

ORDINANCE NO. 2190

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS, AMENDING THE ACTIONS OF THE ARCHITECTURAL REVIEW BOARD BY AMENDING THE CITY'S CODE OF ORDINANCES, CHAPTER 2, ARTICLE III, SECTION 2-48 ARCHITECTURAL REVIEW BOARD; REPEALING ALL PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING A SEVERABILITY CLAUSE, AN OPEN MEETINGS CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City of Alamo Heights is a Home Rule Municipality located in Bexar County, Texas, established in accordance with provisions of its Charter, the Texas Constitution and statutes, including the Texas Local Government Code; and

WHEREAS, the City of Alamo Heights (the "City") has previously set rules and review procedures for the Architectural Review Board; and

WHEREAS, the City of Alamo Heights has determined there is a need to modify the procedures to ensure timely decisions on applications are made and for the good governance of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS THAT:

SECTION 1. AMENDMENT 1. Chapter 2, Article III, Section 2-48 Architectural Review Board is hereby amended to read as follows:

- (a) *Composition.* There is created an architectural review board consisting of seven (7) members who are residents and qualified voters of the city. Each member of the architectural review board shall be appointed by the mayor and confirmed by the city council, and shall serve for terms of two (2) years or until reappointed or replaced by action of the mayor and city council. All acts of the architectural review board shall require the affirmative vote of a majority of voting members/alternates in attendance. A quorum for meetings shall be at least four (4) members/alternates. The architectural review board shall have the powers and duties specified in this article and shall comply with the procedures specified in this article. Two (2) alternate members may also be appointed by the City Council to serve when one or more regular members are absent or unable to fulfill their duties for a meeting or agenda item for consideration. Any such participating/voting alternate be designated by the Chair at the start of the meeting or agenda item. An alternate member serves for the same period as a regular member and is subject to removal in the same manner as a regular member. A vacancy among the alternate members is filled in the same manner as a vacancy among the regular members.

SECTION 2. AMENDMENT 2. That Chapter 2, Article III, Section 2-48 Architectural Review Board hereby amended to read as follows:

“(c) *Procedures:* The architectural review board shall meet at least monthly upon call (as determined by need) and shall prescribe forms, applications, rules and regulations for the conduct of its business. All meetings of the architectural review board shall be open to the public.

At the time and place set for hearings, the board shall hear evidence regarding the applications. The board may continue hearings from time to time.

The architectural review board shall make a recommendation to the city council regarding the design of a project.

The city council shall consider the recommendation of the architectural review board as soon as practicable after final recommendation of the architectural review board. The city council may take one (1) of the following actions:

- (1) Disapprove the project recommendation
- (2) Approve the project recommendation
- (3) Approve the project recommendation with modifications

The architectural review board shall send a report not less than once a year to the city council for the purpose of communicating the concerns of the board with respect to the city’s plans, policies, ordinances and procedures as those affect the projects which the board reviews.

SECTION 3: Conflicting Ordinances or Resolutions. All resolutions or ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby REPEALED to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other resolution, code or ordinance of the City, or parts thereof, the terms and provisions of this ordinance shall govern.

SECTION 4: Severability. If any section, subsection, clause, phrase, or word of this ordinance is declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby and to this end the provisions of this ordinance are declared to be severable.

SECTION 5: Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

SECTION 6: Effective Date. This ordinance shall be effective from and after its approval and passage in accordance with the Texas Local Government Code and the city charter.

PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS THIS 13TH DAY OF JUNE, 2022.


BOBBY ROSENTHAL, MAYOR

ATTEST:


ELSA T. ROBLES, CITY SECRETARY

APPROVED AS TO FORM:


FRANK J. GARZA, CITY ATTORNEY

