactured home park or subdivision within areas designated as Zones A1-30, AH and AE on the City's FIRM that are not subject to the provisions of this division (D) be elevated as follows:
  - (a) The lowest floor of the manufactured home is at minimum of two feet above the base flood elevation; or
  - (b) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and is securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement., designed by a registered professional engineer

(E) *Recreational vehicles.*

- (1) A person commits an offense if the person parks or maintains a recreational vehicle on sites within areas designated as Zones A1-30, AH, and AE on the City's FIRM for more than 180 consecutive days.
- (2) It is a defense to prosecution for a violation of division (E)(1) of this section that the recreational vehicle is fully licensed and ready for highway use, or the permit requirements of § 152.20(B)(1)(a), and the elevation and anchoring requirements for "manufactured homes" in division (D) of this section are satisfied.
- (3) A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

**§ 152.32 - STANDARDS FOR SUBDIVISION PROPOSALS.**

- (A) All applications for approval of a plat, replat, or site plan, including the placement of manufactured home parks and subdivisions, shall be consistent with §§ 152.01, 152.02 and 152.03.



- (B) All applications for approval of a plat, replat, or site plan, including the placement of manufactured home parks and subdivisions, shall meet floodplain development permit requirements of § 152.20, the requirements of §§ 152.30, 152.31, 152.32, 152.33, and other applicable provisions of this chapter.
- (C) Base flood elevation data shall be generated for applications for plat approval and other proposed development applications, including the placement of manufactured home parks and subdivisions, which are greater than 50 lots or five acres, whichever is less, if not otherwise provided pursuant to §§ 152.08 or 152.45(H).
- (D) Base flood elevation data, with the establishment of a floodway, shall be generated by a detailed engineering study, prepared by a registered professional engineer for development within all Zone A areas, within 100 feet of the boundary lines of Zone A areas, and other streams not mapped by Federal Emergency Management Agency, as indicated on the City's FIRM.
- (E) All proposed subdivisions and developments, including the placement of manufactured home parks and subdivisions, shall have adequate drainage provided to reduce exposure to flood hazards.
- (F) All proposed subdivisions and developments, including the placement of manufactured home parks and subdivisions, shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

**§ 152.33 - STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES).**

Located within the areas of special flood hazard are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. Development within AO Zones and AH Zones must meet the following requirements:

- (A) All new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated to a minimum of two feet above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the City's FIRM (at least two feet if no depth number is specified). Upon construction of foundation forms, a survey shall be provided to the City confirming that construction meets the requirements of this section. Upon completion of construction, a Federal Emergency Management Agency Elevation Certificate shall be provided to the Floodplain Administrator.
- (B) All new construction and substantial improvements of non-residential structures must meet the following requirements:

- (1) The lowest floor (including basement) shall be elevated to at least two feet above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the City's FIRM (at least two feet if no depth number is specified); or
  - (2) Together with attendant utility and sanitary facilities, be designed so that below the base specified flood depth in an AO Zone, or below the base flood elevation in an AH Zone, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy, as further described in Section 152.31(C).
- (C) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this section are satisfied. Upon construction of foundation forms, a survey shall be provided to the City confirming that construction meets the requirements of this section. Upon completion of construction, a Federal Emergency Management Agency Elevation Certificate shall be provided to the Floodplain Administrator.
- (D) In AO and AH zones, adequate drainage paths around structures on slopes shall be provided, to guide flood waters around and away from proposed structures.

#### **§ 152.34 - FLOODWAYS.**

Located within areas of special flood hazard established in § 152.08 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

- (A) Encroachments, including fill, new construction, substantial improvements and other development are prohibited within the adopted regulatory floodway unless:
- (1) It has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the City during the occurrence of the base flood discharge; and
  - (2) Approval of the Floodplain Administrator is obtained.
  - (3) The applicant provides confirmation that a Conditional Letter of Map Revision has been submitted to Federal Emergency Management Agency.
  - (4) Within 180 days of completion of construction, a Letter of Map Revision is submitted to Federal Emergency Management Agency.

- (B) If the requirements of division (A) of this section are satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of §§ 152.30, 152.31, 152.32, 152.33, and other requirements of this chapter.
- (C) Under the provisions of 44 C.F.R. Chapter 1, Section 65.12, of the National Flood Insurance Program Regulations, the City may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the City first completes all of the provisions required by Section 65.12.

## **ADMINISTRATION**

### **§ 152.44 - DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR.**

The Mayor or the Mayor's designated representative is hereby appointed the Floodplain Administrator to administer and implement the provisions of this chapter and other appropriate sections of 44 C.F.R. (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

### **§ 152.45 - DUTIES AND RESPONSIBILITIES OF FLOODPLAIN ADMINISTRATOR.**

- (A) Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:
  - (1) Maintain and hold open for public inspection all records pertaining to the provisions of this chapter;
  - (2) Review development permit applications to determine whether the proposed building site project, including the placement of manufactured homes, appears to be reasonably safe from flooding;
  - (3) Review, approve or deny all applications for development permits required by adoption of this chapter; and
  - (4) Review permits for proposed development to ensure that all necessary permits have been obtained from those federal, state or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
- (B) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
- (C) The Floodplain Administrator shall notify, in riverine situations, adjacent communities and the state coordinating agency which is the Texas Water Development Board (TWDB) and

also the Texas Commission on Environmental Quality (TCEQ), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

- (D) The Floodplain Administrator shall confirm that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
- (E) When base flood elevation data has not been provided in accordance with § 152.08, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of §§ 152.30, 152.31, 152.32, 152.33, and other applicable provisions of this chapter.
- (F) When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within zones designated as A1-30 and AE on the City's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the City.
- (G) Provided that the City first completes all of the provisions required by 44 C.F.R. Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, the Floodplain Administrator may approve certain development in areas designated as Zones A1-30, AE, AH, on the City's FIRM which increases the water surface elevation of the base flood by more than one foot.

**§ 152.46 – PENALTY.**

Violations of the provisions of this Ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500 for each violation, and in addition shall pay all costs and expenses involved in the case. Each day that a violation is permitted to exist shall constitute a separate offense. Nothing herein contained shall prevent the City of Corinth from taking such other lawful action as is necessary to prevent or remedy any violation.

**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 \_\_\_\_\_ 2020.**

**APPROVED:**

\_\_\_\_\_  
Bill Heidemann, Mayor  
City of Corinth, Texas

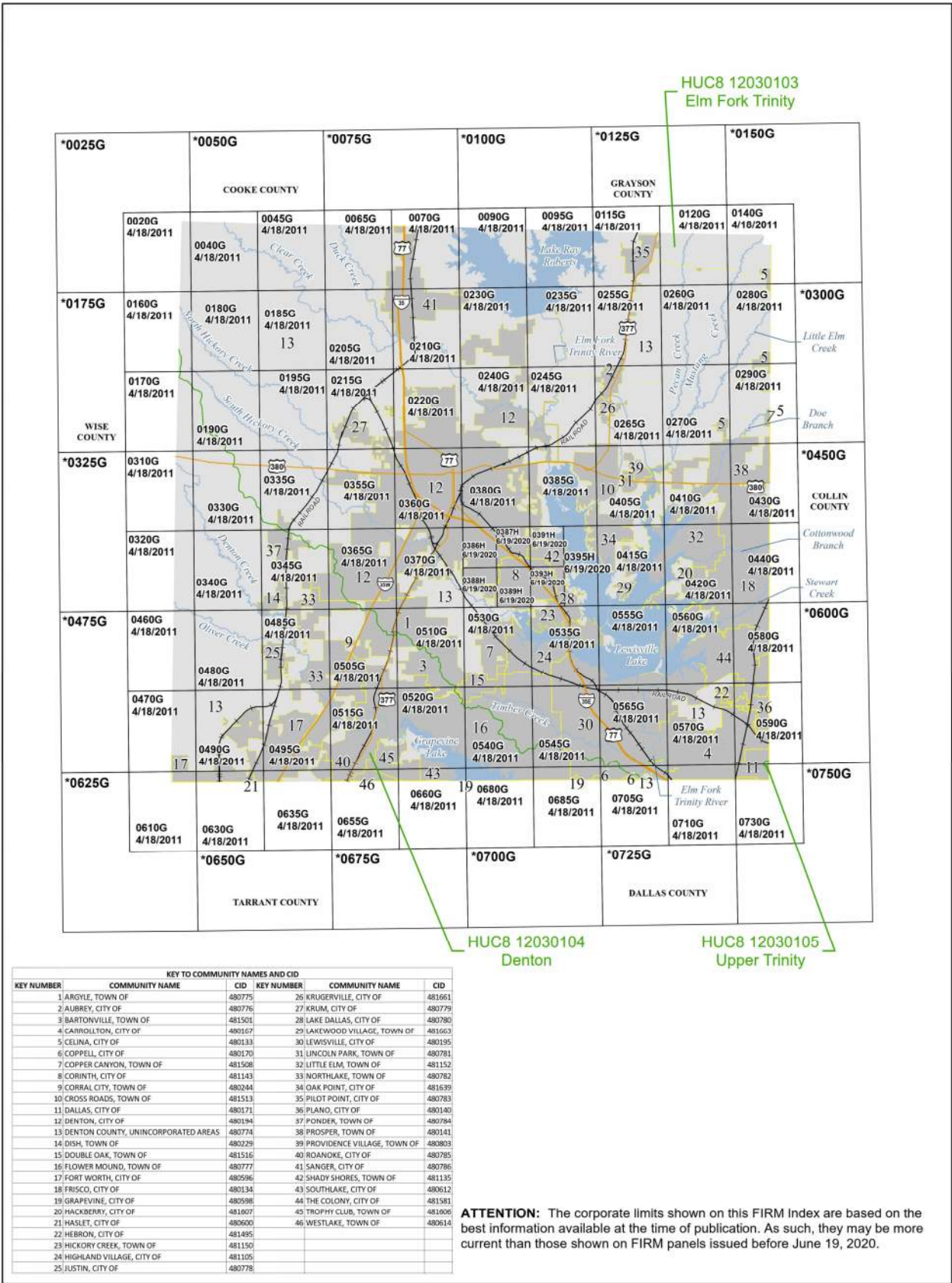
**ATTEST:**

\_\_\_\_\_  
Kimberly Pence, City Secretary  
City of Corinth, Texas

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Patricia A. Adams, City Attorney

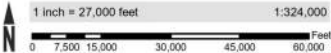
EXHIBIT A  
DENTON COUNTY FEMA FLOOD MAPS  
– Effective 6/19/2020



KEY TO COMMUNITY NAMES AND CID

KEY NUMBER	COMMUNITY NAME	CID	KEY NUMBER	COMMUNITY NAME	CID
1	ARGYLE, TOWN OF	480775	26	KRUGERVILLE, CITY OF	481661
2	AUBREY, CITY OF	480776	27	KRUM, CITY OF	480790
3	BARTONVILLE, TOWN OF	481501	28	LAKE DALLAS, CITY OF	480790
4	CARRINGTON, CITY OF	480107	29	LAKEWOOD VILLAGE, TOWN OF	481563
5	CELINA, CITY OF	480133	30	LEWISVILLE, CITY OF	480195
6	COPELL, CITY OF	480170	31	LINCOLN PARK, TOWN OF	480781
7	COPPER CANYON, TOWN OF	481508	32	LITTLE ELM, TOWN OF	481152
8	CORINTH, CITY OF	481143	33	NORTHLAKE, TOWN OF	480782
9	CORRAL CITY, TOWN OF	480244	34	OAK POINT, CITY OF	481639
10	CROSS ROADS, TOWN OF	481513	35	PILOT POINT, CITY OF	480783
11	DALLAS, CITY OF	480171	36	PLANO, CITY OF	480140
12	DENTON, CITY OF	480194	37	PONDER, TOWN OF	480784
13	DENTON COUNTY, UNINCORPORATED AREAS	480774	38	PROSPER, TOWN OF	480141
14	DISH, TOWN OF	480229	39	PROVIDENCE VILLAGE, TOWN OF	480903
15	DOUBLE OAK, TOWN OF	481516	40	ROANOK, CITY OF	480785
16	FLOWER MOUND, TOWN OF	480777	41	SANGER, CITY OF	480796
17	FORT WORTH, CITY OF	480596	42	SHADY SHORES, TOWN OF	481135
18	FRISCO, CITY OF	480134	43	SOUTHLAKE, CITY OF	480612
19	GRAPEVINE, CITY OF	480598	44	THE COLONY, CITY OF	481381
20	HACKBERRY, CITY OF	481607	45	TROPHY CLUB, TOWN OF	481606
21	HASLET, CITY OF	480600	46	WESTLAKE, TOWN OF	480614
22	HEBRON, CITY OF	481495			
23	HICKORY CREEK, TOWN OF	481150			
24	HIGHLAND VILLAGE, CITY OF	481105			
25	JUSTIN, CITY OF	480778			

**ATTENTION:** The corporate limits shown on this FIRM Index are based on the best information available at the time of publication. As such, they may be more current than those shown on FIRM panels issued before June 19, 2020.



Map Projection:  
State Plane Texas North Central FIPS Zone 4202;  
North American Datum 1983

THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT  
[HTTPS://MSC.FEMA.GOV](https://msc.fema.gov)

SEE FLOOD INSURANCE STUDY FOR ADDITIONAL INFORMATION

\* PANEL NOT PRINTED - AREA OUTSIDE COUNTY BOUNDARY

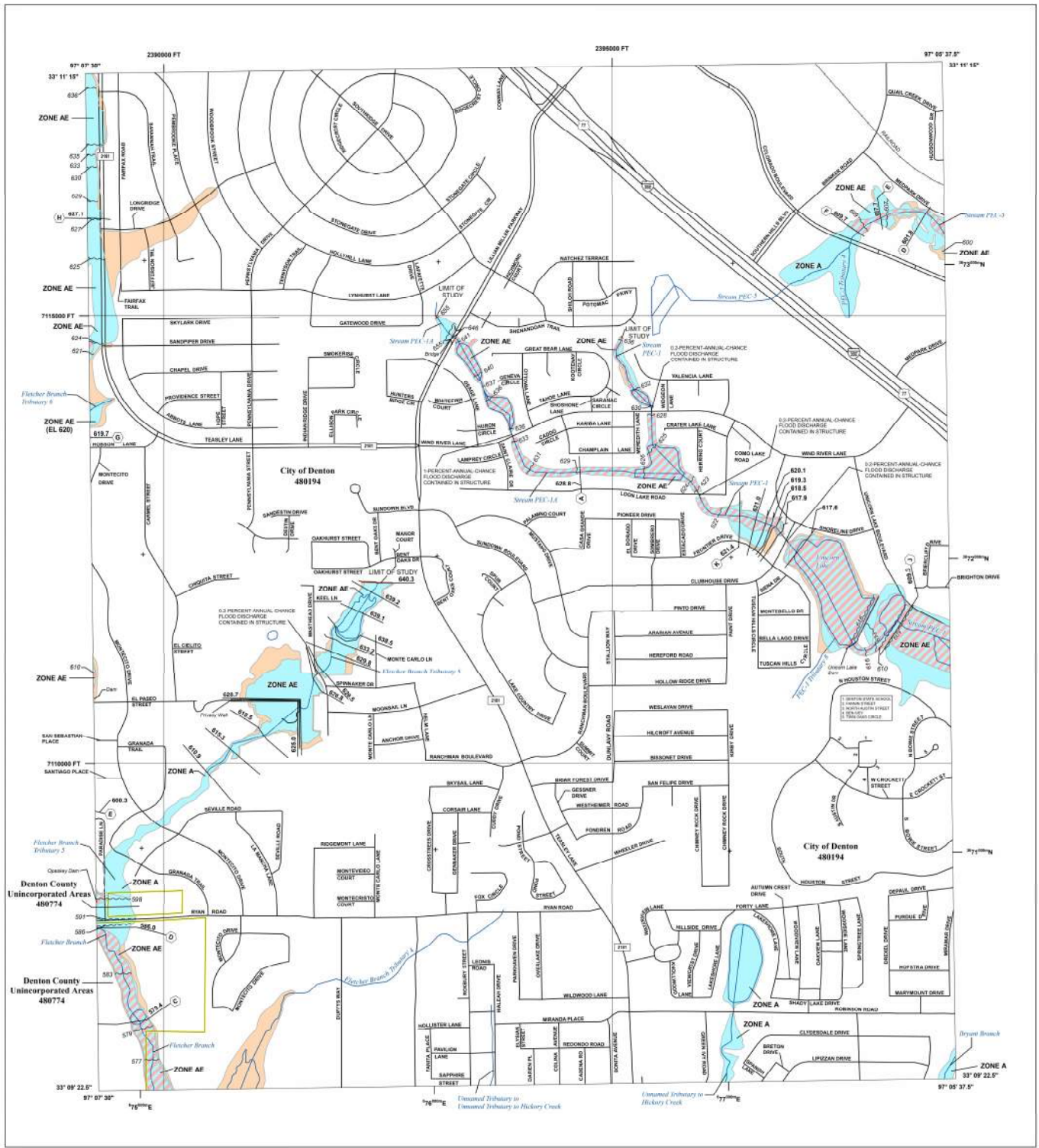


**NATIONAL FLOOD INSURANCE PROGRAM**  
FLOOD INSURANCE RATE MAP INDEX  
DENTON COUNTY, TEXAS and Incorporated Areas

PANELS PRINTED:  
0020, 0040, 0045, 0065, 0070, 0090, 0095, 0115, 0120, 0140, 0160, 0170, 0180, 0185, 0190, 0195, 0205, 0210, 0215, 0220, 0230, 0235, 0240, 0245, 0255, 0260, 0265, 0270, 0280, 0290, 0310, 0320, 0330, 0335, 0340, 0345, 0355, 0360, 0365, 0370, 0380, 0385, 0386, 0387, 0388, 0389, 0391, 0393, 0395, 0405, 0410, 0415, 0420, 0430, 0440, 0460, 0470, 0480, 0485, 0490, 0495, 0505, 0510, 0515, 0520, 0530, 0535, 0540, 0545, 0555, 0560, 0565, 0570, 0580, 0590, 0610, 0630, 0635, 0655, 0660, 0680, 0685, 0705, 0710, 0730

MAP NUMBER  
48121CINDOC  
MAP REVISED  
JUNE 19, 2020





**FLOOD HAZARD INFORMATION**

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT  
 THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING  
 DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT  
[HTTPS://MSC.FEMA.GOV](https://msc.fema.gov)

- SPECIAL FLOOD HAZARD AREAS**
  - Without Base Flood Elevation (BFE) Zone A, AE, AD, AH, VE, VE-AR
  - With BFE or Depth Zone AE, AL, AP, VE, VE-AR
  - Regulatory Floodway
  - 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
  - Future Conditions 1% Annual Chance Flood Hazard Zone X
  - Area with Reduced Flood Risk due to Levee See Notes, Zone X
  - Area with Flood Risk due to Levee Zone D
- OTHER AREAS OF FLOOD HAZARD**
  - NO SCREEN Area of Minimal Flood Hazard Zone X
  - Area of Undetermined Flood Hazard Zone D
- OTHER AREAS**
  - Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
  - Cross Sections with 1% Annual Chance Water Surface Elevation
  - Coastal Transect
  - Coastal Transect Baseline
  - Profile Baseline
  - Hydrographic Feature
  - Base Flood Elevation Line (BFE)
  - Limit of Study
  - Jurisdiction Boundary

**NOTES TO USERS**

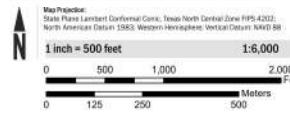
For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with the FIRM including: Special Studies, the current rate plan for each FIRM panel, and other products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information Hotline at 1-877-FEMA-8282 or visit the FEMA Flood Map Service Center website at [www.fema.gov](http://www.fema.gov). Available products may include: products issued before or after a Flood Insurance Study Report and/or digital versions of the map. Many of these products can be viewed or obtained directly from the website.

Consenters approving land adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM data. These may be ordered directly from the Map Service Center at the number listed above. For community and countywide map sales refer to the Flood Insurance Study report for the jurisdiction.

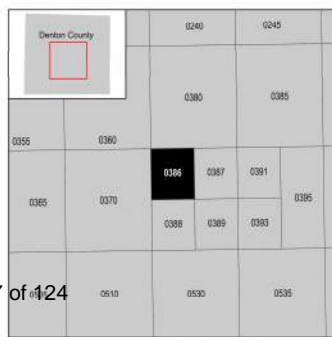
To determine if flood insurance is available in the community, contact your insurance agent or call the National Flood Insurance Program at 1-800-368-5820.

Base map information shown on the FIRM was derived from multiple sources. The FEMA National Flood Hazard Layer (NFHL) data provided base transportation and city street information, 2011. The Texas Natural Resource Conservation System (TRNCS) provided the Texas Department of Transportation (TxDOT) roadway base map and transportation layers dated 2015. Base map data was also provided by North Central Texas Council of Governments (NCTCOG) and local communities, 2010.

**SCALE**



**PANEL LOCATOR**



**FEMA**  
National Flood Insurance Program

**NATIONAL FLOOD INSURANCE PROGRAM  
FLOOD INSURANCE RATE MAP**

**DENTON COUNTY, TEXAS**  
and Incorporated Areas

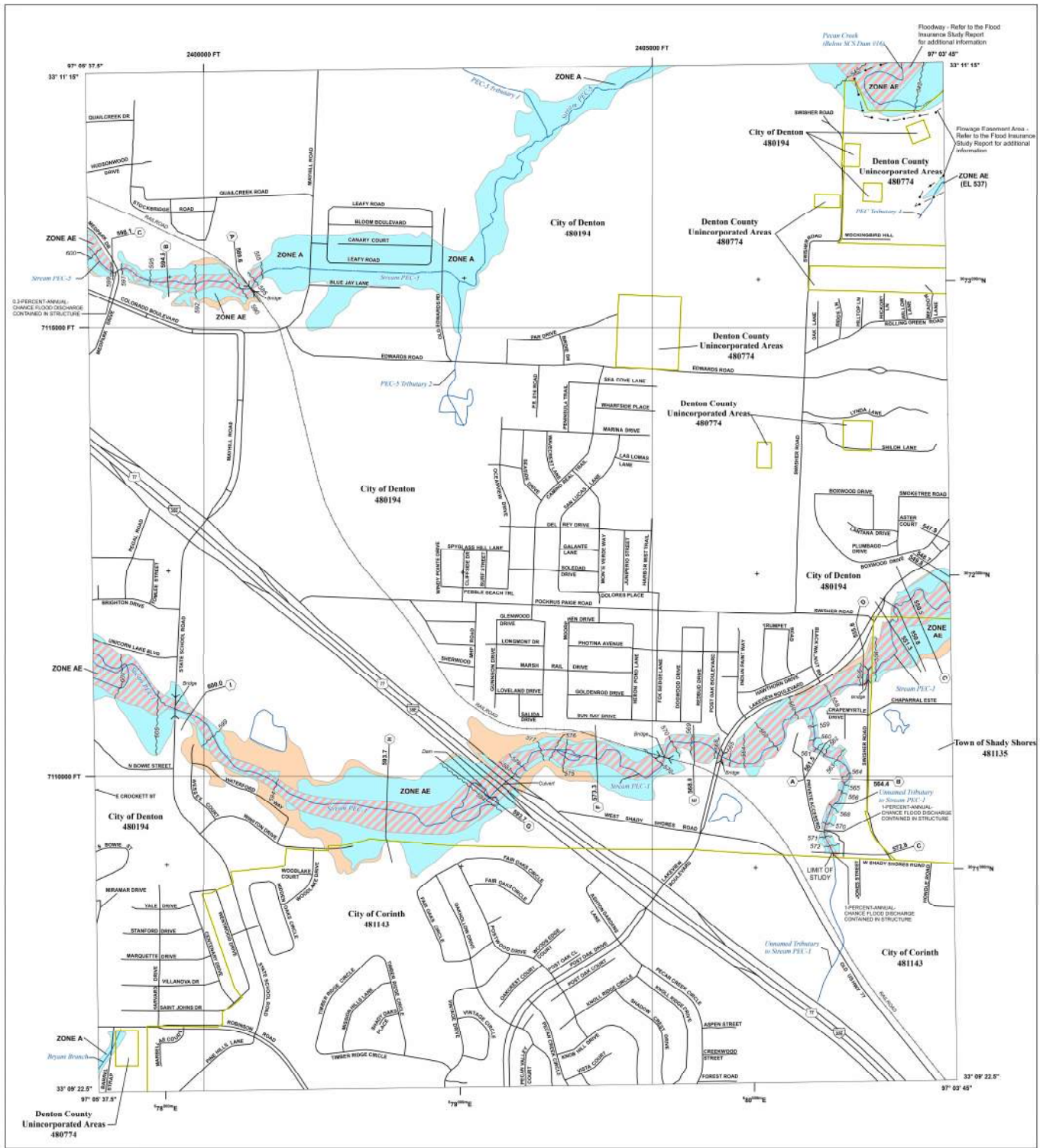
PANEL 386 OF 750

**FEMA**

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
DENTON, CITY OF DENTON COUNTY	480194	0386	H
	480774	0386	H

VERSION NUMBER: 2.4.3.5  
 MAP NUMBER: 48121C0386H  
 MAP REVISED: JUNE 19, 2020



**FLOOD HAZARD INFORMATION**

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT  
 THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING  
 DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT  
[HTTPS://MSC.FEMA.GOV](https://msc.fema.gov)

- SPECIAL FLOOD HAZARD AREAS**
  - Without Base Flood Elevation (BFE) Zone A, X, B, C, D
  - With BFE or Depth Zone AE, AD, AH, VE, ALR
  - Regulatory Floodway
  - 0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
  - Future Conditions 1% Annual Chance Flood Hazard Zone X
  - Area with Reduced Flood Risk due to Levee See Notes, Zone X
  - Area with Flood Risk due to Levee Zone D
- OTHER AREAS OF FLOOD HAZARD**
  - NO SCREEN Area of Minimal Flood Hazard Zone X
  - Area of Undetermined Flood Hazard Zone D
- OTHER AREAS**
  - Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
- GENERAL STRUCTURES**
  - Cross Sections with 1% Annual Chance Water Surface Elevation
  - Coastal Transect
  - Coastal Transect Baseline
  - Profile Baseline
  - Hydrographic Feature
  - Base Flood Elevation Line (BFE)
- OTHER FEATURES**
  - Limit of Study
  - Jurisdiction Boundary

**NOTES TO USERS**

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with the FIRM including: future updates, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information Hotline at 1-877-FEMA-8473 or visit the FEMA Flood Map Service Center website at [www.floodmaps.gov](http://www.floodmaps.gov). Available products may include: printed maps, digital data, and digital data. Flood Insurance Study Reports and/or digital versions of the map data may be requested from the nearest office of the United States Army Corps of Engineers.

Consenters approving land use adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM data. These may be ordered directly from the Map Service Center at the number listed above. For community and countywide map sales refer to the Flood Insurance Study report for the jurisdiction.

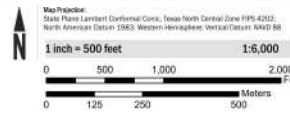
To determine if flood insurance is available in the community, contact your insurance agent or call the National Flood Insurance Program at 1-800-425-6267.

Base map information shown on the FIRM was derived from multiple sources. The FEMA National Flood Hazard Layer (NFHL) data provided base transportation and city street information. The Texas Natural Resource Conservation Act (TRNCA) provides the Texas Department of Transportation (TxDOT) community boundaries and transportation system data. Base map data was also provided by North Central Texas Council of Governments (NCTCOG) and local communities. 2015.

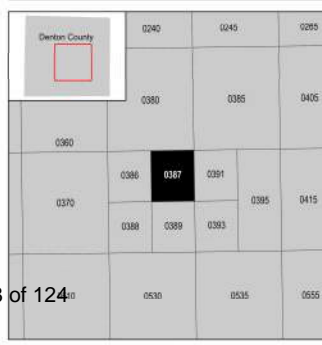
**FLOODAGE EASEMENT AREAS:** Flowage easement areas boundaries were provided by United States Army Corps of Engineers (USACE) for North Central. For information about data acquisition dates or the delineation of flowage easement areas in the Flood Risk Project, refer to Section 2.2 of the Flood Insurance Study Report for this jurisdiction or contact USACE, Fort Worth District at (817) 889-1000.

Flowage Easement Area

**SCALE**



**PANEL LOCATOR**



**National Flood Insurance Program**

**NATIONAL FLOOD INSURANCE PROGRAM**  
**FLOOD INSURANCE RATE MAP**

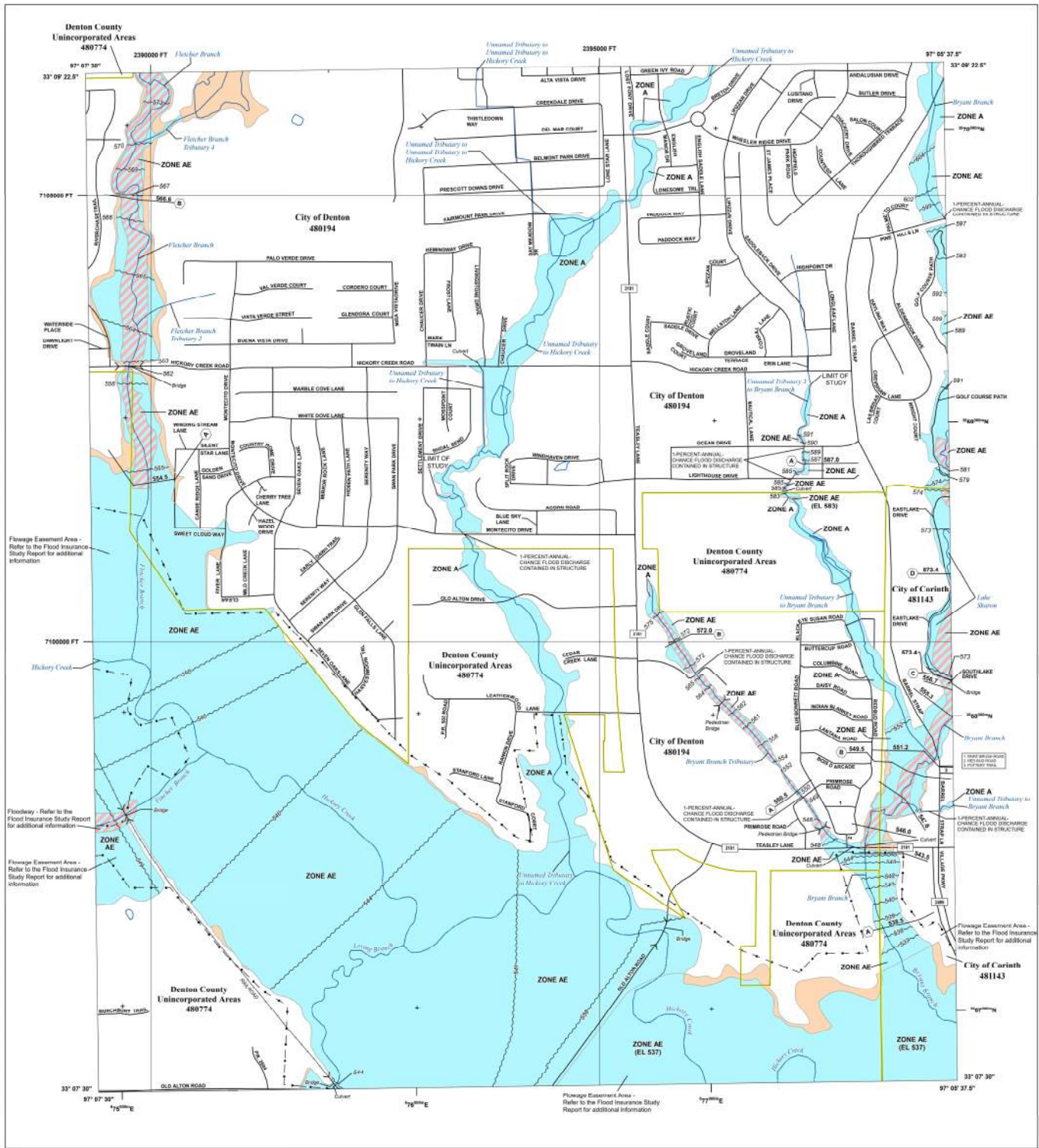
**DENTON COUNTY, TEXAS**  
 and Incorporated Areas

**PANEL 387 OF 750**

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
DENTON CITY OF	481143	0387	H
DENTON CITY OF	480774	0387	H
DENTON COUNTY	480774	0387	H
SHADY SHORES, TOWN OF	481135	0387	H

VERSION NUMBER: 2.4.3.5  
 MAP NUMBER: 48121C0387H  
 MAP REVISED: JUNE 19, 2020



**FLOOD HAZARD INFORMATION**

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT  
**THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT [HTTPS://MSC.FEMA.GOV](https://MSC.FEMA.GOV)**

- SPECIAL FLOOD HAZARD AREAS**
  - Without Base Flood Elevation (BFE) Zone A, AE, AD, AH, VE, VE-AR
  - With BFE or Depth Zone AE, AE, AD, AH, VE, VE-AR
  - Regulatory Floodway
  - 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
  - Future Conditions 1% Annual Chance Flood Hazard Zone X
  - Area with Reduced Flood Risk due to Levee See Notes, Zone X
  - Area with Flood Risk due to Levee Zone D
- OTHER AREAS OF FLOOD HAZARD**
  - NO SCREEN Area of Minimal Flood Hazard Zone X
  - Area of Undetermined Flood Hazard Zone D
- OTHER AREAS**
  - Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
  - Cross Sections with 1% Annual Chance Water Surface Elevation
  - Coastal Transect
  - Coastal Transect Baseline
  - Profile Baseline
  - Hydrographic Feature
  - Base Flood Elevation Line (BFE)
  - Limit of Study
  - Jurisdiction Boundary

**NOTES TO USERS**

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with the FIRM including: future versions, the current map scale for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information Hotline at 1-877-FEMA-8473 (1-877-366-8473) or visit the FEMA Flood Map Service Center website at [www.fema.gov](http://www.fema.gov). Available products may include products issued before or after the Flood Insurance Study Report and/or digital versions of the map. Many of these products can be viewed or obtained directly from the website.

Considerations applying to an adjacent FIRM panel must obtain a current copy of the adjacent panel as well as the current FIRM data. These may be obtained directly from the Map Service Center at the number listed above. For community and countywide map data refer to the Flood Insurance Study report for the jurisdiction.

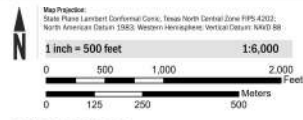
To determine if flood insurance is available in the community, contact your insurance agent or call the National Flood Insurance Program at 1-800-425-6242.

Base map information shown on the FIRM was derived from multiple sources. The FEMA National Flood Hazard Layer (NFHL) data provided base transportation and city limit information. The Texas Natural Resource Conservation Act (TRNCA) provides the Texas Department of Transportation (TxDOT) community boundary and transportation system dated 2015. Base map data was also provided by North Central Texas Council of Governments (NCTCOG) and local communities. 2015.

FLOODING CAUSEMENT AREAS: Floodway easement areas boundaries were provided by United States Army Corps of Engineers (USACE) for North District. For information about data acquisition dates or the delineation of floodway easement areas in the Flood Risk Project, refer to Section 2.2 of the Flood Insurance Study Report for this jurisdiction or contact USACE, North District at (817) 889-1000.

Flowage Easement Area

**SCALE**



**PANEL LOCATOR**

Denton County				
		0380	0385	
		0386	0387	0391
		0388	0389	0393
0395	0370			0395
		0388	0389	0393
0505	0510	0530	0535	
0515	0520	0540	0545	

**FEMA**  
**National Flood Insurance Program**

**NATIONAL FLOOD INSURANCE PROGRAM  
 FLOOD INSURANCE RATE MAP**

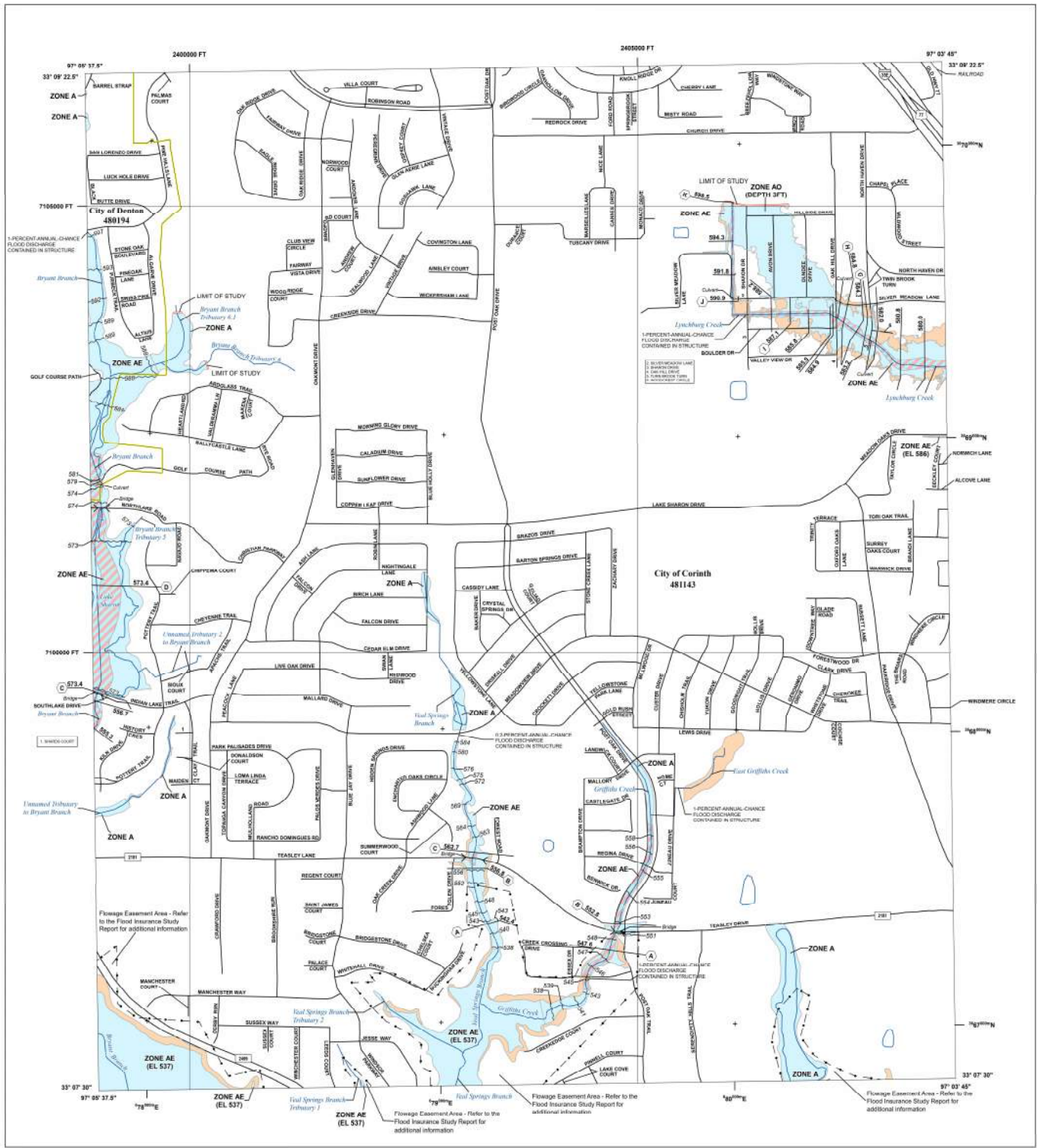
**DENTON COUNTY, TEXAS  
 and Incorporated Areas**

PANEL 388 of 750

Panel Contains:

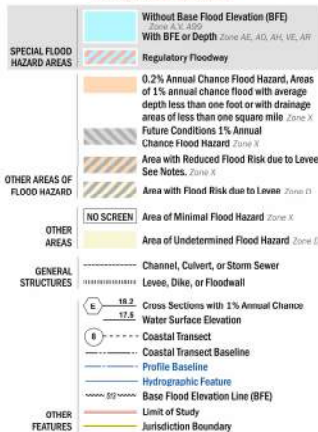
COMMUNITY	NUMBER	PANEL	SUFFIX
CORINTH, CITY OF	481343	0388	H
DENTON, CITY OF	480794	0388	H
DENTON COUNTY	480774	0388	H

VERSION NUMBER: 2.4.3.5  
 MAP NUMBER: 48121C0388H  
 MAP REVISED: JUNE 19, 2020



**FLOOD HAZARD INFORMATION**

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT  
 THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING  
 DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT  
[HTTPS://MSC.FEMA.GOV](https://msc.fema.gov)



**NOTES TO USERS**

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with the FIRM including: various versions, the current map, data for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information hotlines at 1-877-FIRM-MAP (1-877-369-6277) or visit the FEMA Flood Map Service Center website at [www.fema.gov](http://www.fema.gov). Available products may include products issued before or after the Flood Insurance Study Report, and/or digital versions of the map. Many of these products can be viewed or obtained directly from the website.

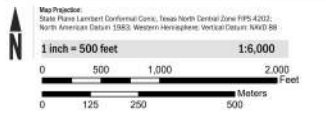
Consistent with the NFIP, an adjacent FIRM panel may contain a current copy of the adjacent panel as well as the current FIRM data. These may be ordered directly from the Map Service Center at the number listed above. For community and countywide map data refer to the Flood Insurance Study Report for the jurisdiction.

To determine if flood insurance is available in the community, contact your insurance agent or call the National Flood Insurance Program at 1-800-368-5820.

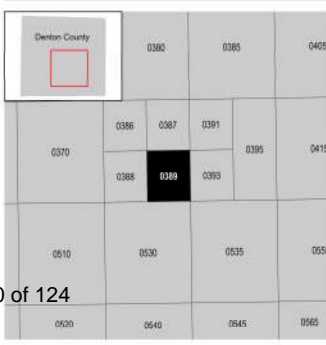
Base map information shown on the FIRM was derived from multiple sources. The FEMA National Flood Hazard Layer (NFHL) data provided base transportation and city street information. The Texas Natural Resource Conservation Act (TRNCA) provides the Texas Department of Transportation (TxDOT) ownership, location, and transportation layer dated 2015. Base map data was also provided by North Central Texas Council of Governments (NCTCOG) and local communities. 2010.

**FLOODING CAUSEMENT AREAS:** Flowage easement area boundaries were provided by United States Army Corps of Engineers (USACE) for North Central. For information about data acquisition dates or the delineation of flowage easement areas in the Flood Risk Project, refer to Section 2.2 of the Flood Insurance Study Report for this jurisdiction or contact USACE, Fort Worth District at (817) 889-1000.

**SCALE**



**PANEL LOCATOR**



**NATIONAL FLOOD INSURANCE PROGRAM  
 FLOOD INSURANCE RATE MAP**

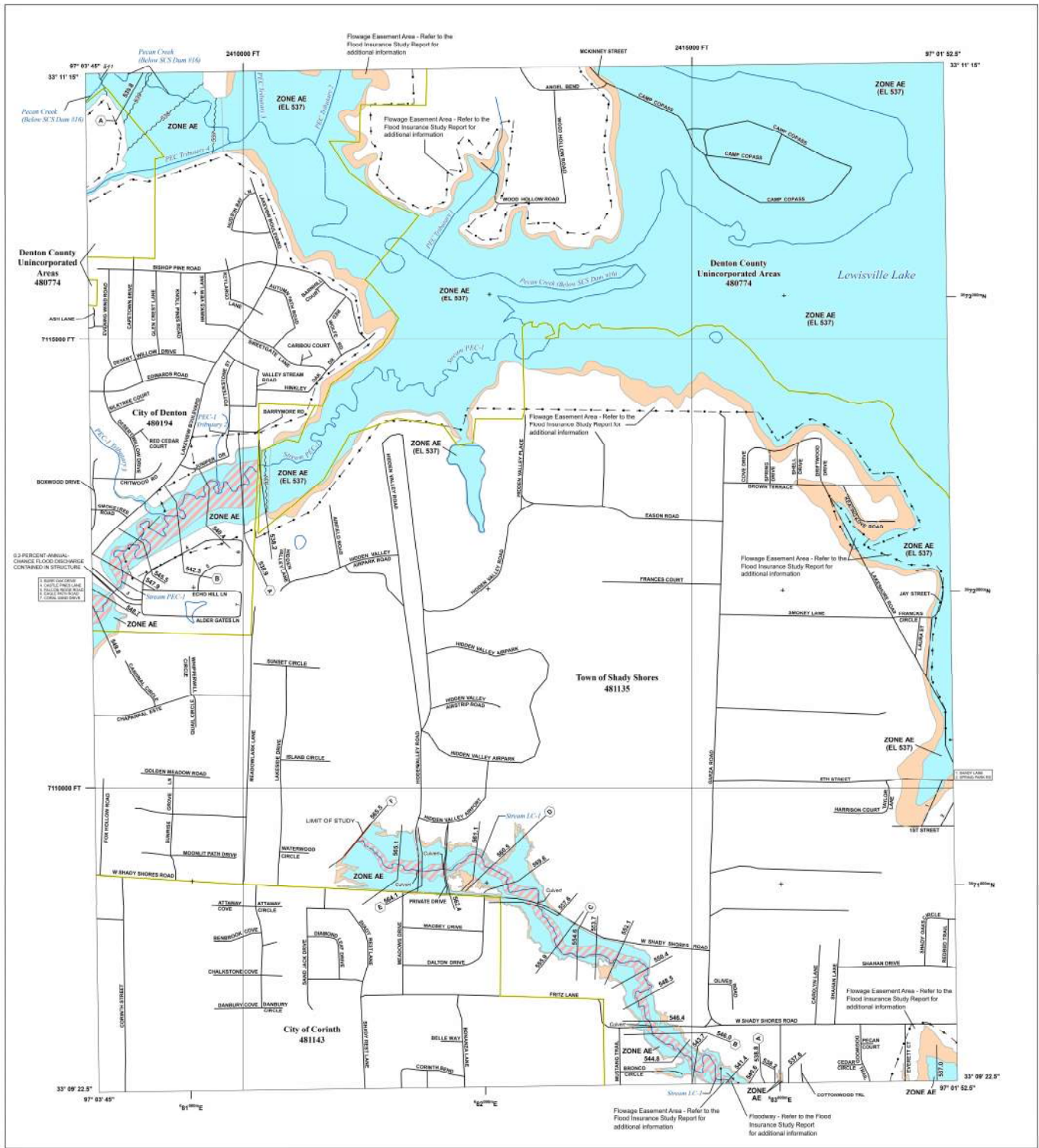
**DENTON COUNTY, TEXAS  
 and Incorporated Areas**

PANEL 389 OF 750

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
DENTON, CITY OF	481143	0389	H
	481194	0389	H

VERSION NUMBER: 2.4.3.5  
 MAP NUMBER: 48121C0389H  
 MAP REVISED: JUNE 19, 2020



**FLOOD HAZARD INFORMATION**

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT  
**THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT [HTTPS://WWW.FEMA.GOV](https://www.fema.gov)**

- SPECIAL FLOOD HAZARD AREAS**
  - Without Base Flood Elevation (BFE) Zone A, A99
  - With BFE or Depth Zone AE, AD, AH, VE, AR
  - Regulatory Floodway
  - 0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
  - Future Conditions 1% Annual Chance Flood Hazard Zone X
  - Area with Reduced Flood Risk due to Levee See Notes, Zone X
  - Area with Flood Risk due to Levee Zone D
- OTHER AREAS OF FLOOD HAZARD**
  - NO SCREEN Area of Minimal Flood Hazard Zone X
  - Area of Undetermined Flood Hazard Zone D
- OTHER AREAS**
  - Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
  - Cross Sections with 1% Annual Chance Water Surface Elevation
  - Coastal Transect
  - Coastal Transect Baseline
  - Profile Baseline
  - Hydrographic Feature
  - Base Flood Elevation Line (BFE)
  - Limit of Study
  - Jurisdiction Boundary
- GENERAL STRUCTURES**
  - 18.2
  - 17.5
- OTHER FEATURES**

**NOTES TO USERS**

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with the FIRM including: historic versions, the current map, data for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information Assistance at 1-877-FEMA-8473 (1-877-366-8473) or visit the FEMA Map Service Center website at [www.fema.gov](http://www.fema.gov). Available products may include previously issued letters of Map Change, a Flood Insurance Study Report, and/or digital versions of the map. Many of these products can be ordered or viewed directly from the website.

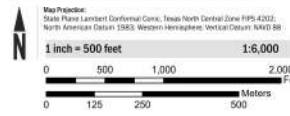
Coordinates appearing on an adjacent FIRM panel must obtain a current copy of the adjacent panel as well as the current FIRM data. These may be ordered directly from the Map Service Center at the number listed above. For community and countywide map data refer to the Flood Insurance Study report for the jurisdiction.

To determine if flood insurance is available in the community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-8620.

Base map information shown on the FIRM was derived from multiple sources. The FEMA National Flood Hazard Layer (NFHL) data provided base transportation and city limit information, 2011. The Texas Natural Resource Conservation System (NRCS) provides the "Shape of Topography" (SOTOP) community boundaries and transportation system dated 2015. Base map data was also provided by North Central Texas Council of Governments (NCTCOG) and local communities, 2010.

**FLOODING CAUSEMENT AREAS:** Flowage easement areas boundaries were provided by United States Army Corps of Engineers (USACE) for North District. For information about data acquisition dates or the delineation of flowage easement areas in the Flood Risk Project, refer to Section 2.2 of the Flood Insurance Study Report for this jurisdiction or contact USACE, Fort Worth District at (817) 889-1000.

**SCALE**



**PANEL LOCATOR**

	0245	0265	
		0385	0405
	0360	0380	
	0386	0387	0391
	0370		0395
	0388	0389	0393
		0610	0635
			0665



**NATIONAL FLOOD INSURANCE PROGRAM**  
**FLOOD INSURANCE RATE MAP**  
**DENTON COUNTY, TEXAS**  
**AND INCORPORATED AREAS**  
**PANEL 391 of 750**

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
DENTON CITY OF	481143	0392	H
DENTON CITY OF	480194	0391	H
DENTON COUNTY	480774	0391	H
SHADY SHORES, TOWN OF	481135	0391	H

## CHAPTER 152: - FLOODPLAIN DAMAGE PREVENTION

### GENERAL PROVISIONS

#### § 152.01 ~~—~~ STATUTORY AUTHORIZATION.

The Legislature of the State of Texas has, in the Flood Control Insurance Act, Texas Water Code, Section 16.315, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses.

#### § 152.02 ~~—~~ FINDINGS OF FACT.

(A) The ~~designated special~~ flood hazard areas of the ~~city~~City are subject to periodic inundation, which ~~results may result~~ in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(B) These flood losses ~~are~~may be created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods ~~and~~. ~~The effect of floodplain obstructions can also be~~ hazardous to other lands ~~because they~~where existing habitable structures are inadequately elevated, flood proofed or otherwise protected from flood damage.

#### § 152.03 ~~—~~ STATEMENT OF PURPOSE; METHODS OF REDUCING FLOOD LOSSES.

(A) It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;

- (5) Minimize damage to public facilities and public and private utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
- (7) ~~Insure~~ Ensure that potential buyers are notified that property is in a flood area.

(B) In order to accomplish its purposes, this chapter includes the following methods of regulations:

- (1) Restriction or prohibition of uses that ~~are~~may be dangerous to health, safety or property in times of flood, or may cause excessive increases in flood heights or velocities;
- (2) Requirements that uses vulnerable to floods, including emergency facilities and facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control of the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- (4) Control of filling, grading, dredging and other development which may increase flood damage; and
- (5) Prevention and/or regulation of the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

#### § 152.04 - DEFINITIONS.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted to give them the meaning they have in common usage and to give this chapter its most reasonable application.

**ALLUVIAL FAN FLOODING.** Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

**APPEAL BOARD.** The City Council or such commission or board as the City Council by resolution may appoint.

**APEX.** A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

**APPURTENANT STRUCTURE.** A structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

**AREA OF FUTURE CONDITIONS FLOOD HAZARD.** The land area that would be inundated by the 1%-annual chance (100 year) flood based on future land development conditions hydrology.

**AREA OF SHALLOW FLOODING.** A designated AO, AH, AR/AO, AR/AH, or VO zone on the city's City's flood insurance rate map (FIRM) with a 1% or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**AREA OF SPECIAL FLOOD HAZARD.** The land in the floodplain within a community subject to a 1% or greater chance of flooding in any given year. The area may be designated as Zone A on the flood hazard boundary map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

**BASE FLOOD.** The flood having a 1% chance of being equaled or exceeded in any given year.

**BASE FLOOD ELEVATION (BFE).** The elevation shown on the flood insurance rate map (FIRM) and found in the accompanying flood insurance study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year - also called the BASE FLOOD.

**BASEMENT.** Any area of the building having its floor subgrade (below ground level) on all sides.

**BREAKAWAY WALL.** A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

**CRITICAL FEATURE.** An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.



DEVELOPMENT. Any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

ELEVATED BUILDING. For insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

EXISTING CONSTRUCTION. For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. EXISTING CONSTRUCTION may also be referred to as "existing structures".

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FENCE. A fence shall have the meaning as defined in Chapter 150 of the City Code of Ordinances, as amended.

FLOOD OR FLOODING. A general and temporary condition of partial or complete inundation of normally dry land areas from:

(1)

(A) The overflow of inland or tidal waters.

(2B) The unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD ELEVATION STUDY or FLOOD INSURANCE STUDY. An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

FLOOD INSURANCE RATE MAP (FIRM). An official map of the [cityCity](#), on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the [cityCity](#).

FLOOD INSURANCE STUDY (FIS). See FLOOD ELEVATION STUDY.

FLOODPLAIN OR FLOOD-PRONE AREA. Any land area susceptible to being inundated by water from any source [\(see definition of flooding for a specified storm with a specific percentage chance of being equaled or exceeded \(see FLOODING\)\)](#).

FLOODPLAIN ADMINISTRATOR. The Mayor of Corinth or the Mayor's designated representative.

FLOODPLAIN DEVELOPMENT PERMIT. A permit required for construction, use or alteration of a structure within an area of special flood hazard.

FLOODPLAIN MANAGEMENT. The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain [development and](#) management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS. Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOOD PROTECTION SYSTEM. Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

FLOOD PROOFING. Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY. Has the same meaning as REGULATORY FLOODWAY.

FUNCTIONALLY DEPENDENT USE. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE. The highest natural elevation of the ground surface prior to construction next to the ~~proposed~~ walls of a structure.

HISTORIC STRUCTURE. Any structure that is:

(1)

(A) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2)

(B) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3)

(C) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4)

(D) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:

(a)

(1) By an approved state program as determined by the Secretary of the Interior or;

(2) Directly by the Secretary of the Interior in states without approved programs.

LEVEE. A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM. A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

MANUFACTURED HOME. A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term MANUFACTURED HOME does not include a recreational vehicle.

MANUFACTURED HOME PARK OR SUBDIVISION. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MEAN SEA LEVEL. For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

NEW CONSTRUCTION. For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, NEW CONSTRUCTION means structures for which the "start of construction" commenced on or after April 20, 1987 and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK or SUBDIVISION. A manufactured home park or subdivision, as defined above, for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after April 20, 1987.

NON-RESIDENTIAL STRUCTURE. Any structure other than a residential structure.

RECREATIONAL VEHICLE. A vehicle which is:

(1)

- (A) Built on a single chassis;
- (2B) Four hundred square feet or less when measured at the largest horizontal projections;
- (3C) Designed to be self-propelled or permanently towable by a light duty truck; and
- (4D) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOODWAY or FLOODWAY. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height one foot.

RESIDENTIAL STRUCTURE. A structure intended for use as a single-family or two-family dwelling.

RIVERINE. Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

SPECIAL FLOOD HAZARD AREA. See AREA OF SPECIAL FLOOD HAZARD.

START OF CONSTRUCTION. For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual START OF CONSTRUCTION means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE. A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home, a fence, pathway, trailer, or an oil or gas well.

**SUBSTANTIAL DAMAGE.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT.** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

(1)

(A) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the ~~city's~~City's code enforcement official and which are the minimum necessary to assure safe living conditions; or

(2)

(B) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

**VARIANCE.** A grant of relief from the terms of a floodplain management regulation, the requirements for which are contained in this chapter and in Section 60.63 of the National Flood Insurance Program Regulations.

**VIOLATION.** The failure of a structure or other development to be fully compliant with the requirements of this chapter. A structure or other development within the Special Flood Hazard Area without ~~the~~an elevation certificate, other certifications, or other evidence of compliance required by this chapter or in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the National Flood Issuance Program Regulations is presumed to be in violation until such time as that documentation is provided.

**WATER SURFACE ELEVATION.** The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

#### § 152.05 - INTERPRETATION.

In the interpretation and application of this chapter, all provisions shall be considered as minimum requirements, liberally construed in favor of the governing body, and deemed neither to limit nor repeal any other powers granted under state statutes.

§ 152.06 - APPLICATION; JURISDICTION.

This chapter shall apply to all areas of special flood hazard within the jurisdiction of the ~~city~~City.

§ 152.07 - COMPLIANCE.

A person commits an offense if the person locates, alters, or changes the use of a structure or land situated within the areas of special flood hazard without full compliance with the terms of this chapter and other applicable regulations.

§ 152.08 - BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD.

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Denton County, Texas and Incorporated Areas", dated ~~April 18, 2011~~June 19, 2020, with Flood Insurance Rate Map (FIRM), dated ~~April 18, 2011~~June 19, 2020; and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter.

§ 152.09 ~~—~~ WARNING AND DISCLAIMER OR LIABILITY.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. The provisions of this chapter shall not create liability on the part of the ~~city~~City or any official or employee thereof for any flood damages that result from reliance on the provisions of this chapter or any administrative decision lawfully made hereunder.

§ 152.10 - ABROGATION AND GREATER RESTRICTIONS.

The provisions of this chapter are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement,

covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

## PERMITS

### § 152.20 - FLOODPLAIN DEVELOPMENT PERMIT.

(A) A floodplain development permit shall be required for development within the areas of special flood hazard to ensure conformance with the provisions of this chapter.

(B) Permit procedures.

(1) Application for a floodplain development permit shall be presented to the Floodplain Administrator on forms furnished by him or her and shall include, but not be limited to the following:

(a) Plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, in relation to special flood hazard areas.

(b) Existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard.

(c) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures.

(d) Elevation in relation to mean sea level, NAVD 1988, to which any nonresidential structure shall be floodproofed.

(e) A certificate from a registered professional engineer or architect that each nonresidential structure meets the floodproofing criteria of § 152.31(B).

(f) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.

(g) An exhibit, drawn to scale showing the horizontal limits and vertical elevations for any change within a special flood hazard area.

(h) Calculations confirming no net change in volume below the 1% annual base flood elevation.

(i) Calculations confirming no rise (0.00') in the 1% annual base flood elevation.

(j) If required by the Floodplain Administrator, a hydraulic analysis of the watercourse and floodplain demonstrating the impact of any proposed change within the City's designated special flood hazard area.



(2) The Floodplain Administrator shall approve or deny a floodplain development permit based on a determination that all of the provisions of this chapter have been satisfied and the following relevant factors:

- (a) The danger to life and property due to flooding or erosion damage;
- (b) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (c) The danger that materials may be swept onto other lands to the injury of others;
- (d) The compatibility of the proposed use with existing and anticipated development;
- (e) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- (f) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
- (g) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
- (h) The necessity to the facility of a waterfront location, where applicable;
- (i) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

(C) The Floodplain Administrator shall maintain a record of all such information in accordance with § 152.45(A).

~~Cross reference—Penalty, see § 10.99.~~

§ 152.21 - VARIANCE PROCEDURES.

(A) The ~~Appeal Board~~Floodplain Administrator shall hear and render judgment on requests for variances from the requirements of this chapter.

(B) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this chapter.

(C) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.

(D) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

(E) The Appeal Board may approve a variance for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this chapter.

(F) The Appeal Board may approve a variance for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in § 152.20(B)(2) have been fully considered. As the lot size increases beyond ~~the~~ one-half acre, the technical justification required for issuing the variance increases.

(G) Upon consideration of the factors noted in this chapter, the Appeal Board may attach such conditions to the granting of a variance as it deems necessary to further the purpose and objectives of this chapter.

(H) Variances shall not be issued for improvements within any designated floodway if any increase in flood levels during the base flood discharge would result.

(I) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(J) Prerequisites for granting variances:

(1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief for a functionally dependent use.

(2) Variances shall only be issued upon:

- (a) Showing a good and sufficient cause;
- (b) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
- (c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances. This determination shall be based upon calculations performed and submitted by a professional engineer, licensed in the state of Texas, on behalf of the applicant.

(3) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. Flood insurance rates are determined by insurance carriers and are not subject to the jurisdiction of the city.

(K) The Appeal Board may issue a variance for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria outlined in divisions (A) through (J) of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

## FLOOD HAZARD REDUCTION

### § 152.30 - GENERAL STANDARDS.

In all areas of special flood hazards, the following requirements apply for all new construction and substantial improvements:

(A) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(B) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(C) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

(D) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

(E) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(F) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and

(G) On-site waste disposal systems shall be located to avoid impairment to them or contamination of flood waters from them during flooding.

~~Cross reference — Penalty, see § 10.99.~~

§ 152.31 - SPECIFIC STANDARDS.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in §§ 152.08, 152.32(C), and 152.45(H) the following requirements apply:

(A) Residential construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to a minimum of two feet above the base flood elevation. (A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the requirements of § 152.20(B)(1)(a) are satisfied.) Upon construction of foundation forms, a survey shall be provided to the city confirming that construction meets the requirements of this section. Upon completion of construction, a Federal Emergency Management Agency Elevation Certificate shall be provided to the Floodplain Administrator.

(B) Nonresidential construction.

(1) New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall comply with the following:

(a) Have the lowest floor (including basement) elevated to a minimum of two feet above the base flood level; or

(b) Together with attendant utility and sanitary facilities, be designed so that below the base flood level, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(c) Upon construction of foundation forms, a survey shall be provided to the city confirming that construction meets the requirements of this section. Upon completion of construction, a Federal Emergency Management Agency Elevation Certificate shall be provided to the Floodplain Administrator.

(2) A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice and shall furnish a certification stating that the elevation requirements are met or that the below the base ~~flow level~~flood level requirements of division (B)(1) of this section are met. The professional engineer shall also provide a statement that the proposed structure is reasonably safe from flooding.

(3) The Floodplain Administrator shall maintain a record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed.

(C) Enclosures.

(1) New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.

(2) Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

(a) A minimum of two openings on separate walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

- (b) The bottom of all openings shall be no higher than one foot above grade.
- (c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(D) Manufactured homes.

(1) All manufactured homes to be placed within ~~Zone A~~ Special Flood Hazard Area, as reflected on the ~~city's~~City's FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

(2) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this section and § 152.20(B) are satisfied.

(3) Manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the ~~city's~~City's FIRM on sites outside of a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, ~~shall~~ be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to a minimum of two feet above the base flood elevation and ~~shall~~ be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(4) Manufactured homes ~~shall be~~ placed or substantially improved on sites in an existing manufactured home park or subdivision within areas designated as Zones A1-30, AH and AE on the ~~city's~~City's FIRM that are not subject to the provisions of this division (D) be elevated as follows:

(a) The lowest floor of the manufactured home is at minimum of two feet above the base flood elevation; or

(b) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and is securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. ., designed by a registered professional engineer

(E) Recreational vehicles.

(1) A person commits an offense if the person parks or maintains a recreational vehicle on sites within areas designated as Zones A1-30, AH, and AE on the [city's City's FIRM](#) ~~either~~ for more than 180 consecutive days.

(2) It is a defense to prosecution for a violation of division (E)(1) of this section that the recreational vehicle is fully licensed and ready for highway use, or the permit requirements of § 152.20(B)(1)(a), and the elevation and anchoring requirements for "manufactured homes" in division (D) of this section are satisfied.

(3) A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

[Cross reference — Penalty, see § 10.99.](#)

#### § 152.32 - STANDARDS FOR SUBDIVISION PROPOSALS.

(A) All applications for approval of a plat, replat, or site plan, including the placement of manufactured home parks and subdivisions, shall be consistent with §§ 152.01, 152.02 and 152.03.

(B) All applications for approval of a plat, replat, or site plan, including the placement of manufactured home parks and subdivisions, shall meet floodplain development permit requirements of § 152.20, the requirements of §§ 152.30, 152.31, 152.32, 152.33, and other applicable provisions of this chapter.

(C) Base flood elevation data shall be generated for applications for plat approval and other proposed development applications, including the placement of manufactured home parks and subdivisions, which are greater than 50 lots or five acres, whichever is less, if not otherwise provided pursuant to §§ 152.08 or 152.45(H).

(D) Base flood elevation data, with the establishment of a floodway, shall be generated by a detailed engineering study, [prepared by a registered professional engineer](#) for development within all Zone A areas, within 100 feet of the boundary lines of Zone A areas, and other streams not mapped by [FEMA Federal Emergency Management Agency](#), as indicated on the [city's City's FIRM](#).

(E) All proposed subdivisions and developments, including the placement of manufactured home parks and subdivisions, shall have adequate drainage provided to reduce exposure to flood hazards.

(F) All proposed subdivisions and developments, including the placement of manufactured home parks and subdivisions, shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

~~Cross reference — Penalty, see § 10.99.~~

#### § 152.33 - STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES).

Located within the areas of special flood hazard are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. Development within AO Zones and AH Zones must meet the following requirements:

(A) All new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated to a minimum of two feet above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the ~~city's~~City's FIRM (at least two feet if no depth number is specified). Upon construction of foundation forms, a survey shall be provided to the City confirming that construction meets the requirements of this section. Upon completion of construction, a Federal Emergency Management Agency Elevation Certificate shall be provided to the Floodplain Administrator.

(B) All new construction and substantial improvements of non-residential structures must meet the following requirements:

(1) The lowest floor (including basement) shall be elevated to at least two feet above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the ~~city's~~City's FIRM (at least two feet if no depth number is specified); or

(2) Together with attendant utility and sanitary facilities, be designed so that below the base specified flood depth in an AO Zone, or below the base flood elevation in an AH Zone, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy, as further described in Section 152.31(C).



(C) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this section are satisfied. Upon construction of foundation forms, a survey shall be provided to the City confirming that construction meets the requirements of this section. Upon completion of construction, a Federal Emergency Management Agency Elevation Certificate shall be provided to the Floodplain Administrator.

(D) In AO and AH zones, adequate drainage paths around structures on slopes shall be provided, to guide flood waters around and away from proposed structures.

~~Cross reference—Penalty, see § 10.99.~~

#### § 152.34 - FLOODWAYS.

Located within areas of special flood hazard established in § 152.08 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

(A) Encroachments, including fill, new construction, substantial improvements and other development are prohibited within the adopted regulatory floodway unless:

(1) It has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the ~~city~~City during the occurrence of the base flood discharge; and

(2) Approval of the Floodplain Administrator is obtained.

(3) The applicant provides confirmation that a Conditional Letter of Map Revision has been submitted to Federal Emergency Management Agency.

(4) Within 180 days of completion of construction, a Letter of Map Revision is submitted to Federal Emergency Management Agency.

(B) If the requirements of division (A) of this section are satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of §§ 152.30, 152.31, 152.32, 152.33, and other requirements of this chapter.

(C) Under the provisions of 44 C.F.R. Chapter 1, Section 65.12, of the National Flood Insurance Program Regulations, the ~~city~~City may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the ~~city~~City first completes all of the provisions required by Section 65.12.

~~Cross reference — Penalty, see § 10.99.~~

## ADMINISTRATION

### § 152.44 - DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR.

The Mayor or the Mayor's designated representative is hereby appointed the Floodplain Administrator to administer and implement the provisions of this chapter and other appropriate sections of 44 C.F.R. (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

### § 152.45 - DUTIES AND RESPONSIBILITIES OF FLOODPLAIN ADMINISTRATOR.

(A) Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

(1) Maintain and hold open for public inspection all records pertaining to the provisions of this chapter;

(2) Review development permit applications to determine whether ~~to ensure that~~ the proposed building site project, including the placement of manufactured homes, ~~will~~appears to be reasonably safe from flooding;

(3) Review, approve or deny all applications for development permits required by adoption of this chapter; and

(4) Review permits for proposed development to ~~assure~~ensure that all necessary permits have been obtained from those federal, state or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(B) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.

(C) The Floodplain Administrator shall notify, in riverine situations, adjacent communities and the state coordinating agency which is the Texas Water Development Board (TWDB) and also the Texas Commission on Environmental Quality (TCEQ), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

(D) The Floodplain Administrator shall ~~assure~~confirm that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

(E) When base flood elevation data has not been provided in accordance with § 152.08, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of §§ 152.30, 152.31, 152.32, 152.33, and other applicable provisions of this chapter.

(F) When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within zones designated as A1-30 and AE on the ~~city's~~City's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the ~~city~~City.

(G) Provided that the ~~city~~City first completes all of the provisions required by 44 C.F.R. Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, the Floodplain Administrator may approve certain development in areas designated as Zones A1-30, AE, AH, on the ~~city's~~City's FIRM which increases the water surface elevation of the base flood by more than one foot.

§ 152.46 – PENALTY.

Violations of the provisions of this Ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500 for each violation, and in addition shall pay all costs and expenses involved in the case. Each day that a violation is permitted to exist shall constitute a separate offense. Nothing herein contained shall prevent the City of Corinth from taking such other lawful action as is necessary to prevent or remedy any violation.