

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CARROLLTON, TEXAS AMENDING TITLE 5 CHAPTER 53 TO ADD SECTION 53.92 WITH LANGUAGE PERTINENT TO THE LOCATION AND DESIGN CRITERIA OF DRIVEWAYS IN SPECIAL DISTRICTS; TO ADD SUBSECTION (A) JOSEY BELT-LINE OVERLAY DISTRICT; PROVIDING FOR PENALTY, SEVERABILITY, AND SAVINGS CLAUSES; AND AN EFFECTIVE DATE ON AND AFTER ITS PUBLICATION AND ADOPTION.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT,

Section 1.

Section 53.92 of Chapter 53 of the Code of Ordinances, City of Carrollton, Texas, is hereby added as follows:

Section 53.92 SPECIAL DISTRICTS.

A. Josey-Belt Line Redevelopment Overlay District

1. **Intent and Scope:** The area defined within this overlay was originally developed commercially prior to currently existing development standards for driveway widths, radii, internal storage and development on site. Further, as roadways in the Josey-Belt Line Redevelopment Overlay District ("Josey-Belt Line Overlay") have been expanded and widened, portions of properties along the thoroughfares have been acquired for Right-of-Way, reducing the available land for development or redevelopment. This has also reduced the availability for construction or modification of driveways accessing public streets or alleys.

It is the intent of this subsection to establish special driveway development standards for lots being modified as a result of the incentive programs designed to encourage redevelopment of the sites in the Josey-Belt Line Overlay.

2. **General:** The following regulations shall apply in the Josey-Belt Line Overlay, the boundaries of which are defined by city ordinances and shown on the official zoning map.
3. **The following design criteria are required for the Josey-Belt Line Overlay:**
 - i. **Minimum Distance from an intersection:** Where it is not possible for a driveway to be installed in a manner that conforms to current ordinances, there must be a determination by the City Manager or his designee that conformance to the current ordinance is impractical, and that the proposed location of the driveway meets the intent of the ordinance in that it is set as far from the intersection as physically possible on the lot.

- ii. Minimum Driveway Width: Twenty (20) feet, where physical limitations of the site make meeting the requirements in Section 53.82 impractical.
- iii. Minimum Driveway Radius: Fifteen (15) feet, where physical limitations of the site make meeting the requirements in Section 53.85 impractical.
- iv. Minimum Internal Storage: Eighteen (18) feet, where physical limitations of the site make meeting the requirements in Section 53.87 impractical.

Sections 53.93-53.98 RESERVED

Section 2.

Any owner, occupant, firm or corporation violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code as amended.

Section 3.

If any section, sub-section, paragraph, clause, phrase, or provisions of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provisions hereof, other than the part so decided to be invalid or unconstitutional.

Section 4.

Except as herein amended, Title 5, Chapter 53, otherwise known as Streets and Sidewalks of the Carrollton Code of Ordinances, as amended, shall remain in full force and effect.

Section 5.

This ordinance shall become effective after its passage and approval by the City Council and its publication.

PASSED AND APPROVED on this 18th day of August, 2015

CITY OF CARROLLTON, TEXAS

Matthew Marchant, Mayor

ATTEST:

Krystle Nelinson, City Secretary

APPROVED AS TO FORM:

Susan Keller,
Assistant City Attorney

APPROVED AS TO CONTENT:

Brett L. King,
Building Official