

**TOWN OF LITTLE ELM  
ORDINANCE NO. 1730**

**AN ORDINANCE OF THE TOWN OF LITTLE ELM, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, BY AMENDING THE ZONING FROM LIGHT COMMERCIAL DISTRICT, TO A NEW PLANNED DEVELOPMENT – LIGHT COMMERCIAL (PD-LC) DISTRICT WITH MODIFIED USES, ON 1.4 ACRES OF LAND LOCATED AT 2650 KING ROAD, GENERALLY 185 FEET WEST OF THE INTERSECTION OF FM 423 AND KING ROAD, IN ORDER TO ALLOW FOR ONE “BODY ART STUDIO” NOT TO EXCEED 1,035 SQUARE FEET; PROVIDING A SAVINGS CLAUSE; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Little Elm ("Town") is a home rule municipal corporation organized and existing by virtue of the Constitution and laws of the State of Texas and by its Charter adopted on May 1, 2001; and

**WHEREAS**, the Town possesses all the rights, powers, and authorities possessed by all home rule municipalities, including the authority to regulate land uses under Chapter 211 of the Texas Local Government Code; and

**WHEREAS**, a request for Planned Development-Light Commercial (PD-LC) with modified uses on approximately 1.4 acres of land, more specifically described in the exhibits, attached hereto; and

**WHEREAS**, this zoning change is in accordance with the most current adopted Comprehensive Plan of the Town of Little Elm; and

**WHEREAS**, the Town Council and the Planning & Zoning Commission of the Town of Little Elm, in compliance with the laws of the State of Texas and the ordinances of the Town of Little Elm, have given the required notices and held the required public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof regarding the requested zoning change described herein; and

**WHEREAS**, at its regular meeting held on August 17, 2023 the Planning & Zoning Commission considered and made recommendations on a request for Planned

Development-Light Commercial (PD-LC), (Case No. PD-23-01523); and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning & Zoning Commission and any other information and materials received at the public hearing, the Town Council of the Town of Little Elm, Texas, has determined that the request is in the interest of public health, safety and welfare of the citizens of the Town of Little Elm.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LITTLE ELM, TEXAS:**

**SECTION 1. INCORPORATION OF PREMISES.** The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2. ZONING AMENDMENT** That Ordinance No. 226 of the Town of Little Elm, Texas, the same being the Comprehensive Zoning Ordinance of the Town, is hereby amended by establishing a new Planned Development district based on Light Commercial (LC) district requirements with modified uses to allow for one “Body Art Studio”, not to exceed 1,035 square feet, located at 2650 King Road, within Little Elm’s town limits, on approximately 1.4 acres of land more particularly described as **Exhibit A**, and attached hereto, subject to all of the terms and conditions set forth herein, the terms and conditions of the Comprehensive Zoning Ordinance, and all other applicable ordinances, laws, rules, regulations, and standards.

**SECTION 3. CONDITIONS AND REGULATIONS.** Permitted uses and standards shall be in accordance with the Light Commercial (LC) District, unless otherwise specified herein:

- a) “Body Art Studio” is defined as: An establishment whose services include tattooing and/or body piercing. Tattooing shall mean the placing of designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin. Body piercing shall mean the creation of an opening in an individual's body, other than ear-piercing, to insert jewelry or other decoration.
- b) One “Body Art Studio” is permitted within Suite 600, not to exceed 1,035 square feet, as depicted on the site and floor plans within **Exhibit B**.
- c) “Body Art Studio” must follow all applicable Texas Department of Licensing and Regulations (TDLR) requirements.

- d) Body Art Studio is allowed only for the proposed tenant, Pin Cushion, requiring any subsequent tenant change-out, for the same use, to go back through the zoning process for review and approval by Town Council.

**SECTION 4. PLANNED DEVELOPMENT MASTER PLAN** The Concept Plan Exhibit and related plans, images, and documents approved and described as **Exhibit B** attached hereto and made a part hereof are approved. The subject property shall be improved in accordance with the plans set forth in **Exhibit B**.

- a) If, after two years from the date of approval of the Planned Development Master Plan, no substantial development progress has been made within the PD, then the Planned Development Master Plan shall expire. If the Planned Development Master Plan expires, a new Planned Development Master Plan must be submitted and approved according to the procedures within the Zoning Ordinance, Planned Development Districts. An extension of the two year expiration shall be granted if a development application for the PD has been submitted and is undergoing the development review process or if the Director of Development Services determines development progress is occurring.
- b) The Planned Development Master Plan shall control the use and development of the property, and all building permits and development requests shall be in accordance with the plan until it is amended by the City Council.
- c) If a change to the Concept Plan, if any, 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.

**SECTION 5. SAVINGS.** This Ordinance shall be cumulative of all other ordinances of the Town, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are indirect conflict with the provisions of this Ordinance; provided, however, that any complaint, notice, action, cause of action, or claim which prior to the effective date of this Ordinance has been initiated or has arisen under or pursuant to such other ordinance(s) shall continue to be governed by the provisions of that ordinance or those ordinances, and for that purpose that ordinance or those ordinances shall be deemed to remain and shall continue in full force and effect.

**SECTION 5. ZONING MAP.** The official zoning map of the Town shall be amended to reflect the changes in zoning made by this ordinance.

**SECTION 6. PENALTY.** Any person, firm, or corporation violating any of the provision of this ordinance shall be punished by a penalty of a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7. SEVERABILITY.** The sections, paragraphs, sentences , phrases, and words of this Ordinance are severable, and if any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid or unconstitutional, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any person, firm, corporation, situation or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance of the Town of Little Elm, Texas, and the Town Council hereby declares that it would have adopted the valid portions and applications of the ordinance without the valid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 8. REPEALER.** That all ordinances of the Town of Little Elm in conflict with the provisions of this ordinance be and the same are hereby repealed to the extent of that conflict.

**SECTION 9. EFFECTIVE DATE.** That this Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law and the Town Charter.

**PASSED AND APPROVED** by the Town Council of the Town of Little Elm, Texas on the 19<sup>th</sup> day of September, 2023.

Town of Little Elm, Texas

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Curtis Cornelious, Mayor

ATTEST:

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Caitlan Biggs, Town Secretary

**Exhibit A**  
Property Location





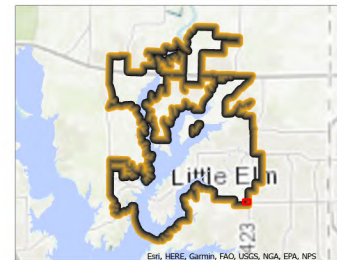
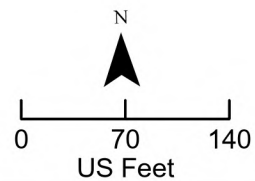
Source: Town of Little Elm, Aerial Map, Denton County Appraisal District



**Pin Cushion Planned Development**  
**2650 KING RD, FRISCO, TX 75036**

**Town of Little Elm**  
**Denton County, Tx**

Date: 8/4/2023

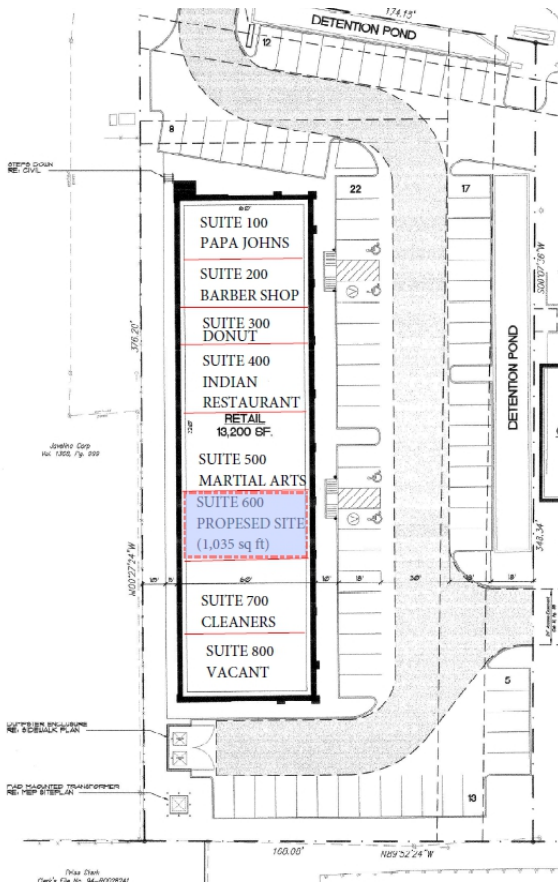


This product is to be used for graphical representation only. The accuracy is not to be taken/used as data produced for engineering purposes or by a Registered Professional Land Surveyor for the State of Texas. For this level of detail, supervision and certification of the produced data by a Registered Professional Land Surveyor for the State of Texas would have to be performed. Town of Little Elm and its members assume no responsibility for the accuracy of said data.

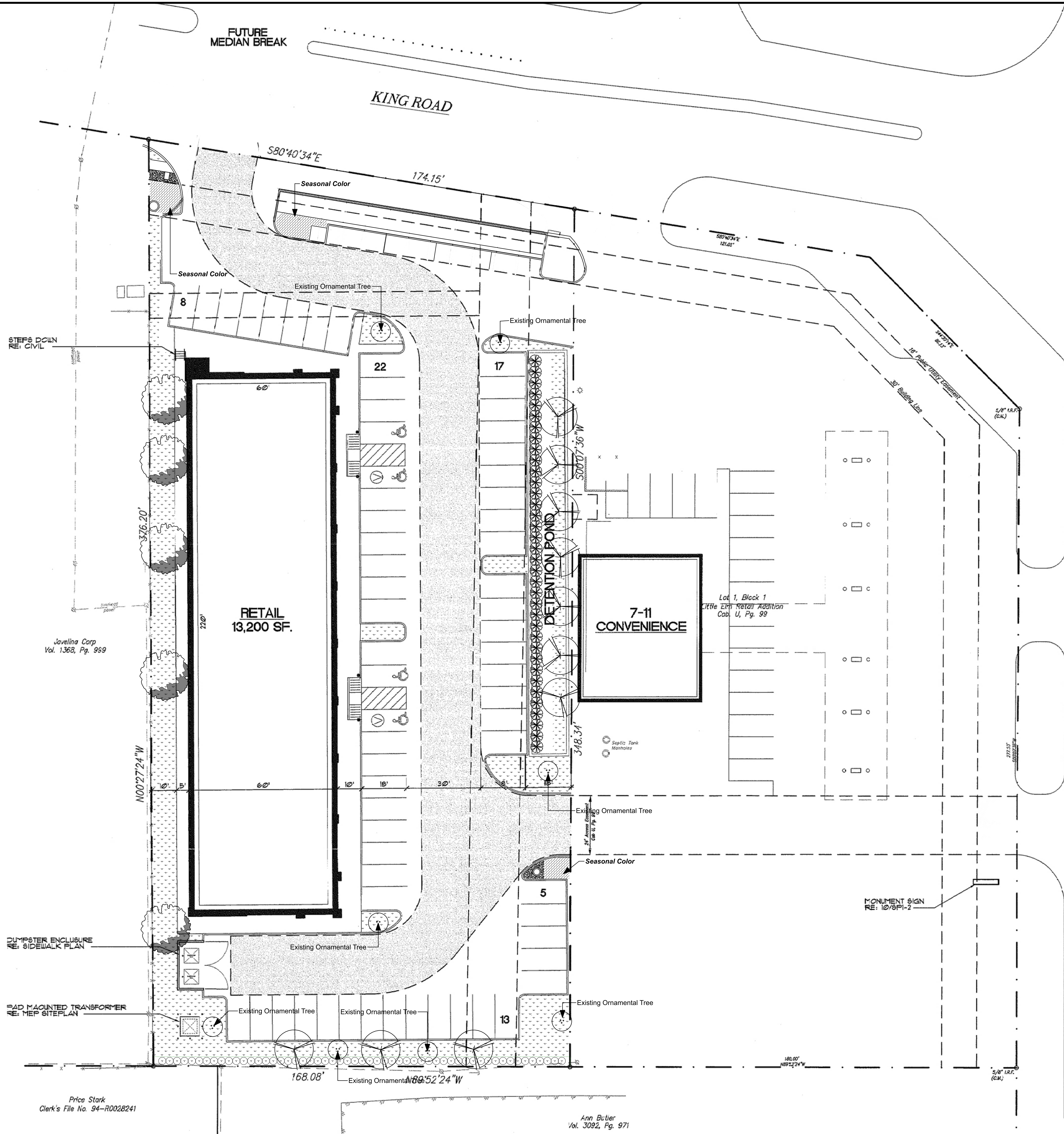


**Exhibit B**  
Development Plans

The site plan attached hereto is intended only to show the general layout of the shopping center. The site plan shall not be deemed to warranty or agreement by landlord as to the shopping center, the premises, the existence of any particular tenants or other stores or occupants or any matter shown thereof:and the site plan show measurements and distances that are approximate and not scaled







LANDSCAPE TABULATIONS  
Interior Landscaping:

Gross Parking Area: 30,185 SF  
Interior Landscape Required: 3,019 SF  
Interior landscape provided: 3029 SF  
Interior Trees Required: 3019/400 = 8 Trees  
Interior Trees Provided: 9 Trees (7 Large Shade Trees, 8 Ornamental Trees)

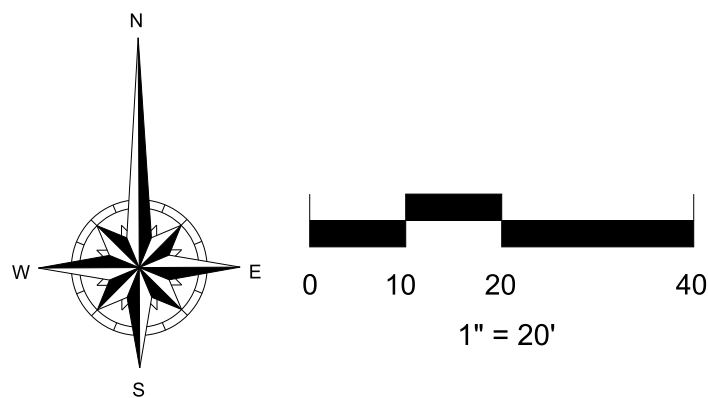
Landscape Notes

1. CONTRACTOR SHALL STAKE OUT TREE LOCATIONS AND BED CONFIGURATION FOR APPROVAL BY OWNER PRIOR TO INSTALLATION.
2. CONTRACTOR IS RESPONSIBLE FOR VERIFYING LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
3. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ADVISE THE OWNERS REPRESENTATIVE OF ANY CONDITION FOUND ON-SITE WHICH PROHIBITS INSTALLATION AS SHOWN ON THESE PLANS.
4. ALL SHRUB AND GROUND COVER BEDS SHALL HAVE A MINIMUM OF (2") TWO INCHES OF HARDWOOD BARK MULCH.
5. LANDSCAPE EDGING SHALL BE LOCATED AS NOTED ON PLAN.
6. TREES SHALL BE PLANTED A LEAST FIVE (5') FEET FROM ANY UTILITY LINE, AND OUTSIDE ALL UTILITY EASEMENTS AND A THREE (3') CLEAR DIAMETER AROUND FIRE HYDRANTS, UNLESS PRIOR APPROVAL IS GRANTED.
7. TREES OVERHANGING WALKS AND PARKING AREAS SHALL HAVE A CLEAR TRUNK HEIGHT OF SEVEN (7') FEET.
8. TREES OVERHANGING VISIBILITY EASEMENTS OF RIGHT-OF-WAYS SHALL HAVE A MINIMUM CLEAR TRUNK HEIGHT OF SEVEN (7') FEET.
9. TREES PLANTED ON SLOPES WILL HAVE THE SOIL STAIN AT AVERAGE GRADE OF SLOPE.
10. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION, AND MUST BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE, IF DAMAGED, DESTROYED OR REMOVED.
11. LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER AND WEEDS.
12. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED TO MAINTAIN ALL LANDSCAPE AREAS. OVER SPRAY ON STREETS AND WALKS IS PROHIBITED.
13. 3 INCHES OF SOILS BUILDING SYSTEMS PH BALANCED COMPOST TO BE TILLES INTO EXISTING TOPSOIL TO ACHIEVE A MAXIMUM RATIO OF 50% COMPOST (I.E. 1 PART COMPOST TO 1 PART EXISTING SOIL). ALL HYDROSEEDING AND PLANTING BEDS TO HAVE BIOSOL FORTE 7-2-1 FERTILIZER APPLIED AT MANUFACTURERS RATE.

Landscape

Quantity	Symbol	Description
<b>Annals-Perennials</b>		
401		Seasonal Color
<b>Ground Cover-Vines</b>		
7702		Cynodon dactylon / Bermudagrass Sq. Ft.
<b>Shrubs Under 4 Feet</b>		
55		Ilex cornuta 'Burfordii Nana' / Holly, Dwarf Burford 5 gal / 24"ht. min.
<b>Trees</b>		
5		Existing Tree 'Large' / Existing Tree 'Large' Existing
8		Existing Tree 'Small' / Existing Tree 'Small' Existing
36		Ilex x 'Nellie Stevens' / Holly, Nellie Stevens Existing
10		Taxodium ascendens / Cypress, Pond 3 in cal min
<b>Landscape Accessories</b>		
86.08 Sq/Ft		Large Texas Native River Rock

F.M. ROAD NO. 423



LANDSCAPE PLAN

ELM RIDGE CROSSING  
FM 720 and FM 423  
Little Elm, Texas

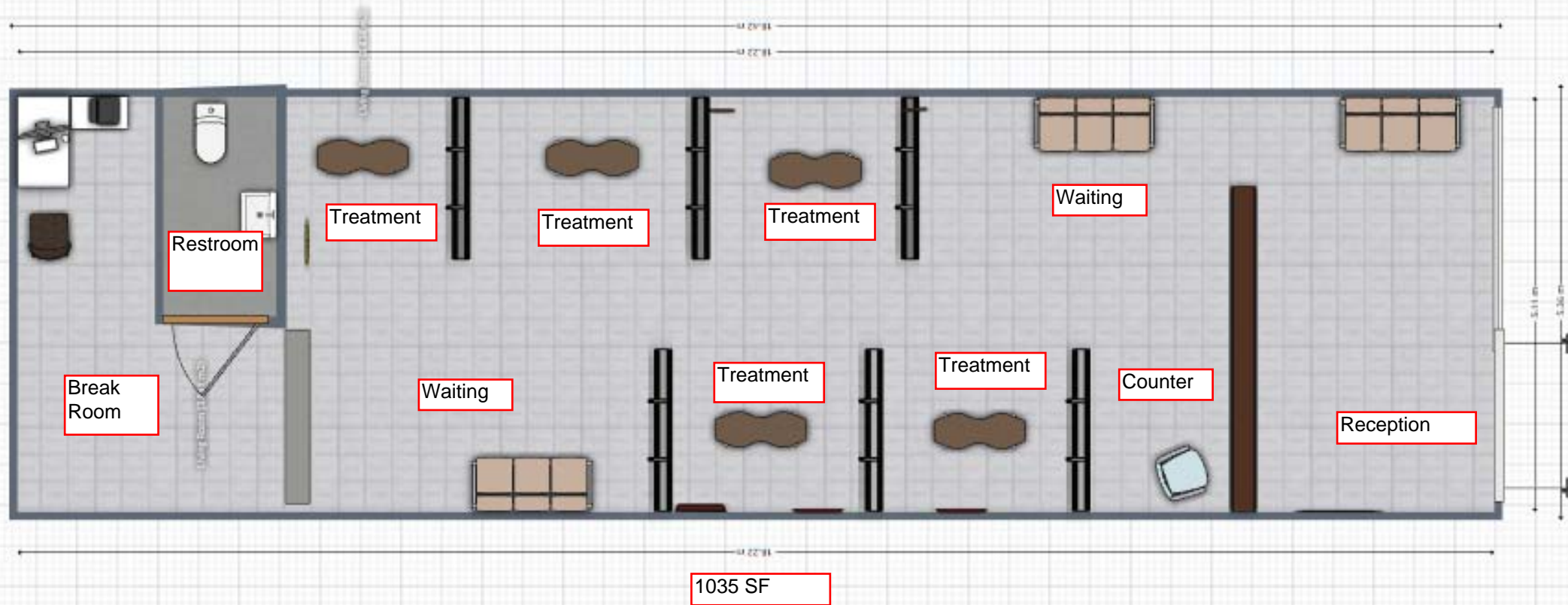
REVISIONS:  
7-27-2023

DATE:  
6/14/2023  
JOB NUMBER:  
230614b  
DRAWN BY:  
David G  
CHECKED BY:  
N/A

SCALE:  
1" = 20'

SHEET:  
LS - 1





Proposed floor plan  
NTS

