

ORDINANCE NO 2011-9307

AN ORDINANCE AMENDING COMPREHENSIVE ZONING ORDINANCE NO. 1144 OF THE CITY OF IRVING, TEXAS, BY AMENDING SECTION 52-38 PARKING AND LOADING AREA DEVELOPMENT STANDARDS TO ESTABLISH MINIMUM STANDARDS FOR DRIVEWAYS AND PARKING LOTS, AND AMENDING SECTION 52-35a(c) LANDSCAPING AND TREE PRESERVATION; PROVIDING A PENALTY CLAUSE; 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 amendment 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;

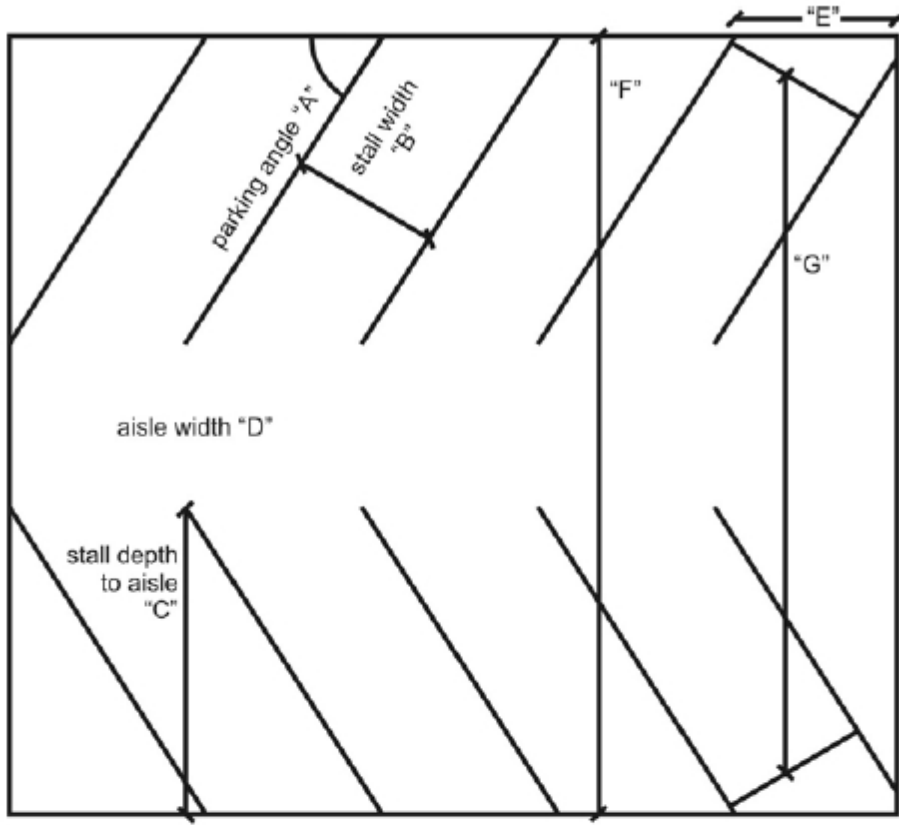
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS:

SECTION 1. That subsection (b) of Section 52-38 "Parking and loading area development standards" of Comprehensive Zoning Ordinance No. 1144 of the City of Irving, Texas, is hereby amended to read as follows:

(b) Parking lots, automobile display lots, internal driveways, vehicle circulation areas, and any non-residentially zoned property used for parking or storage of vehicles, trucks, trailers, or motorized equipment of any kind shall be paved with a minimum of 5 inches of 3000 pounds per square inch concrete with #3 rebar on 18 inch center both ways, or an equivalent standard of asphalt. Parking lots, driveways, and internal circulation areas shall be maintained free of potholes, with a smooth surface free of rubble, and cracks sealed. Permeable paving meeting the applicable standards of the city may be installed in low traffic volume areas or areas that are not used for fire lanes or loading or unloading. All required parking shall be clearly striped.

SECTION 2. That Section 52-38 "Parking and loading area development standards" of Comprehensive Zoning Ordinance No. 1144 of the City of Irving, Texas, is hereby amended by replacing the exhibits referred to as "see attached drawings" following subsection 52-38(i) with the following exhibit:

Table Parking Dimensions



| A | B | C | D | E | F | G |
|-----|------|-------|-----|-------|-------|-------|
| 0° | 9.0' | 9.0' | 12' | 23' | 30' | - |
| 20° | 9.0' | 15.9' | 11' | 23.6' | 41' | 32.5' |
| 30° | 9.0' | 17.3' | 11' | 18' | 45.6' | 37.8' |
| 40° | 9.0' | 19.1' | 12' | 14' | 50.2' | 43.3' |
| 45° | 9.0' | 19.8' | 13' | 12.7' | 52.6' | 46.2' |
| 50° | 9.0' | 20.4' | 12' | 11.7' | 52.8' | 47' |
| 60° | 9.0' | 21' | 18' | 10.4' | 60' | 55.5' |
| 70° | 9.0' | 21' | 19' | 9.6' | 61' | 57.9' |
| 80° | 9.0' | 20.3' | 24' | 9.1' | 64.3' | 62.7' |
| 90° | 9.0' | 18' | 24' | 9.0' | 60' | - |

SECTION 3. That Section 52-38 "Parking and loading area development standards" of Comprehensive Zoning Ordinance No. 1144 of the City of Irving, Texas, is hereby amended by adding a new Section 52-38(j) to read as follows:

(j) Residential driveways.

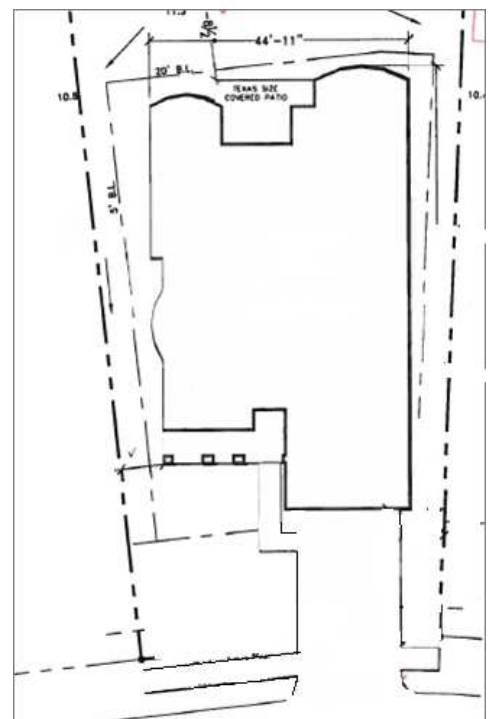
(1) Residential driveways serving property used for single-family and duplex uses shall be constructed of concrete, asphalt, bricks, or pavers per city standards for such materials. It is an affirmative defense to this subsection that the driveway existed at the time this subsection became effective August 3, 2006. Driveways existing at the time this subsection became effective may be extended but the materials used for the surface of such extension must be of the same or better material and standard as the original construction of such driveways, except a driveway constructed of concrete or asphalt may transition into compacted gravel per city standards when the existing driveway has extended twenty-five (25) or more feet from the front property line of the lot or tract.

(2) Driveways and on-site parking serving property used for single-family and duplex uses shall be constructed in accordance with this subsection. These guidelines provide recommendations concerning the design, construction, and placement of driveways and on-site parking berths in order to ensure a high quality visual impression of the community's neighborhoods.

Approved Designs

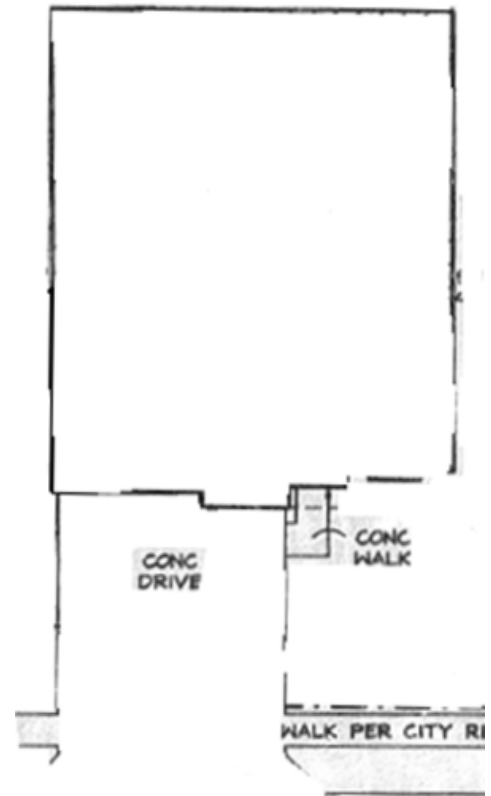
1. Standard drive (single or two-car garage).

- a. The required width is between 12 feet and 24 feet.
- b. The drive approach shall be the same width as the driveway to a minimum distance of 10 feet from the street side property line.

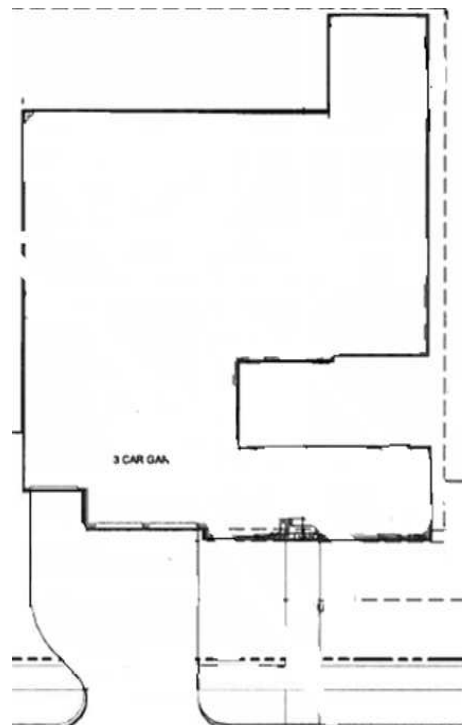


2. Standard drive – three-car (or more) garage.

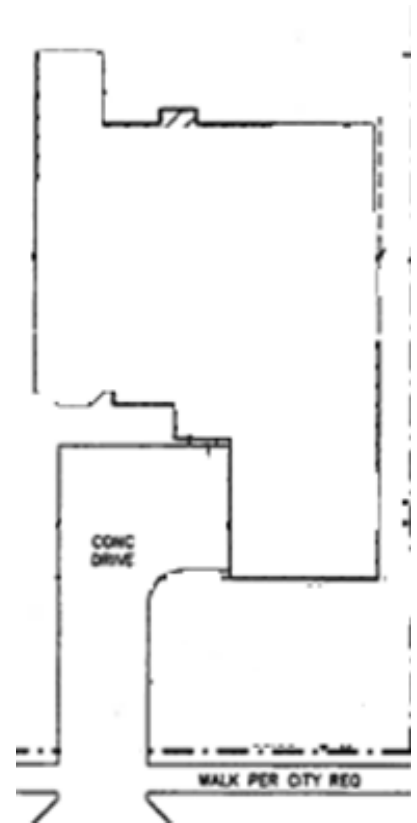
- a. The required width shall not exceed the maximum needed to serve the garage.
- b. The drive approach shall be the same width as the driveway to a minimum distance of 10 feet from the street side property line.



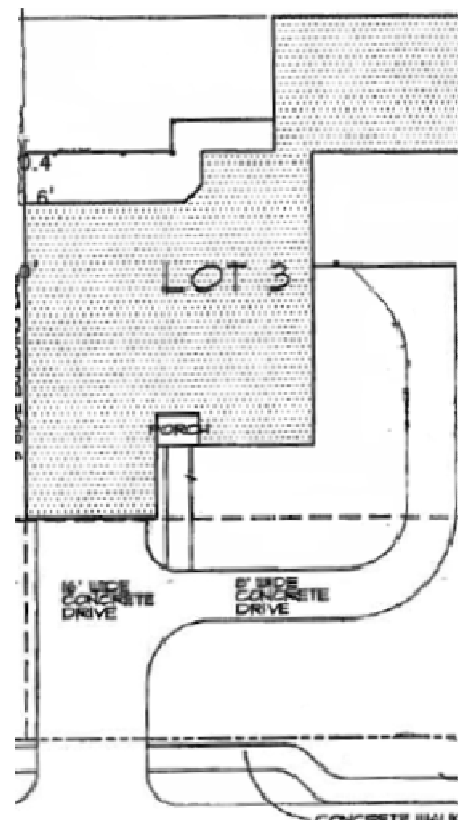
3. Three-car garage flared driveway alternative design



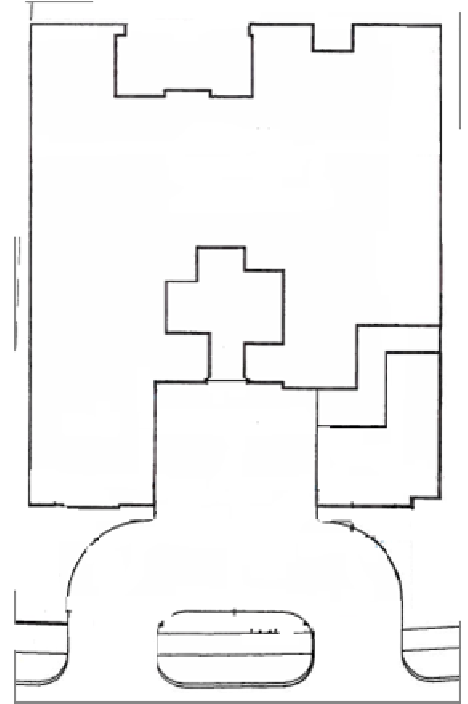
4. Swing-in driveway.



5. Winding drive.



6. Circular driveway



SECTION 4. That subsection (c) of Section 52-35a "Landscaping and tree preservation" of Comprehensive Zoning Ordinance No. 1144 of the City of Irving, Texas, is hereby amended to read as follows:

(c) *Property zoned for residential uses.* In order to ensure that residential neighborhoods and areas throughout the City of Irving create and maintain a pleasant visual environment, the following minimum landscaping standards shall apply to all land within the corporate limits of the City of Irving which is zoned for any residential use, and not regulated by Section 52-59 "Multifamily development regulations," Section 52-32f "Downtown development district," and any other property-specific zoning ordinance, Site Plan District zoning, or Planned Unit Development Development Plan or project plan which specifically addresses landscaping.

- (1) Front and side yard areas adjacent to any street on property subject to this subsection 52-35a(c) shall be maintained with grass, ground cover, other natural vegetation, or a variety of rock, stone, gravel, and other unpaved materials in a xeriscape landscape plan.
- (2) Impervious surfaces may not cover front and side yard areas adjacent to any street, except for sidewalks and similar flatwork required for landscaping and other permitted uses in front yards, and to the extent that the impervious surface is necessary to provide the minimum area needed for a driveway or circular drive constructed in accordance with all other city ordinances and subject to all necessary permits, or to comply with a site plan approved by the city council. It is an affirmative defense to this subsection that the impervious surface existed at the time this subsection became effective August 3, 2006.
- (3) Nothing in subsection 52-35a(c) shall prevent the planning and zoning commission from recommending or the city council from requiring additional landscaping as part of any zoning case where the nature and character of surrounding or adjacent property dictate a need in order

to protect such property and to provide protection for the general health, safety, and morals of the community in general.

SECTION 5. Any person violating or failing to comply with any provision of this ordinance shall be fined upon conviction not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00). Each day any violation of any provision of this ordinance continues constitutes a separate offense.

SECTION 6. 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 should 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 December 8, 2011.

BETH VAN DUYNE
MAYOR

ATTEST:

Shanae Jennings
Acting City Secretary

APPROVED AS TO FORM:

Charles R. Anderson
City Attorney