

## **ORDINANCE O-23-2237**

**AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING CHAPTER 9, SECTION 9.17.B (STREET DESIGN) AND CHAPTER 14, SECTION 14-135 (DRIVEWAY SPACING AND DESIGN STANDARDS) OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS,** the City Council desires to update the driveway spacing and design standards for subdivisions contained in the Colleyville Land Development Code by amending Chapter 9, Sections 9.17.B.6. and B.7. (Street Design) and Chapter 14, Section 14-135 (Driveway Spacing and Design Standards) as set forth herein; and

**WHEREAS,** the City Council further desires to amend the subdivision entryway requirements contained in Chapter 9, Section 9.17 B.11.b.i as set forth herein; and

**WHEREAS,** the City Council finds that a notice of public hearing on this ordinance was published in a newspaper of general circulation in accordance with applicable law; and

**WHEREAS,** the City Council finds, after due deliberations and consideration of the information received at the public hearing for this ordinance, and other relevant information and materials, that this amendment promotes the general welfare and safety of this community; and

**WHEREAS,** the City Council further finds that these amendments are in conformance with the adopted Comprehensive Plan of the City of Colleyville, as amended.

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

Sec. 1. THAT Chapter 9, Section 9.17.B. (*Street Design*) of the Land Development Code is hereby amended, in part, to read as set forth in Exhibit "A", attached hereto.

- Sec. 2. THAT Chapter 14, Section 14-135 (*Driveway Spacing and Design Standards*) of the Land Development Code is hereby amended by amending subsections J. and K. to read as set forth in Exhibit "B", attached hereto.
- Sec. 3. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 4. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 5. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 6. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

**AND IT IS SO ORDERED.**

The first reading and public hearing being conducted on the 7<sup>th</sup> day of March 2023.

The second reading and public hearing being conducted on the 21<sup>st</sup> day of March 2023.

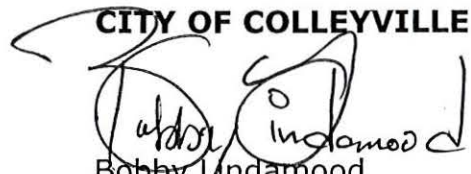
PASSED AND APPROVED BY A VOTE OF **6** AYES, **0** NAYS, ON THIS THE 21<sup>ST</sup> DAY OF MARCH 2023.

Mayor Bobby Lindamood	<u>Aye</u>	Mayor Pro Tem Kathy Wheat	<u>Aye</u>
Brandi Elder, Place 1	<u>Aye</u>	George Bond, Place 2	<u>Aye</u>
George Dodson, Place 4	<u>Aye</u>	Chuck Kelley, Place 5	<u>Absent</u>
Callie Rigney, Place 6	<u>Aye</u>		

**ATTEST:**



Christine Loven, TRMC  
City Secretary

**CITY OF COLLEYVILLE**  
  
Bobby Lindamood  
Mayor

**APPROVED AS TO FORM:**



Whitt L. Wyatt  
City Attorney



## Exhibit "A"

### Chapter 9 Subdivision Design & Public Facilities Section 9.17 Street Design Criteria

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#### B. Street Design

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6. *Temporary Dead-End Streets* - Temporary dead-end streets shall have provision for future extension of the street and utilities and, if a temporary cul-de-sac is utilized, a reversionary right to the land abutting the turnaround for excess right-of-way shall be provided. No driveway access from a lot in an adjacent subdivision shall be allowed upon such street (or cul-de-sac) unless the street has been extended to provide public access for vehicular traffic between the subdivisions.
7. *Stub-outs for Future Extensions* - Permanent dead-end roads shall not be allowed. The street layout shall be extended to the tract boundary to provide for future access into adjoining tracts to assure adequate neighborhood circulation unless: 1) prevented by topography or other physical conditions; or 2) the City Council determines that the extension is not necessary for future development of adjacent tracts. In general, these extensions should be not more than one thousand (1,000) feet apart. No driveway access from a lot in an adjacent subdivision shall be allowed upon such street (or stub-out) unless the street has been extended to provide public access for vehicular traffic between the subdivisions.

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END OF EXHIBIT A

## Exhibit "B"

### Chapter 14 Engineering Design Standards Section 14-135 Driveway Spacing and Design Standards

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J. Driveway Access to Street Right-of-Way and Street Stub-Outs from Adjacent Subdivisions – Driveway access from a platted lot shall not be allowed onto a public street, stub-out or other public right-of-way located in an adjacent subdivision unless a variance is approved by the City Council in conformance with the procedures set forth in Chapter 1 of this Land Development Code. Any variance from the provisions of this subsection shall, in addition to all other relevant information, take into consideration the following special considerations:

- Impact to traffic on local residential streets from adjacent subdivisions
- Potential conflict between HOA covenants governing the use and maintenance of local subdivision streets and connecting subdivisions
- Potential impact on future subdivision design of adjacent subdivisions

K. General

1. *Driveway Approaches at Pedestrian Crossings* – Driveway approaches shall not be located in street intersections or at established pedestrian crossings.
2. *Driveway Approaches at Obstructions* – Driveways shall be kept at a minimum of five (5') feet away from obstructions such as street light posts, fire hydrants, traffic signals, etc.
3. *Accumulative Width of Approaches* – Driveway approaches shall not occupy more than forty (40%) percent of the frontage of a lot or tract.

END OF EXHIBIT B