

## ORDINANCE NO. 2011 – 9291

AN ORDINANCE AMENDING SECTION 52-25a “FWY FREEWAY DISTRICT” OF COMPREHENSIVE ZONING ORDINANCE NO. 1144 OF THE CITY OF IRVING, TEXAS, AND SECTION 52-25 “M-FW FREEWAY DISTRICT REGULATIONS” OF PART V (REPEALED ZONING DISTRICTS) OF COMPREHENSIVE ZONING ORDINANCE NO. 1144 OF THE CITY OF IRVING, TEXAS, BY AMENDING THE REQUIRED SETBACK AND SCREENING REQUIREMENTS FOR ACCESSORY PARKING; AND PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Irving, Texas, in compliance with the laws of the State of Texas with reference to the amendments of Zoning Ordinance No. 1144 of the City of Irving, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all interested citizens, the governing body of the city is of the opinion and finds that the Comprehensive Zoning Ordinance should be amended to protect the public health, safety, and welfare;

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

SECTION 1. That subsection (b)(5) of Section 52-25a “FWY freeway district” of Ordinance No. 1144 of the City of Irving, Texas, is hereby amended to read as follows:

- (5) Provisions for the parking of automobiles provided that such provisions within sixty (60) feet of a developed lot in any “R” or “A” district shall be separated from said lot by a blind fence or wall at least six (6) feet high. Automobile parking may be placed within the fifty-foot front yard setback and no nearer than thirty (30) feet to any street right-of-way if the parking area is screened from the adjacent right-of-way in accordance with Section 52-35a “Landscaping and tree preservation” of Ordinance No. 1144.

SECTION 2. That subsection (b)(5) of Section 52-25 “M-FW freeway district regulations” of Part V (Repealed Zoning Districts) of Ordinance No. 1144 of the City of Irving, Texas, is hereby amended to read as follows:

- (5) Provisions for the parking of automobiles provided that such provisions within sixty (60) feet of a developed lot in any “R” or “A” district shall be separated from said lot by a blind fence or wall at least six (6) feet high. Automobile parking may be placed within the fifty-foot front yard setback and no nearer than thirty (30) feet to any street right-of-way if the parking area is screened from the adjacent right-of-way in accordance with Section 52-35a “Landscaping and tree preservation” of Ordinance No. 1144.

SECTION 3. That the terms and provisions of this ordinance shall be deemed to be severable and that if the validity of any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS, on  
September 22, 2011.

---

BETH VAN DUYNE  
MAYOR

ATTEST:

---

Shanae Jennings  
Acting City Secretary

APPROVED AS TO FORM:

---

Charles R. Anderson  
City Attorney