

ORDINANCE O-23-2238

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING CHAPTER 9, SECTION 9.17.B.11 (NUMBER OF SUBDIVISION ENTRYWAYS) 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 amend Chapter 9, Section 9.17.B.11 (Number of Subdivision Entryways) of the Land Development Code 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.11 (*Number of Subdivision Entryways*) of the Land Development Code is hereby amended, in part, to read as set forth in Exhibit "A", attached.
- Sec. 2. 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. 3. 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. 4. 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. 5. 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 7th day of March 2023.

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

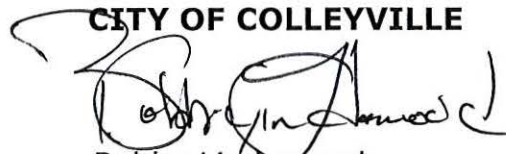
PASSED AND APPROVED BY A VOTE OF 6 AYES, 0 NAYS, ON THIS THE 21ST DAY OF MARCH 2023.

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"

Section 9.17 Street Design Criteria

B. Street Design

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11. *Number of Subdivision Entryways* – Every subdivision shall be designed to provide sufficient access into the development to accommodate anticipated traffic demands and to provide for emergency public services using the criteria contained in this Section. (O-01-1280 / 08-08-01)

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- b. If it is physically impractical or otherwise impossible to provide two entryways or to incorporate an emergency access easement into the development in accordance with the above stated requirements, the following alternative may be considered by the approving body:
 - i. A single pavement width of forty-one (41) feet shall be constructed. Said pavement shall extend back from the intersecting street right-of-way a minimum distance of one-hundred (100') feet. ~~All residences within the subdivision shall contain automatic fire sprinkler systems.~~

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END OF EXHIBIT A