

CITY OF THE COLONY, TEXAS
ORDINANCE NO. 2020-2415

APPENDIX A, SECTION 13-101 AND 17A-300E. ORDINANCE AMENDMENTS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, AMENDING APPENDIX A, SECTION 13 OF THE CODE OF ORDINANCES OF THE CITY OF THE COLONY, TEXAS, ENTITLED “VEHICLE PARKING, PARKING LOT AND ON-SITE TRAFFIC REGULATIONS” BY AMENDING SECTION 13-101, ENTITLED “GENERALLY;” SECTION 17A OF THE CODE OF ORDINANCES OF THE CITY OF THE COLONY, TEXAS, ENTITLED “LANDSCAPING” BY AMENDING SECTION 17A-300 E, ENTITLED “IRRIGATION”; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of The Colony, Texas, is of the opinion that Appendix A, Section 13 entitled “Vehicle parking, parking lot and on-site traffic regulations” should be amended by amending Section 13-101, entitled “Generally”, and that Appendix A, Section 17A, Section 17A-300.E entitled "Irrigation" should be amended.

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

SECTION 1. That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. That the Code of Ordinances of the City of The Colony, Texas, be, and the same is, hereby amended by amending Appendix A, Section 13, entitled “Vehicle parking, parking lot and on-site traffic regulations” by amending Section 13-101, entitled “Generally,” which shall read as follows:

“13-101. Generally.

These requirements apply generally to all districts except as otherwise noted:

- (a) Except as expressly allowed in this section, required off-street parking spaces must be located on the same lot or parcel as the principal use. No off-street parking shall be allowed within required setbacks, except that parking for single family and two-family dwellings may be located in the driveway of the individual units.
- (b) In all residential zoning districts and the office districts (O-1 and O-2), no parking space, garage or carport or other automobile storage space or structure shall be used for the

storage of any truck or trailer except a panel or pickup truck not exceeding one-ton gross registered carrying capacity.

- (c) In all residential zoning districts, except for the manufactured home (MH) districts, a boat or recreational vehicle including a motor home or travel trailer may be parked or stored on the residential premises of the owner provided that such boat, vehicle or motor home may be parked or stored only within that portion of the residential lot which is located to the rear of the required front yard line.
- (d) The floor area of structures devoted to off-street parking of vehicles shall be excluded in computing the floor area for off-street parking requirements.
- (e) Private access drives to parking lots or areas which are accessory to or serve nonresidential uses in the O-1, O-2, GR, C, I or nonresidential PD district shall not be through residential districts.
- (f) An enclosed, attached or detached garage of not less than 440 square feet in floor area and with a minimum width of 20 feet shall be provided for each and every single-family dwelling unit, regardless of zoning district.”

SECTION 3. That the Code of Ordinances of the City of The Colony, Texas, be, and the same is, hereby amended by amending Appendix A, Section 17A, Section 17A-300.E entitled "Irrigation" which shall read as follows:

“E. *Irrigation.*

- 1. All required landscaped areas shall be irrigated in compliance with TCEQ irrigation rules and laws. An irrigation permit must be applied for through the Building Inspections department.
- 2. The irrigation system shall be in place and operational at the time of the landscape inspection for certificate of occupancy and/or building final, and be maintained and kept operational at all times.
- 3. Landscape plans shall include an irrigation drawing which shall indicate the nature and location of irrigation which will be used.
- 4. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.”

SECTION 4. If any section, article paragraph, sentence, clause, phrase or word in this Ordinance, or application thereto any persons or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. That all provisions of the Ordinances of the City of The Colony, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby amended, repealed, and all

other provisions of the Ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 6. Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of The Colony, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense. Every day a violation occurs shall constitute a separate offense.

SECTION 7. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, THIS 1ST day of DECEMBER, 2020.

/s/Joe McCourry, Mayor

ATTEST:

/s/Tina Stewart, TRMC, CMC City Secretary

APPROVED AS TO FORM:

/s/Jeff Moore, City Attorney