

**ORDINANCE NO. 2106**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALAMO HEIGHTS, CHAPTER 3, ZONING, SECTION 3-89, NONCONFORMING USES OR STRUCTURES, BY AUTHORIZING EXPANSION OF SINGLE-FAMILY STRUCTURES WITHOUT PROVIDING TWO COVERED PARKING SPACES SUBJECT TO CERTAIN LIMITATIONS.**

**WHEREAS**, the current City Code requires the construction of two covered parking spaces when expansion of nonconforming single-family structures is approved; and

**WHEREAS**, it would be in the public interest to allow the expansion of nonconforming single-family structures without requiring the construction of two covered parking spaces if certain limitations are satisfied; and

**WHEREAS**, the Planning and Zoning Commission considered the amendment of Section 3-89 of the Zoning Code to authorize the expansion of nonconforming single-family structures subject to certain limitations, and after a public hearing on such issue, determined that the Code of Ordinances should be amended as follows; and

**WHEREAS**, the City Council considered the recommendations of the Planning and Zoning Commission and after conducting a public hearing on the recommendations determined it would be in the public interest to approve the recommendations of the Planning and Zoning Commission.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS** that the Code of Ordinances, Chapter 3, Zoning, Section 3-89 (4), is amended to add the following subsection (a);

- (a) Single-Family Structures, that do not have the required two (2) covered parking spaces, may be expanded without a requirement to add or construct additional covered parking provided that:
1. Any addition does not result in the removal of existing required covered parking; and
  2. That the property has at least two off-street parking spaces available; and
  3. That the square footage associated with any required covered parking, needed to bring the property into compliance with the zoning code, automatically be included in the property's "Floor to Area Ratio" (F.A.R.) and "Lot Coverage" calculations to allow for future construction of two (2) covered parking spaces.
    - i. No addition may be constructed that would prevent the construction of future covered parking structures.

- ii. A site plan showing the provision for future covered parking shall be provided, along with the Floor to Area Ratio and Lot Coverage calculations.

**THAT**, in the event that any provision of this Ordinance is held to be invalid, it is the intention of the City Council that this Ordinance be of no force and effect whatsoever; and

**THAT**, this Ordinance shall become effective five days after its publication. Applicants seeking building permits or other remedies afforded by the Zoning Code which are affected by the changes adopted herein may elect to proceed under the new regulations adopted herein or under the prior regulations repealed herein for a period of ninety days from the date of the adoption of this Ordinance.

**PASSED AND APPROVED** this the 13<sup>th</sup> day of August, 2018.

  
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MAYOR

ATTEST:

  
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CITY SECRETARY

APPROVED AS TO FORM:

  
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CITY ATTORNEY