

**AGENDA**  
**Irving City Council Work Session**  
**Thursday, May 4, 2023 at 1:00 PM**  
**City Hall, First Floor, Council Conference Room**  
**825 West Irving Boulevard, Irving, TX 75060**

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Citizens that would like to provide a presentation to Council must submit their presentation(s) to Information Technology no later than 2:00 p.m. on the Tuesday prior to the work session or council meeting at [councilpubpres@cityofirving.org](mailto:councilpubpres@cityofirving.org).

**DISCUSSION TOPIC**

- 1 Citizen Comments on Items Listed on the Agenda
- 2 City Operations Update
- 3 Review of Regular Agenda
- 4 Irving Convention & Visitors Bureau - Semi-Annual Update
- 5 General Fund Budget Review
- 6 Proposed UDC Amendments: Event Centers and Related Entertainment Uses
- 7 Discuss Boards and Commissions -- Review Purpose of Advisory Boards

**EXECUTIVE SESSION**

- 8 Legal Advice - Edwin Muniz V. City of Irving, Et Al.  
Open Meetings Act § 551.071

**CERTIFICATION**

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the Kiosk at the City Hall of the City of Irving, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: **Friday, April 28, 2023 at 5:00 p.m.**, and remained so posted at least 72 hours before said meeting convened.

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Shanae Jennings, City Secretary/ Chief Compliance Officer

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Date Notice Removed

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This meeting can be adjourned and reconvened, if necessary, the following regular business day.

Any item on this posted agenda could be discussed in executive session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and section 551.087 of the Texas Government Code.

A member of the public may address the City Council regarding an item on the agenda either before or during the Council's consideration of the item, upon being recognized by the presiding officer or the consent of the Council.

This facility is physically accessible and parking spaces for the disabled are available. Accommodations for people with disabilities are available upon request. Requests for accommodations must be made 48 hours prior to the meeting. Contact the City Secretary's Office at 972-721-2493 or Relay Texas at 7-1-1 or 1-800-735-2988.

## AGENDA ITEM SUMMARY – WORK SESSION

**Meeting:** 5/4/2023

**DOC ID:** 13607

**Recommending Department:** Irving Convention & Visitors Bureau

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### Irving Convention & Visitors Bureau - Semi-Annual Update

**DISCUSSION:**

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**ATTACHMENTS:**

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**REVISION INFORMATION:**

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Prepared: 4/12/2023 07:15 AM by Maura Gast

Last Updated: 4/24/2023 08:57 AM by Jennifer Phillips

## AGENDA ITEM SUMMARY – WORK SESSION

**Meeting:** 5/4/2023

**DOC ID:** 13609

**Recommending Department:** City Manager's Office

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### General Fund Budget Review

**DISCUSSION:**

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**ATTACHMENTS:**

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**REVISION INFORMATION:**

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Prepared: 4/12/2023 10:23 AM by Anthony Cao

Last Updated: 4/12/2023 10:23 AM by Anthony Cao

## AGENDA ITEM SUMMARY – WORK SESSION

**Meeting:** 5/4/2023

**DOC ID:** 13563

**Recommending Department:** Planning

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### **Proposed UDC Amendments: Event Centers and Related Entertainment Uses**

#### **DISCUSSION:**

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#### **ATTACHMENTS:**

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WS Event Centers and Entertainment uses amendments (PDF)

Ent related bus svc ord draft FINAL (PDF)

#### **REVISION INFORMATION:**

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Prepared: 3/31/2023 10:32 AM by Jocelyn Murphy

Last Updated: 4/13/2023 12:42 PM by Jocelyn Murphy

AN ORDINANCE AMENDING PART II OF THE CITY OF IRVING LAND DEVELOPMENT CODE, “UNIFIED DEVELOPMENT CODE (UDC)” AS FOLLOWS; AMEND SECTION 2.5.2 “NON-RESIDENTIAL LAND USE TABLE” TO ADD “AMUSEMENT, INDOOR”, “AMUSEMENT, OUTDOOR”, “EVENT CENTER/RENTAL HALL”, “NIGHTCLUB/DANCE HALL” RECREATION, INDOOR” AND “THEATER/CONCERT HALL”, AND IDENTIFY APPROPRIATE ZONING DISTRICTS FOR THE USES; AMEND C-N, C-C, FWY, C-OU-1, C-OU-2, C-OU-3, ML-20, ML-20A, AND C-P DISTRICTS TO IDENTIFY APPROPRIATE DISTRICTS FOR CERTAIN USES; PROVIDE FOR INDOOR AND OUTDOOR SPORT SHOOTING RANGES BY CONDITIONAL USE PERMIT; AMENDING SECTION 4.4.3(C) “OFF-STREET PARKING REQUIREMENTS” TO PROVIDE MINIMUM PARKING FOR “AMUSEMENT, INDOOR”, “AMUSEMENT, OUTDOOR”, “EVENT CENTER/RENTAL HALL”, “NIGHTCLUB/DANCE HALL” RECREATION, INDOOR” AND “THEATER/CONCERT HALL”; AMENDING SECTION 9.3 “DEFINITIONS” TO AMEND THE DEFINITIONS OF “BUSINESS SERVICE” AND “PROFESSIONAL SERVICES” AND ADD DEFINITIONS FOR “AMUSEMENT, INDOOR”, “AMUSEMENT, OUTDOOR”, “EVENT CENTER/RENTAL HALL”, “NIGHTCLUB/DANCE HALL”, “RECREATION, INDOOR” AND “THEATER/CONCERT HALL”; PROVIDING FOR CONFLICT RESOLUTION, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, A PENALTY, AND AN EFFECTIVE DATE.

WHEREAS, it is necessary to define and clarify the operations of an “Event Center” and “Rental Hall” to clarify that event centers are for privately held events and to ensure it is operated as intended especially when located in proximity to residential areas; and

WHEREAS, it is necessary to define and clarify the operations of an “Nightclub or Dance Hall” to clarify what constitutes such uses and to ensure they are operated in areas appropriate for such activity typical of the use; and

WHEREAS, it is necessary to define and clarify the operations of Indoor Amusement and Indoor Recreation to recognize and accommodate changes in consumer preferences and enable businesses to provide certain types of entertainment and recreational facilities to serve the residents of Irving; and

WHEREAS, it is necessary to define and clarify the operations of Outdoor Amusement uses in order to provide for certain types of appropriate outdoor entertainment activities within Irving, which also allows property owners to use remaining land in Irving that may not otherwise be developable due to natural physical conditions; and

WHEREAS, it is necessary to clarify the definitions of “Business Service” and “Professional Service” in order to clarify what is intended to operate in the categories as allowed in appropriate districts; and

WHEREAS, on March 20, 2023 the Irving Planning and Zoning Commission received a presentation on the proposed amendments and provided additional feedback; and

WHEREAS, on March 30, 2023 the Irving Planning and Development Committee of the City Council received a presentation on the proposed amendments and provided additional feedback and expressed a consensus of approval to proceed; and

WHEREAS, on May 1, 2023, after notice and public hearing, the Planning and Zoning Commission considered the proposed amendments and made its final report; and

WHEREAS, after notice and public hearing, and upon consideration of the recommendation of the Planning and Zoning Commission and of all testimony and information submitted during the public hearing, the City Council has determined that it is in the best interest of the public and in support of the health, safety, morals, and general welfare of the citizens that the zoning ordinance be amended.

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

SECTION 1: That Section 2.5.2 “Non-Residential Land Use Table” of Section 2.5 “Non-Residential Districts” of Chapter 2 “Zoning districts, uses, and standards” of the City of Irving Unified Development Code is amended to revise and add the following and the table shall be adjusted accordingly.

Add “Amusement, Indoor” under the section “Entertainment and Recreation” and add a “P” to the chart under the C-N, C-C and FWY district columns to indicate the use is allowed in the districts. In the column for Additional Requirements, add “CUP required when within 500 feet of an “R” Single Family District, measured property line to property line”.

Add “Amusement, Outdoor” under the section “Entertainment and Recreation” and add a “P” to the chart under the C-OU-1, C-OU-2, C-OU-3, and AG district columns to indicate the use is allowed in the districts. In the column for Additional Requirements, add “CUP required when within 500 feet of an “R” Single Family District, measured property line to property line”.

Add “Event Center/Rental Hall” under the section “Entertainment and Recreation” and add a “P” to the chart under the C-N, C-C, and FWY district columns to indicate the use is allowed in the districts. In the column for Additional Requirements, add “CUP required when within 500 feet of an “R” Single Family District, measured property line to property line and/or the total square footage of the space is greater than 2,000”.

Add “Nightclub/Dance Hall” under the section “Entertainment and Recreation” and add a “P” to the chart under the C-C and FWY district columns to indicate the use is allowed in the districts. In the column for Additional Requirements, add “CUP required when within 500 feet of an “R” Single Family District, measured property line to property line”.

Add category “Sport shooting range, indoor” under the section “Entertainment and Recreation” and add a “CUP” to the chart under the C-C, FWY, ML-20, and ML-20a districts to indicate the use is allowed in the identified districts by Conditional Use Permit only.

Add category “Sport shooting range, outdoor” under the section “Entertainment and Recreation” and add a “CUP” to the chart under the AG district to indicate the use is allowed in the “AG” Agricultural District by Conditional Use Permit only.

Add “Recreation, Indoor” under the section “Entertainment and Recreation” and add a “P” to the chart under the C-C, FWY, ML-20, and ML-20a district columns to indicate the use is allowed in the districts.

Add “Theater/Concert Hall” under the section “Entertainment and Recreation” and add a “P” to the chart under the C-C and FWY district columns to indicate the use is allowed in the districts. In the column for Additional Requirements, add “CUP required for seating greater than 2,500”.

Delete “Private noncommercial recreation areas, uses and facilities, including shooting clubs and facilities” and remove the “P” from the AG district column.

Delete “Commercial amusements such as golf driving ranges and other similar commercial recreation facilities” and Private noncommercial recreation areas, uses and facilities, including shooting clubs and facilities”, “Recreational facilities that will not be affected by, or impose a hazard to, aircraft. Bowling alleys, golf courses, public parks, playgrounds and picnic areas” and remove the “P” from the C-P district column.

SECTION 2: That Section 2.5.6 “Neighborhood Commercial (C-N)” of Section 2.5 ”Non-Residential Districts” of Chapter 2 “Zoning districts, uses, and standards” of the City of Irving Unified Development Code is amended as follows:

#### 2.5.6 Neighborhood Commercial (C-N)

a) Principal uses. The following uses shall be permitted as principal uses:

- 12) Event Center. CUP required when within 500 feet of an R Single Family District, measured property line to property line and/or the total square footage of the space is greater than 2,000.
- 13) Amusement, Indoor. CUP required when within 500 feet of an R Single Family District, measured property line to property line.

SECTION 3: That Section 2.5.7 “Community Commercial (C-C)” of Section 2.5 ”Non-Residential Districts” of Chapter 2 “Zoning districts, uses, and standards” of the City of Irving Unified Development Code is amended as follows:

#### 2.5.7 Community Commercial (C-C)

a) Principal uses. The following uses shall be permitted as principal uses:

- 12) Event Center/Rental Hall. CUP required when within 500 feet of an R Single Family District, measured property line to property line.
- 13) Amusement, Indoor. CUP required when within 500 feet of an R Single Family District, measured property line to property line.
- 14) Recreation, Indoor
- 15) Nightclub/Dance Hall. CUP required when within 500 feet of an R Single Family District, measured property line to property line.
- 16) Theater/Concert Hall
- 17) Indoor Sport Shooting Range, by CUP only

SECTION 4: That Section 2.5.8 Commercial Outdoor 1 (C-OU-1) of Section 2.5 "Non-Residential Districts" of Chapter 2 "Zoning districts, uses, and standards" of the City of Irving Unified Development Code is amended to add the following:

#### 2.5.8 Commercial Outdoor 1 (C-OU-1)

a) Principal uses. The following uses shall be permitted as principal uses:

- 12) Amusement, Outdoor. CUP required when within 500 feet of an R Single Family District, measured property line to property line.

SECTION 5: That Section 2.5.9 – Commercial Outdoor 2 (C-OU-2) of Section 2.5 "Non-Residential Districts" of Chapter 2 "Zoning districts, uses, and standards" of the City of Irving Unified Development Code is amended to read as below:

#### 2.5.9 Commercial Outdoor 2 (C-OU-2)

a) Principal uses. The following uses shall be permitted as principal uses:

- 6) ~~Commercial amusements such as golf driving ranges and other similar commercial recreation facilities~~ Amusement, Outdoor. CUP required when within 500 feet of an R Single Family District, measured property line to property line.

SECTION 6: That Section 2.5.10 – Commercial Outdoor 3 (C-OU-3) of Section 2.5 "Non-Residential Districts" of Chapter 2 "Zoning districts, uses, and standards" of the City of Irving Unified Development Code is amended to add the following:

#### 2.5.10 Commercial Outdoor 3 (C-OU-3)

a) Principal uses. The following uses shall be permitted as principal uses:

- 14) Amusement, Outdoor. CUP required when within 500 feet of an R Single Family District, measured property line to property line.



SECTION 7: That Section 2.5.12 “Freeway (FWY)” of Section 2.5 ”Non-Residential Districts” of Chapter 2 “Zoning districts, uses, and standards” of the City of Irving Unified Development Code is amended to add the following:

#### 2.5.12 Freeway (FWY)

a) Principal uses. The following uses shall be permitted as principal uses:

- 17) Event Center/Rental Hall. CUP required when within 500 feet of an R Single Family District, measured property line to property line.
- 18) Amusement, Indoor. CUP required when within 500 feet of an R Single Family District, measured property line to property line.
- 19) Recreation, Indoor
- 20) Nightclub/Dance Hall. CUP required when within 500 feet of an R Single Family District, measured property line to property line.
- 21) Theater/Concert Hall
- 22) Indoor Sport Shooting Range, by CUP only

SECTION 8: That Section 2.5.13 “Light Industrial (ML-20)” of Section 2.5 ”Non-Residential Districts” of Chapter 2 “Zoning districts, uses, and standards” of the City of Irving Unified Development Code is amended to add the following:

#### 2.5.13 Light Industrial (ML-20)

a) Principal uses. The following uses shall be permitted as principal uses:

- 11) Recreation, Indoor
- 12) Indoor Sport Shooting Range, by CUP only

SECTION 9: That Section 2.5.14 “Light Industrial (ML-20a)” of Section 2.5 ”Non-Residential Districts” of Chapter 2 “Zoning districts, uses, and standards” of the City of Irving Unified Development Code is amended to add the following:

#### 2.5.14 Light Industrial (ML-20a)

a) Principal uses. The following uses shall be permitted as principal uses:

- 11) Recreation, Indoor
- 12) Indoor Sport Shooting Range, by CUP only

SECTION 10: That Section 2.5.17 “Commercial Park (C-P)” of Section 2.5 ”Non-Residential Districts” of Chapter 2 “Zoning districts, uses, and standards” of the City of Irving Unified Development Code is amended to read as below:

2.5.17 - Commercial Park (C-P)

a) Principal uses. The following uses shall be permitted as principal uses:

10) ~~Recreational facilities that will not be affected by, or impose a hazard to, aircraft. Bowling alleys, golf courses, public parks, playgrounds and picnic areas.~~ Reserved

SECTION 11: That Subsection e) “Schedule of Permitted Uses” of Section 2.6 Mixed-Use Districts, Subsection 2.6.6 “Heritage Crossing District (HCD)” of the City of Irving Unified Development Code is amended as provided below:

a) Schedule of Permitted Uses.

Table 2. Heritage Crossing District Land Use Table

Add “CUP = Permitted by Conditional Use Permit only”

Uses	Character Zones			Additional Criteria
	Transit Mixed-Use (TMU)	Corridor Mixed-Use (CMU)	Neighborhood Mixed-Use (NMU)	
<b>b. Commercial uses</b>				
29. Event Center/Rental Hall	P	P	-	CUP required when within 500 feet of an R Single Family District, measured property line to property line and/or the total square footage of the space is greater than 2,000.
30. Theater/Concert Hall	P	P		

SECTION 12: That Section 2.7.2 “Agricultural (AG)” of Section 2.7 “Special Districts” of Chapter 2 “Zoning districts, uses, and standards” of the City of Irving Unified Development Code is amended to add the following:

#### 2.7.2 Agricultural (AG)

a) Principal uses. The following uses shall be permitted as principal uses:

~~5) Private noncommercial recreation areas, uses and facilities, including shooting clubs and facilities.~~ Amusement, Outdoor; Not to include Outdoor Sport Shooting Range. Conditional Use Permit required when within 500 feet of an R Single Family District, measured property line to property line.

~~7) Outdoor theatres, golf driving ranges, commercial swimming pools, and other similar commercial recreation facilities.~~ Outdoor Sport Shooting Range, by Conditional Use Permit only

SECTION 13: That Section. 4.4.3(c) “Off-Street Parking Requirements” of Section 4.4 “Parking and Loading” of Chapter 4 “Development and Performance Standards” of the City of Irving Unified Development Code is amended to add the following:

#### 4.4.3 Off Street Parking Requirements

c) *Number of parking spaces required:* The minimum number of off-street parking spaces required shall be as follows:

~~10) Dance,~~ Assembly and exhibition halls without fixed seats—One (1) for each one hundred (100) square feet used for assembly ~~or dancing.~~

~~11) Live theaters (with or without a movie screen),~~ Auditoriums, churches, assembly halls, sports arenas with fixed seats —One (1) for each three and one-half (3.5) seats.

~~25) Motion picture theaters (which do not include live performances):~~

~~a. One (1) space for every three and one half (3.5) seats for single screen theaters.~~

~~b. One (1) space for every five (5) seats for motion picture theaters with two (2) or more screens.~~

Theater/Concert Hall – One (1) space for every four (4) seats

26) Event Center/Rental Hall- One (1) for each one hundred (100) square feet of floor area used for seating and assembly areas

27) Amusement, Indoor - One (1) for each one hundred (100) square feet of floor area

28) Amusement, Outdoor – 16 spaces per acre for single activity facility; 25 spaces per acre for multi activity facility

29) Recreation, Indoor - One (1) for each one hundred (300) square feet of floor area used for seating, assembly and retail sales.

30) Nightclub/Dance Hall - One (1) for each one hundred (100) square feet of floor area used for seating, assembly and retail sales.

SECTION 14. That Section 9.3 “Definitions” of Chapter 9 “Definitions” of the City of Irving Unified Development Code is amended to amend existing definitions and add new definitions as follows. All definitions shall be renumbered to retain their alphabetical order.

*Amusement, Indoor* A privately operated business activity open to the public, typically for an entry fee, that provides general commercial amusement such as a game room, within a fully enclosed building. An indoor amusement operation may be rented as a private event center but does not include a dance hall, nightclub, or concert hall or similarly functioning use.

*Amusement, Outdoor* A non-enclosed facility which provides commercial amusement or entertainment to the public for a fee or admission charge including, but not limited to, outdoor amusements such as golf driving range and putting green; outdoor zoo; archery, softball, baseball, miniature golf, batting cages, drive in theater and similar outdoor activities, but not including go-cart racing, dirt bike riding, drag strips, auto racing or sport shooting range. May include accessory office or assembly structures.

*Business Service* A commercial use devoted to the provision of skilled services for the benefit of the requesting customer, not to include retail sales except as accessory to the provision of the service.

*Event Center/Rental Hall* A place of business that is leased on a temporary basis before the event by individuals or groups who reserve the facility to accommodate private noncommercial functions, including but not limited to parties, receptions, nonprofit fundraisers, business organizational meetings, and other similar functions to which the general public is not admitted. Such establishments may include kitchen facilities for the preparation of food and areas for dancing, dining and other entertainment activities that customarily occur in association with such events. An event center does not include a game room/bingo parlor, pool hall, dance hall, night club, concert hall or similarly functioning use; but may be open to the public and/or may presell tickets, have a door cover charge, or sell drink tickets only when operating as a nonprofit fundraiser event.

*Recreation, Indoor* A privately operated facility that provides recreation opportunities for a fee, including, but not limited to, roller, ice skating and hockey rinks, batting cages, bowling alley, gymnasium or indoor arena, trampoline park, basketball, handball and tennis courts fully within an enclosed building.

*Nightclub or Dance Hall* A place of business open to the public typically with live or recorded music that may include dancing, socializing, and general entertainment activities. May require an admission fee through a door cover charge and/or sale of tickets.

*Rental Hall*- see Event Center

*Professional Service.* Services requiring specialized training performed by a member of a profession directly to a public customer that may include the retail sales of products only as accessory to the service use licensed as a profession by the State of Texas. This definition includes services such as legal and real estate, medical not otherwise categorized, and financial services but shall not include uses such as beauty services, auto repair or entertainment that is otherwise defined and categorized.

*Theater/Concert Hall.* Fully enclosed indoor entertainment venue for fixed screen or live action performance with fixed seats. Seating capacity not to exceed 2,500. Open to the public for ticketed or non ticketed events. May also be rented for a private event center.

SECTION 15. That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Irving, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

SECTION 16. Should any paragraph, sentence, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal, or unconstitutional, and shall not affect the validity of the comprehensive zoning ordinance as a whole.

SECTION 17. That nothing in this ordinance shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 20. That any person violating or failing to comply with any provisions of this ordinance shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation or noncompliance continues shall constitute a separate offense.

SECTION 21. That this ordinance shall take effect immediately upon adoption and shall be published in accordance with the provisions of the Texas Local Government Code and the Irving City Charter.

DRAFT

## AGENDA ITEM SUMMARY – WORK SESSION

**Meeting:** 5/4/2023

**DOC ID:** 13608

**Recommending Department:** City Secretary's Office

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### **Discuss Boards and Commissions -- Review Purpose of Advisory Boards**

**DISCUSSION:**

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**ATTACHMENTS:**

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**REVISION INFORMATION:**

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Prepared: 4/12/2023 10:10 AM by Cecilia Castillo

Last Updated: 4/13/2023 02:39 PM by Kuruvilla Oommen

## AGENDA ITEM SUMMARY – WORK SESSION

**Meeting:** 5/4/2023

**DOC ID:** 13368

**Recommending Department:** City Attorney's Office

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**Legal Advice - Edwin Muniz V. City of Irving, Et Al. Open Meetings Act § 551.071**

**DISCUSSION:**

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**ATTACHMENTS:**

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**REVISION INFORMATION:**

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Prepared: 1/4/2023 11:08 AM by Rebecca Maddux

Last Updated: 4/28/2023 11:18 AM by Kuruvilla Oommen