

CITY OF PRINCETON

ORDINANCE NO. 2004-08-10

AN ORDINANCE OF THE CITY OF PRINCETON AMENDING THE COMPREHENSIVE ZONING ORDINANCE NUMBER 98-001 OF THE CITY OF PRINCETON, FROM 'A', AGRICULTURE TO "PD#9" PLANNED DEVELOPMENT #9, ON A PORTION OF THE HARDIN WRIGHT SURVEY, ABSTRACT NO. 957; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of the property generally described as 116.137 acre tract of land situated in Hardin Wright Survey, Abstract No. 957, City of Princeton, Collin County, Texas, as reflected on the boundary survey in Exhibit A; and

WHEREAS, the tract of land subject of this zoning amendment from "A" Agriculture to "PD#9" Planned Development, is more particularly described by metes and bounds description set forth in Exhibit B; and

WHEREAS, the Planning and Zoning Commission held a public hearing, heard the case on May 20, 2004 and recommended approval of the zoning amendment from "A" Agriculture to "PD#9" Planned Development on May 24, 2004 and

WHEREAS, the City Council held a public hearing, heard the case and recommended approval of the zoning amendment from "A" Agriculture to "PD#9" Planned Development and the Concept Plan on June 8, 2004 and

WHEREAS, the property subject of Planned Development No. 9, shall be subject to specific Development Regulations, attached hereto as Exhibit C; and

WHEREAS, all legal requirements, conditions and pre requisites having been complied with, the case now comes before the City Council for the City of Princeton for final consideration.


NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRINCETON, TEXAS:

Section 1. That the above recitals are hereby found to be true and correct and incorporated herein for all purposes.

Section 2. The Comprehensive Zoning Ordinance Number 98-001 of the City of Princeton be, and the same is hereby, amended by amending the Zoning Map of the City of Princeton so as to reflect the property described in Exhibits A and B the zoning change classification from "A" Agriculture to "PD#9" Planned Development.


- Section 3.** That Planned Development No. 9 shall be subject to the Development Regulations attached hereto as Exhibit C and incorporated herein by reference as if fully set forth herein and for all purposes.
- Section 4.** That all ordinances of the City of Princeton in conflict with the provisions of this Ordinance be, and are the same hereby repealed, and all other provisions of the ordinances of the City of Princeton not in conflict with the provisions of this Ordinance shall remain in full force and effect.
- Section 5.** If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance or application thereto to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portion of this ordinance; and the City Council hereby declares it would have passed such portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.
- Section 6.** Any person, firm or corporation who violates any provision of this Ordinance or Princeton's Comprehensive Zoning Ordinance No. 98-001 shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined in a sum not exceeding Two Thousand Dollars (\$2000.00), and each and every day such violation continues shall be continued a separate offense; provided, however, such penal provision shall not preclude a suit to enjoin such violation.
- Section 7.** This ordinance shall become effective from and after its adoption and publication as required by law.

DULY PASSED AND APPROVED by the City Council of the City of Princeton,
Texas, on this 10 day of August, 2004.



Bill Caldwell, Mayor
City of Princeton, Texas

ATTEST:



Lesia Thornhill, City Secretary
City of Princeton, Texas

Cypress Bend
 Planned Development Zone District
 116 Acre Tract in Princeton, Texas

Cypress Bend Planned Development District
Zoning Description
116.137 ACRES

SITUATED in Collin County, Texas, in the Hardin Wright Survey, Abstract No. 957, being a survey of part of the 298.35 acre "Tract 1" described in a deed from Billy W. Sportsman and Ivas Sportsman to TYF Partnership, dated April 18, 2000, recorded in Volume 4653, Page 2630 of the Collin County Deed Records, being described by metes and bounds as follows:

BEGINNING at an ½ inch iron pin set in the south right-of-way line of U.S. Highway 380, at the north-northwest corner of said 298.35 acre tract, same being the northeast corner of the 7.00 acre "Tract 2" recorded in Volume 4653, Page 2630 of the Collin County Deed Records;

THENCE South 67° 29' 35" East, with the north line of said 298.35 acre tract and with the south right-of-way line of said U.S. Highway 380, 2,278.02 feet to an ½ inch iron pin set in the west line of Princeton Village Addition recorded in Volume F, Page 279 of the Collin County map records;

THENCE South 00° 12' 42" East, with west line of said Princeton Village Addition, 271.03 feet to an "x" cut in concrete set;

THENCE South 00° 12' 42" East, with the west line of said Princeton Village Addition and generally near a fence for part of the way, 1,373.72 feet to a ¾ inch iron pipe found by a corner post at the east-southeast corner of said 298.35 acre tract;

THENCE South 86° 08' 50" West, with a south line of said 298.35 acre tract. 1,217.71 feet to an ¾ inch iron pipe found at an "ell" corner of said 298.35 acre tract;

THENCE with the former location of the center of the L & A Railroad as follows:

South 86° 13' 11" West, 617.80 feet to an ½ inch iron pin set at the P.C. of a curve to the left, the radius point bears South 03° 46' 49" East, 2,864.93 feet;

THENCE with said curve, a central angle of 11° 46' 28", an arc length of 588.75 feet and a chord bearing of South 80° 19' 56" West, 587.72 feet to an ½ inch iron pin set;

THENCE North 00° 00' 15" East, 1,772.63 feet to an ½ inch iron pin set at the southwest corner of said 7.00 acre tract; same being in a north line of said 298.35 acre tract;

THENCE North 86° 08' 25" E, with a north line of said 298.35 acre tract and with the south line of said 7.00 acre tract, 300.68 feet to an ½ inch iron pin set at the southeast corner of said 7.00 acre tract and an inside corner of said 298.35 acre tract;

THENCE North 00° 00' 15" East, with a west line of said 298.35 acre tract and with east line of said 7.00 acre tract, 674.52 feet to an ½ inch iron pin set;

Cypress Bend
Planned Development Zone District
116 Acre Tract in Princeton, Texas

THENCE North 00° 00' 15" East, with said west line of said 298.35 acre tract and with said east line of said 7.00 acre tract, 270.06 feet to the PLACE OF BEGINNING and containing 116.137 ACRES OF LAND.

Cypress Bend
Planned Development Zone District
116 Acre Tract in Princeton, Texas

Development Regulations
Proposed Residential Tracts 1 & 2, and Commercial Tracts
A portion the Hardin Wright Survey, Abstract No. 957
Collin County, Texas

1.0 General Description and Definitions

This Planned Development Ordinance permits a maximum of four hundred ninety-five (495) single-family residential units on this tract of land. The underlying development standards and definitions for the specified residential and commercial tracts are outlined in the SF-2 Zoning classification and Commercial C-2 Zoning Classification as specifically set forth in the applicable sections of the Comprehensive Zoning Code, Ordinance 98-001, of the City of Princeton, Texas as it may be amended, to the extent not specifically addressed herein. In the event of a conflict between this Ordinance and the Comprehensive Zoning Ordinance of the City of Princeton, the Planned Development Ordinance shall control. Development shall be in substantial conformance with the preliminary plat and final plat.

2.0 Permitted Uses

- 2.1 The permitted uses in the SFR District shall be the same as those permitted in the "SF-2" Single-Family Residential zoning district of the City of Princeton Zoning Ordinance
- 2.2 The permitted uses in the C-2 Commercial District shall be the same as those permitted in the C-2 Commercial zoning district of the City of Princeton Zoning Ordinance

3.0 Height Regulation for Residential District

No building shall exceed two and one-half (2½) stories, or 35 feet, in height.

4.0 Area Requirements for Residential District

The following area regulations shall apply to **Tract 1**:

- 4.1 **Average Lot Area.**
The average lot area for residential lots in Tract 1 shall be five thousand five hundred (5,500) square feet.
- 4.2 **Minimum Lot Area.**
The minimum lot area of any residential lot shall be five thousand (5,000) square feet.

Cypress Bend
Planned Development Zone District
116 Acre Tract in Princeton, Texas

4.3 Minimum Lot Width.

- 4.3.1 The minimum width of any residential lot shall be fifty (50) feet, measured at the front building line. At locations where the building line is not linear the lot width shall be measured along the arc of the curve.
- 4.3.2 Exception. Thirty-five (35) feet shall be allowed at the terminus of a cul-de-sac or along street elbows or eyebrows.

4.4 Minimum Lot Depth.

- 4.4.1 The minimum depth of any residential lot shall be one hundred (100) feet, measured at the midpoint of the front and rear lot lines.
- 4.4.2 Exception. Ninety (90) feet shall be allowed at the terminus of a cul-de-sac or along street elbows or eyebrows.

4.5 Minimum Front Yard.

- 4.5.1 The minimum depth of the front yard shall be twenty (20) feet.

4.6 Minimum Rear Yard.

The minimum depth of the rear yard shall be ten (10) feet.

4.7 Minimum Side Yard.

- 4.7.1 The minimum side yard on each internal side of a lot shall be five (5) feet.
- 4.7.2 The minimum side yard of corner lots shall be increased to ten (10) feet on the side adjacent to the street.

4.8 Maximum Lot Coverage.

In no case shall more than fifty (50) percent of the total lot area be covered by the area of the main building. Accessory buildings, swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining lot coverage.

4.9 Minimum Dwelling Size.

The minimum area of the main dwelling shall be one thousand three hundred (1,300) square feet, exclusive of garages, breezeways and porticos.

The following area regulations shall apply to **Tract 2**:

4.10 Average Lot Area.

The average lot area for residential lots in Tract 2 shall be six thousand five hundred (6,500) square feet.

4.11 Minimum Lot Area.

The minimum lot area of any residential lot shall be five thousand (5,000) square feet.

4.12 Minimum Lot Width.

- 4.12.1 The minimum width of any residential lot shall be fifty (50) feet, measured at the front building line. At locations where the building line is not linear the lot width shall be measured along the arc of the curve.

Cypress Bend
Planned Development Zone District
116 Acre Tract in Princeton, Texas

- 4.12.2 No fewer than 60 residential lots shall have a minimum lot width of sixty (60) feet.
 4.12.3 Exception. Minimum lot width of thirty-five (35) feet shall be allowed at the terminus of a cul-de-sac or along street elbows or eyebrows.

4.13 Minimum Lot Depth.

- 4.13.1 The minimum depth of any residential lot shall be one hundred (100) feet, measured at the midpoint of the front and rear lot lines.
 4.13.2 Exception. Ninety (90) feet shall be allowed at the terminus of a cul-de-sac or along street elbows or eyebrows.

4.14 Minimum Front Yard.

- 4.14.1 The minimum depth of the front yard shall be twenty (20) feet.

4.15 Minimum Rear Yard.

The minimum depth of the rear yard shall be ten (10) feet.

4.16 Minimum Side Yard.

- 4.16.1 The minimum side yard on each internal side of a lot shall be five (5) feet.
 4.16.2 The minimum side yard of corner lots shall be increased to ten (10) feet on the side adjacent to the street.

4.17 Maximum Lot Coverage.

In no case shall more than fifty (50) percent of the total lot area be covered by the area of the main building. Accessory buildings, swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining lot coverage.

4.18 Minimum Dwelling Size.

Minimum dwelling area shall be one thousand three hundred (1,300) square feet, exclusive of garages, breezeways and porticos; however, on eighty (80) percent of the lots within Tract 2, the minimum dwelling area shall be one thousand four hundred (1,400) square feet.

5.0 Area Requirements for Commercial District

Development within the Commercial District of this Planned Development District shall be in accordance with the area and dimensional requirements of the C-2 Commercial zoning district of the City of Princeton Zoning Ordinance.

6.0 Accessory Buildings

6.1 Location

An accessory building *must be located not less than fifty (50) feet back from the front lot line and no less than ten (10) feet from any other right-of-way line, nor less than three (3) feet from any side or rear lot line.*

Cypress Bend
 Planned Development Zone District
 116 Acre Tract in Princeton, Texas

6.2 Lot Coverage

An accessory building shall not occupy more than three (3) percent of the lot area, nor have a ground floor area of more than two hundred and fifty (250) square feet.

6.3 Maximum Building Height

The total height of an accessory building shall not exceed eight (8) feet.

6.4 Character

Accessory buildings must be constructed so that they are in keeping with the general architecture of the development.

7.0 Other Development Requirements**7.1 Streets**

Residential streets within this district shall have a cross section of twenty-seven (27) feet, measured from back-of-curb to back-of-curb, within a fifty (50) foot right-of-way. A four-inch (4) parabolic crown and rolled curb may be used.

7.2 Alleys

Alleys shall not be required within this District.

7.3 Sidewalks

7.3.1 Sidewalks shall be installed along the street frontage of all residential lots prior to the issuance of a final certificate of occupancy for each dwelling constructed thereon.

7.3.2 *A sidewalk shall also be installed along any street on the perimeter of any subdivision within the District prior to the acceptance of the infrastructure improvement for the subdivision.*

7.4 Off-Street Parking.

7.4.1 A minimum of two enclosed garage parking spaces per single family dwelling shall be provided.

7.4.2 No access shall be granted to any lot through any back or side yards adjacent to *Road "A"*.

7.4.3 All driveways will accommodate 2 vehicles side by side.

7.5 Exterior Building Requirements.

7.5.1 Exterior building materials for residential structures shall be at least 80% masonry. The total of exterior wall surfaces shall exclude surface areas that are devoted to windows, doors, dormers, garage doors and other fenestration. If the gable is in front of an attic space or garage, it is exempt from the masonry requirement.

7.5.2 Exterior building materials on structures facing a public street shall be required to contain a minimum of 80% masonry.

7.5.3 "Masonry" means brick, stone, pre-cast stone, cement fiber siding, *and any other similar veneer material allowed by City ordinance* attached to an outside wall.

Cypress Bend
 Planned Development Zone District
 116 Acre Tract in Princeton, Texas

- 7.5.4 If brick, stone, or pre-cast stone is used within a subdivision, any residential structure on a corner lot within said subdivision shall be required to contain a minimum coverage of 100% brick, stone, or pre-cast stone on the first floor side of the residential unit facing any public street.
- 7.5.5 If brick, stone, or pre-cast stone is used within a subdivision, structures not on corner lots within said subdivision shall be required to apply or wrap the corners of the structure with brick, stone, and pre-cast stone with a minimum coverage of 2 feet on the side extending back from the front corners, in addition to the front elevation requirement.
- 7.6 Garages.**
 Garage door openings may face a public street at the front of a residential lot. "Swing" driveways are not required.
- 7.7 Screening Wall**
- 7.7.1 A wood fence, in a board on board pattern a minimum of six (6) feet in height, shall be constructed adjacent to **Road "A"** within the District. Brick and/or stone masonry columns shall be incorporated into the screening fence with a maximum spacing of two hundred and fifty (250) feet. A sign with the name of the subdivision may be incorporated into the screening wall near the entrances to the subdivision.
- 7.7.2 A primary masonry or stone identity feature shall be constructed at the main entry at the intersection of **Road "A"** and State Highway 380. This feature will be accented with landscaping as approved by the City of Princeton.
- 7.7.3 No access shall be granted to any lot through any back or side yards adjacent to Road **"A"**.
- 7.8 Landscape Regulations**
- 7.8.1 Developer agrees to establish a minimum of three (3) Parks, three (3) Open Space areas and two (2) Landscape Buffer areas adjacent to **Road "A"**, as depicted on the Concept Plan and Preliminary Plat. The total of these areas shall not be less than five acres.
- 7.8.2 Development shall meet the standards as required in the City of Princeton Subdivision and Landscape Ordinance.
- 7.8.3 All Single Family lots shall have grass in both front and rear yards.
- 7.8.4 All Single Family lots shall have automated sprinklers in both Front and rear yards.
- 7.8.5 Each Single Family Lot will have planted a minimum of two (2) 2" trees per lot.
- 7.8.6 Within the Landscape Buffer areas adjacent to **Road "A"**, there shall be the equivalent of one (1) 3" tree planted for every sixty (60) feet of right-of-way frontage. Trees may be planted in clusters within the combined landscape buffer area and boulevard parkway.
- 7.8.7 Four-foot (4') wide sidewalk will be constructed on all single-family lots. Sidewalks will be constructed with individual home construction and is the responsibility of the builder. Barrier free ramps shall be installed at the time of roadway construction consistent with City ordinances.
- 7.8.8 A Home Owners Association will maintain all open space lots and common areas identified in the plat consistent with approved covenants, conditions and restrictions approved by the City for the property.
- 7.8.9 Open Space lots are to be landscaped with grass and have tree plantings with the equivalent of five (5) 2" trees per acre.

Cypress Bend
 Planned Development Zone District
 116 Acre Tract in Princeton, Texas

7.8.10 Trees planted must be from the attached tree list or as approved by the City of Princeton.

7.9 Additional Permitted Uses

7.9.1 Sales and Leasing Offices during the development and marketing of the residential area, *which shall be removed when 100% of the homes/lots have been sold*: [180 days from the date permit is issued].

7.9.2 Temporary buildings and uses incidental to construction work on the premises, which shall be removed upon completion of construction of the development. No temporary structure, sales or leasing office may be used for dwelling purposes.

7.9.3 All such temporary uses provided in this section shall be requiring the applicable permit and fees as stated by City ordinance prior to use.

7.10 Signs

7.10.1 One Sign per builder, not exceeding twenty-four (24) square feet in area and not exceeding six feet in height, which identifies a new home as being a builder's model open to the public for inspection shall be allowed for each phase of the project. Such signs shall be removed prior to the home being occupied as a residence.

7.10.2 Off-site temporary directional signs shall not exceed six (6) square feet in area, and may contain the word "open" and a directional indicator. Such signs may not obstruct vision of traffic or pedestrians, nor be constructed of cardboard. Signs must be kept well painted and in good condition, and may be utilized only from Friday at 12:00 noon until the following Monday at 12:00 noon.

7.10.3 Builder shall be allowed to move in a sales trailer, prior to City acceptance of the subdivision, for maintenance purposes, subject to City approval of location and shall not be used for dwelling purposes. Such trailer shall not be placed within any easement, street, or right-of-way.

7.11 Parks and Open Space

7.11.1 Park land and open space shall be provided within the *District* and maintained by the Homeowners Association.

7.11.2 Within Tract 1, two park sites, each no less than 20,000 square feet, shall be provided in accordance with the Concept Plan. These parks shall provide playground and picnic facilities.

7.11.3 Within Tract 2, one park site of approximately 1 acre shall be provided in accordance with the Concept Plan. This park shall provide playground and picnic facilities.

7.11.4 Within Tract 2, three open space tracts, totaling approximately 3 acres in area shall be provided in accordance with the Concept Plan. These open spaces shall provide a linear green space connected to the park site.

7.12 Project Phasing

The development of any phase of the residential and/or commercial district shall require platting and road improvements within the half of the right-of-way of Road "A" that is adjacent to the platted phase. Permanent and temporary earthen channels will be allowed when the drainage area is less than the 600 "CA" factor. Cost for the waterline extended along the north side of US 380, east of this Planned Development, shall be reimbursed by the City of Princeton in the form of water and sanitary sewer Impact Fee Credits.

Cypress Bend
Planned Development Zone District
116 Acre Tract in Princeton, Texas

7.13 Water and Sewer.

7.13.1 *Consistent with City ordinances water and sewer shall be made available to all development within the corporate city limits and may not be extended to property in another jurisdiction.*

8.0 General Conformance

The preliminary plats will be required to be in general conformance with the approved conceptual plan; with the exception that street and lot layout can be altered in regards to unforeseen engineering issues as reflected on the final plat. Lot to lot drainage may be utilized, but drainage easements must be reflected on the final plat to accommodate said drainage. Such changes will be as minor as the circumstances allow and can be approved administratively without re-submittal of the concept plan.

9.0 Legal Description

See attached Exhibit "A".

10.0 Concept Plan

See attached Exhibit "B".

Cypress Bend
 Planned Development Zone District
 116 Acre Tract in Princeton, Texas

RESIDENTIAL TRACT 1 AREA AND HEIGHT REGULATIONS		
Type	Main Structures	Accessory Structures
Average Lot Area	5,500 SF	NA
Minimum Lot Area	5,000 SF	NA
Minimum Lot Width	50 FT / 35 FT	NA
Minimum Lot Depth	100 FT / 90 FT	NA
Minimum Front Set Back	20 FT	50 FT
Minimum Rear Set Back	10 FT	3 FT
Minimum Side Set Back	5 FT – Interior 10 FT – Corner	3 FT – Interior 10 FT – Corner
Maximum Building Height	35 FT (2½ stories)	15 FT (1 story)
Maximum Lot Coverage	50%	3% or 250 SF, whichever is greater
Dwelling Area	1,300 SF minimum	250 SF maximum
Garage Door Entry	20 FT from any lot line	20 FT from any lot line

Cypress Bend
 Planned Development Zone District
 116 Acre Tract in Princeton, Texas

RESIDENTIAL TRACT 2 AREA AND HEIGHT REGULATIONS		
Type	Main Structures	Accessory Structures
Average Lot Area	6,500 SF	NA
Minimum Lot Area	5,000 SF	NA
Minimum Lot Width	50 FT / 35 FT	NA
(60 lots must have 60 ft. of lot width)		
Minimum Lot Depth	100 FT / 90 FT	NA
Minimum Front Set Back	20 FT	50 FT
Minimum Rear Set Back	10 FT	3 FT
Minimum Side Set Back	5 FT – Interior 10 FT – Corner	3 FT – Interior 10 FT – Corner
Maximum Building Height	35 FT (2½ stories)	15 FT (1 story)
Maximum Lot Coverage	50%	3% or 250 SF, whichever is greater
Dwelling Area	1,300 SF minimum	250 SF maximum
80% of dwellings must be greater than 1,400 SF		
Garage Door Entry	20 FT from any lot line	20 FT from any lot line

Cypress Bend
Planned Development Zone District
116 Acre Tract in Princeton, Texas

Approved Tree List

Live Oak
Red Oak
Pecan
Cedar Elm
Lace Bark Elm
Water Oak
Burr Oak
Red Bud
Pistachio
Aristocrat Pear
Western Red Cedar
Cypress
Magnolia

And any additional tree approved by the City of Princeton.