



EST. 1955

SPRING VALLEY

V I L L A G E

**Planning & Zoning
Commission Meeting
February 12, 2019
7:00 p.m.**

W.K. (Trey) Hoffman, Chairman
Anne-Marie McMichael, Vice-Chair
Louise Richman, Secretary
Charles Calderwood

Patrick Johnson
John Lisenby, Alternate
Maryellen McGlothlin
Amy Winstead



SPRING VALLEY
V I L L A G E

AGENDA

City of Spring Valley Village
Planning & Zoning Commission Meeting
Council Chambers at City Hall
1025 Campbell Road, Spring Valley Village, Texas
Tuesday, February 12, 2019 at 7:00 P.M.

- 1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT**
- 2. APPROVAL OF MEETING MINUTES:** Regular Meeting on December 10, 2018
- 3. CONDUCT A PUBLIC HEARING CONCERNING:** Ordinance No. 2019-XX - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING EXHIBIT A OF CHAPTER 12, "PLANNING AND ZONING," OF THE CODE OF ORDINANCES OF THE CITY, BY AMENDING SECTIONS 03:C-01, 03:F, 03:G-02, AND 05:02.01, RELATED TO GARAGES, CARPORTS AND PORTE-COCHERES; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND EFFECTIVE DATE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR PUBLICATION.
 - A. Presentation of Proposed Ordinance by City Attorney
 - B. Those In Favor
 - C. Those Opposed
 - D. Adjourn Public Hearing
- 4. CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2019-XX – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING EXHIBIT A OF CHAPTER 12, "PLANNING AND ZONING," OF THE CODE OF ORDINANCES OF THE CITY, BY AMENDING SECTIONS 03:C-01, 03:F, 03:G-02, AND 05:02.01, RELATED TO GARAGES, CARPORTS AND PORTE-COCHERES; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE AND EFFECTIVE DATE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH

DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR PUBLICATION.


5. **DISCUSSION AND DIRECTION CONCERNING:** The Activities of the City Council During the January 22, 2019 Meeting Regarding Planning & Zoning Commission Matters.

6. **ADJOURNMENT**

Note: Per Chairman Hoffman, if a quorum is not made at the Planning & Zoning Commission meeting, the members present will meet as a sub-committee strictly to discuss the agenda items.

Posted this the 7th day of February, 2019 at 9:00 a.m. pursuant to the Open Meetings Act, Chapter 551, Texas Government Code.

Attest:


Roxanne Benitez, TRMC, CPM, CMCC
City Secretary

In compliance with the Americans with Disabilities Act, the City of Spring Valley Village will provide reasonable accommodations for persons attending public meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made no less than 48 hours prior to this meeting. Please contact the City Secretary's office at 713-465-8308 or email secretary@springvalleytx.com for further information.

Minutes

Planning & Zoning Commission Meeting Minutes
City of Spring Valley Village
Monday, November 10, 2018

- 1. The Planning & Zoning Commission meeting was called to order by Chair Trey Hoffman at 7:04 p.m. in the Council Chambers of City Hall, 1025 Campbell Road, Houston, Texas.**

Planning & Zoning Members present:

Trey Hoffman, Chair
Charlie Calderwood
Patrick Johnson
Louise Richman

A quorum was present.

City Officials present:

Marcus Vajdos, Councilmember
Loren Smith, City Attorney
Oscar Arevalo, Building Official

- 2. Approval of meeting minutes for regular meeting November 12, 2018.**

Mr. Calderwood made the motion to approve the minutes. Mr. Johnson seconded the motion. The motion carried 4 to 0.

- 3. Consideration and possible action concerning:** The preliminary and final original plat of Briar Branch Park, a plot containing 1.695 acres of land, situated in the Bingle West Planned Area Development District, City of Spring Valley Village, Harris County, Texas, bearing the address of 1045 Bingle Road.

Mr. Smith noted that since this pertains to the original plat, no public hearing is necessary. Mr. Arevalo said that this property needs to be platted if any permits are to be issued by the City.

Mr. Calderwood had several questions. He wanted to know why it is called "Reserve A?" Mr. Arevalo said this is a common practice to call it "Reserve A." He noted that this is the first step in the development process. Harris County will help the City to create access. For this plat, do not need to worry about utility easement and as Mr. Arevalo noted without a development, utility easements are not done. Mr. Johnson wanted to know which property in the Bingle West Pad District ("BWPD") still exists. Mr. Arevalo said that the Dillard property is still in the BWPD; the Chinese Church, the Dad's Club and the County's property are not in the BWPD. Mr. Arevalo said that the name of the plat, Briar Branch Park is not a legal designation. Councilmember Vajdos asked about the timing of a potential development. Mr. Arevalo said that it takes about six months for the development plans and it probably is retail.

Mr. Calderwood made the motion to approve. Ms. Richman seconded the motion. The motion passed 4 to 0.

4. **Discussion and direction concerning:** The provisions of Section 05:02.01, Garages and Carports, of Section 5, Building and Use Restrictions in Dwelling District "A," of Chapter 12, Planning and Zoning, of City of Spring Valley Village Code of Ordinances and possible direction to the City Attorney concerning amendment to the language thereof to clarify the intent of the regulations

Mr. Smith discussed this item and the revisions. He recommended removing 05:02.01.02.ii as the language is not needed. Councilmember Vajdos asked if a bathroom in a garage is okay for pool usage and it is. Mr. Calderwood asked about the 400 square foot minimum for garages. That is the minimum for two cars and includes wall thickness. Mr. Hoffman talked about detached garages with respect to narrow lots. Councilmember Vajdos asked about the 10 foot maximum. Mr. Arevalo said that for garages facing forward, 10 feet is not deep enough to serve as a carport.

Mr. Calderwood made the motion to approve the draft ordinance with 05:02.01.02.ii removed. Mr. Johnson seconded the motion. The motion carried 4 to 0.

5. **Discussion and direction concerning:** The activities of the City Council during the November 13, 2018 meeting regarding Planning & Zoning Commission matters

City Council approved the Dolphin Cove PAD with several changes: right turn in and right turn out; sanitary sewer to be constructed without a lift station; drainage to be connected to Bingle Road and Briar Gully. The Dad's Club will not execute the plan but will have a third party do so.

6. **Adjournment**

Mr. Calderwood made a motion to adjourn. Mr. Johnson seconded the motion. The motion carried 4 to 0. The meeting was adjourned at 7:42 p.m.

Signed:

W. K. (Trey) Hoffman, Chairman

Attest:

Louise Richman, Secretary

**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: February 12, 2019

TOPIC: **CONDUCT A PUBLIC HEARING CONCERNING:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING EXHIBIT A OF CHAPTER 12, "PLANNING AND ZONING," OF THE CODE OF ORDINANCES OF THE CITY, BY AMENDING SECTIONS 03:C-01, 03:F, 03:G-02, AND 05:02.01, RELATED TO GARAGES, CARPORTS AND PORTE-COCHERES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

BACKGROUND: During the November 12 and December 10, 2018 meetings, the Planning & Zoning Commission discussed revisions to the current carport and porte-cochere regulations contained in the City's zoning ordinance. Based on the direction of the Commission from those meetings, the following revisions have been incorporated into the proposed ordinance that is presented to the Commission for consideration:

- The definition of "carport" was amended and a definition for "Front Wall Line" was added
- The requirement for a door into the residence from the porte-cochere was added.
- The requirements for a porte-cochere was amended
- A limit of 10 feet overhang for a recessed garage was added, and
- A clarification of the front wall of the home was added.

RECOMMENDATION: None

ATTACHMENTS:

- Ordinance No. 2019-XX
- Copy of Letter Sent to Property Owners Within the City Limits
- Copy of Publication Notice which was also Notice Placed on City Website

FUNDING ISSUES:

Not applicable – no dollars are being spent or received.

Full amount already budgeted in Acct/Project# _____

Not budgeted, if approved, the following will be included in the next Budget Amendment:

\$ _____ from Acct/Project# _____ will be

ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	READING PASSED	OTHER
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**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

<p style="text-align: right;">transferred to Acct/Project# _____</p> <p><input type="checkbox"/> \$_____ from unassigned fund balance will be used and added to Acct/Project# _____</p> <p><input type="checkbox"/> \$_____ will be added to Revenue Acct# ___-___ and \$_____ added to Expenditure Acct/Project# _____</p>
FINANCE VERIFICATION OF FUNDING:

SUBMITTING STAFF MEMBER:	CITY ADMINISTRATOR APPROVAL:
Oscar Arevalo, Building Official	

ACTIONS TAKEN		
APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	READING PASSED	OTHER

DIVIDER PAGE

ORDINANCE NO. 2019-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING EXHIBIT A OF CHAPTER 12, "PLANNING AND ZONING," OF THE CODE OF ORDINANCES OF THE CITY, BY AMENDING SECTIONS 03:C-01, 03:F, 03:G-02, AND 05:02.01, RELATED TO GARAGES, CARPORTS AND PORTE-COCHERES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning and Zoning Commission (the "Commission") and the City Council have conducted, in the time and manner required by law, a public hearing on the proposed amendments to Exhibit "A" of Chapter 12 of the City's Code of Ordinances (the "Zoning Ordinance"); and

WHEREAS, the City Council has considered the report and recommendation of the Commission; and

WHEREAS, the City Council now deems it appropriate to adopt the amendments to the City's Zoning Ordinance as provided herein,

NOW, THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Section 03:C-01, "Carport," of Section Three: - Definitions of the Zoning Ordinance is hereby amended by deleting the language struck through below and adding the language underscored as follows:

“03:C-01

Carport: A covered structure open on two or more sides, whether attached to a dwelling or freestanding, The portion of a dwelling, open on two or more sides, which is a component part of and a continuation of a dwelling, used or allowing designed for the routine storage of one or more the occupants' vehicles, and also utilized for storage by the occupants of the dwelling. A carport is not included within the definition of detached garage. See also “Garage, private.” A structure that complies with all requirements for a porte-cochere shall not be considered a carport under this ordinance.”

Section 3. Section Three: - Definitions of the Zoning Ordinance is hereby amended by adding a new Section 03:F-04, to be entitled “Front Wall Line,” that shall read as follows:

“03:F-04

Front Wall Line: The front wall line shall be a line located at the most forward exterior wall or glass of the gross building area of the main dwelling, parallel to the front building line.”

Section 4. Section 03:G-02 “Garage, private,” of Section Three: - Definitions, of the Zoning Ordinance, is hereby deleted in its entirety.

Section 5. Section 5:02.01, “Garages and Carports,” of Section Five: - Building and Use Restrictions in Dwelling District “A” of the Zoning Ordinance is hereby amended by deleting the language struck through below and adding the language underscored as follows:

“05:02.01 ***Garages and Carports:***

.01 *Required.* Each dwelling in Dwelling District “A” shall have an attached or detached garage. A garage shall have a minimum floor space of four hundred (400) square feet and shall be constructed and configured in such a manner that the garage is capable of storing a minimum of two (2) standard-sized four-wheeled vehicles side by side. Carports are prohibited.

.02 *Detached.* A detached garage: ~~(i) shall not exceed one story, and (ii) above the ground floor the detached garage shall neither have, nor have provisions for, sanitation, bath, or kitchen facilities.~~

.03 *Second story.* Access to the second story of an attached garage shall be enclosed and through the dwelling to which it is accessory.

.04 *Entrance or Exit.* No vehicle door(s) or vehicle entrance or exit of a garage constructed forward of the front wall line of the main dwelling ~~slab or the structure of a dwelling~~ shall face the street address: said door(s) or entrance or exit shall be located on a side of the garage that, in plan view, shall be at a 90-degree angle or greater to the street of address. No vehicle door(s) or vehicle entrance or exit of a garage shall face the street address unless the door, entrance or exit is set back five (5) feet or more from the front wall line of the main dwelling. No roof overhang or other extension of the garage roof attached to a garage at the vehicle door(s) or vehicle entrance shall extend more than ten (10) feet, and no extension or support structure for an extension shall be located past the front wall line unless it complies with section 05:02.01.06. ~~The front line shall be determined by drawing a line parallel to the front building line from the point the dwelling's slab~~

~~or structure, excluding any area of the garage, that is nearest the front property line.~~

.05 *Other Front Facing Garage Rules.* A front facing garage may not be more than fifty (50) percent of the width of the dwelling.

.06 *Certain Porte-Cocheres Permitted.* A porte-cochere is a permanent roofed structure attached to a dwelling to accommodate the passage of a vehicle, ~~that is open on at least two (2) sides, and that is located at a building entrance into an inner courtyard or driveway, or through a circle driveway in front of the dwelling,~~ open on at least two (2) sides, and shall not to be used for the routine storage of one or more vehicles. A porte-cochere is permitted subject to ~~all~~ the following requirements:

1. Porte-cocheres shall comply with the same required setbacks as those applicable to the main dwelling. In addition, no porte-cochere shall be located forward of the front wall line of the main dwelling, except where such porte-cochere extends over a circle driveway in front of the dwelling.

2. The maximum total square footage of the porte-cochere shall be less than four hundred (400) square feet.

3. The roof pitch of the porte-cochere ~~shall not exceed the predominate~~ shall be proportional to the roof pitch of the main residential structure dwelling. ~~No porte-cochere shall be located forward of the front line of the dwelling slab or the structure of a dwelling unless the porte-cochere is situated parallel to the front building line.~~ A porte-cochere shall be architecturally-integrated with the main dwelling and shall be constructed

of brick, stone, and other non-metal materials or a combination thereof in proportions similar to those of the ~~principal building~~ main dwelling and garage.

4. A porte-cochere shall be located at an entrance to the main dwelling. For purposes of this section, an entrance to the garage shall not be considered an entrance to the main dwelling.”

Section 6. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 7. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 8. This ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the regulations, restrictions, terms and conditions provided for herein. When a conflict exists between the Zoning Ordinance and this ordinance, this ordinance shall prevail.

Section 9. Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 10. This ordinance shall be effective immediately upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with section 52.011 of the Texas Local Government Code.

DULY PASSED AND ADOPTED on this the _____ day of _____, 2019.

Tom S. Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas

DIVIDER PAGE



EST. 1955

SPRING VALLEY
V I L L A G E

January 18, 2019

Dear Property Owner:

On Tuesday, **February 12, 2019**, beginning at 7:00 pm in the City Council Chambers at Spring Valley Village City Hall, 1025 Campbell Road, Houston, Texas 77055, the Spring Valley Village **Planning and Zoning Commission** is scheduled to hold a public hearing and take action on proposed revisions to the City's current zoning regulations for porte-cocheres and carports for residential structures. Contingent upon receiving a recommendation from the Planning and Zoning Commission, the **City Council** is scheduled to hold a public hearing and take action on the proposed revisions on **February 26, 2019** beginning at 6:00 pm in the City Council Chambers at Spring Valley Village City Hall. Whether the proposed revisions to the current zoning regulations for porte-cocheres and carports for residential structures will move forward from the Planning and Zoning Commission to the City Council will not be known until the Planning and Zoning Commission takes action to make a recommendation to the City Council.

You are invited to attend the Planning and Zoning Commission and the City Council meetings to hear the discussion and provide feedback to the Commission related to the proposed revisions. Packets for the Planning and Zoning Commission and the City Council meetings will be posted to the City's website by the close of business on the Thursday prior to the meeting day. Once the packets have been posted, you will be able to download the packet to review the information that is included related to the proposed revisions on the City's website in the Agenda Center at <https://springvalleytx.com/AgendaCenter> by scrolling down to the Planning and Zoning Commission and/or City Council section(s).

The Planning and Zoning Commission, City Council, and City staff appreciate your participation in the zoning text amendment process. Should you have any questions concerning the meeting, please feel free to contact me via email to oarevalo@springvalleytx.com or telephone to (832) 910-8577.

Sincerely,

A handwritten signature in black ink, appearing to read "Oscar Arevalo", is written over a light blue horizontal line.

Oscar Arevalo
Chief Building/Zoning Official

DIVIDER PAGE

**PUBLIC NOTICE
CITY OF SPRING VALLEY VILLAGE, TEXAS
NOTICE OF PUBLIC HEARING**

Notice Is Hereby Given To Hear Comments And Testimony Concerning The Following Proposed Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING EXHIBIT A OF CHAPTER 12, "PLANNING AND ZONING," OF THE CODE OF ORDINANCES OF THE CITY, BY AMENDING SECTIONS 03:C-01, 03:F, 03:G-02, AND 05:02.01, RELATED TO GARAGES, CARPORTS AND PORTE-COCHERES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

The **Planning and Zoning Commission** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

Date: Tuesday, February 12, 2019

Time: 7:00 p.m.

Location: Council Chambers
Spring Valley Village City Hall
1025 Campbell Road
Houston, TX 77055

The **City Council** of the City of Spring Valley Village will hold a public hearing regarding this request to provide all interested parties the right to appear and request information on:

Date: Tuesday, February 26, 2019

Time: 6:00 p.m.

Location: Council Chambers
Spring Valley Village City Hall
1025 Campbell Road
Houston, TX 77055

For additional information regarding these public hearings, please contact the Building Official, Oscar Arevalo, at (713) 465-8308.

**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

MEETING DATE: February 12, 2019

TOPIC: **ORDINANCE NO. 2019-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING EXHIBIT A OF CHAPTER 12, "PLANNING AND ZONING," OF THE CODE OF ORDINANCES OF THE CITY, BY AMENDING SECTIONS 03:C-01, 03:F, 03:G-02, AND 05:02.01, RELATED TO GARAGES, CARPORTS AND PORTE-COCHERES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

BACKGROUND: In the previous agenda item, the Planning and Zoning Commission held a public hearing considering the amendment of Section 05:02.01, Garages and Carports, of Section 5, Building and Use Restrictions in Dwelling District "A," of Chapter 12, Planning and Zoning, of the City of Spring Valley Village Code of Ordinances.

If approved, this ordinance would implement the proposed revisions to Chapter 12, Planning and Zoning, of the City's Code of Ordinances.

RECOMMENDATION: None

ATTACHMENTS: • Ordinance No. 2019-XX

FUNDING ISSUES:

Not applicable – no dollars are being spent or received.

Full amount already budgeted in Acct/Project# _____

Not budgeted, if approved, the following will be included in the next Budget Amendment:

\$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____

\$_____ from unassigned fund balance will be used and added to Acct/Project# _____

\$_____ will be added to Revenue Acct# ___-___ and \$_____ added to Expenditure Acct/Project# _____

FINANCE VERIFICATION OF FUNDING:

ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	READING PASSED	OTHER
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**City of Spring Valley Village
Planning and Zoning Commission
Agenda Item Data Sheet**

SUBMITTING STAFF MEMBER: Oscar Arevalo, Building Official	CITY ADMINISTRATOR APPROVAL:
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ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	READING PASSED	OTHER
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WHEREAS, the Planning and Zoning Commission (the "Commission") and the City Council have conducted, in the time and manner required by law, a public hearing on the proposed amendments to Exhibit "A" of Chapter 12 of the City's Code of Ordinances (the "Zoning Ordinance"); and

WHEREAS, the City Council has considered the report and recommendation of the Commission; and

WHEREAS, the City Council now deems it appropriate to adopt the amendments to the City's Zoning Ordinance as provided herein,

NOW, THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Section 03:C-01, "Carport," of Section Three: - Definitions of the Zoning Ordinance is hereby amended by deleting the language struck through below and adding the language underscored as follows:

“03:C-01

Carport: A covered structure open on two or more sides, whether attached to a dwelling or freestanding, The portion of a dwelling, open on two or more sides, which is a component part of and a continuation of a dwelling, used or allowing designed for the routine storage of one or more the occupants' vehicles, and also utilized for storage by the occupants of the dwelling. A carport is not included within the definition of detached garage. See also “Garage, private.” A structure that complies with all requirements for a porte-cochere shall not be considered a carport under this ordinance.”

Section 3. Section Three: - Definitions of the Zoning Ordinance is hereby amended by adding a new Section 03:F-04, to be entitled “Front Wall Line,” that shall read as follows:

“03:F-04

Front Wall Line: The front wall line shall be a line located at the most forward exterior wall or glass of the gross building area of the main dwelling, parallel to the front building line.”

Section 4. Section 03:G-02 “Garage, private,” of Section Three: - Definitions, of the Zoning Ordinance, is hereby deleted in its entirety.

Section 5. Section 5:02.01, “Garages and Carports,” of Section Five: - Building and Use Restrictions in Dwelling District “A” of the Zoning Ordinance is hereby amended by deleting the language struck through below and adding the language underscored as follows:

“05:02.01 ***Garages and Carports:***

.01 *Required.* Each dwelling in Dwelling District “A” shall have an attached or detached garage. A garage shall have a minimum floor space of four hundred (400) square feet and shall be constructed and configured in such a manner that the garage is capable of storing a minimum of two (2) standard-sized four-wheeled vehicles side by side. Carports are prohibited.

.02 *Detached.* A detached garage: ~~(i) shall not exceed one story, and (ii) above the ground floor the detached garage shall neither have, nor have provisions for, sanitation, bath, or kitchen facilities.~~

.03 *Second story.* Access to the second story of an attached garage shall be enclosed and through the dwelling to which it is accessory.

.04 *Entrance or Exit.* No vehicle door(s) or vehicle entrance or exit of a garage constructed forward of the front wall line of the main dwelling ~~slab or the structure of a dwelling~~ shall face the street address: said door(s) or entrance or exit shall be located on a side of the garage that, in plan view, shall be at a 90-degree angle or greater to the street of address. No vehicle door(s) or vehicle entrance or exit of a garage shall face the street address unless the door, entrance or exit is set back five (5) feet or more from the front wall line of the main dwelling. No roof overhang or other extension of the garage roof attached to a garage at the vehicle door(s) or vehicle entrance shall extend more than ten (10) feet, and no extension or support structure for an extension shall be located past the front wall line unless it complies with section 05:02.01.06. ~~The front line shall be determined by drawing a line parallel to the front building line from the point the dwelling's slab~~

~~or structure, excluding any area of the garage, that is nearest the front property line.~~

.05 *Other Front Facing Garage Rules.* A front facing garage may not be more than fifty (50) percent of the width of the dwelling.

.06 *Certain Porte-Cocheres Permitted.* A porte-cochere is a permanent roofed structure attached to a dwelling to accommodate the passage of a vehicle, ~~that is open on at least two (2) sides, and that is located at a building entrance into an inner courtyard or driveway, or through a circle driveway in front of the dwelling,~~ open on at least two (2) sides, and shall not to be used for the routine storage of one or more vehicles. A porte-cochere is permitted subject to ~~all~~ the following requirements:

1. Porte-cocheres shall comply with the same required setbacks as those applicable to the main dwelling. In addition, no porte-cochere shall be located forward of the front wall line of the main dwelling, except where such porte-cochere extends over a circle driveway in front of the dwelling.

2. The maximum total square footage of the porte-cochere shall be less than four hundred (400) square feet.

3. The roof pitch of the porte-cochere ~~shall not exceed the predominate~~ shall be proportional to the roof pitch of the main residential structure dwelling. ~~No porte-cochere shall be located forward of the front line of the dwelling slab or the structure of a dwelling unless the porte-cochere is situated parallel to the front building line.~~ A porte-cochere shall be architecturally-integrated with the main dwelling and shall be constructed

of brick, stone, and other non-metal materials or a combination thereof in proportions similar to those of the ~~principal building~~ main dwelling and garage.

4. A porte-cochere shall be located at an entrance to the main dwelling. For purposes of this section, an entrance to the garage shall not be considered an entrance to the main dwelling.”

Section 6. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 7. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 8. This ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the regulations, restrictions, terms and conditions provided for herein. When a conflict exists between the Zoning Ordinance and this ordinance, this ordinance shall prevail.

Section 9. Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 10. This ordinance shall be effective immediately upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with section 52.011 of the Texas Local Government Code.

DULY PASSED AND ADOPTED on this the _____ day of _____, 2019.

Tom S. Ramsey, Mayor
City of Spring Valley Village, Texas

ATTEST:

Roxanne Benitez, City Secretary
City of Spring Valley Village, Texas