

ORDINANCE NO. 09-2933

AN ORDINANCE OF THE CITY OF BEDFORD, TEXAS, AMENDING THE CITY OF BEDFORD ZONING ORDINANCE, ORDINANCE #2216, AS HERETOFORE AMENDED BY AMENDING SECTION 5.2.A, GENERAL PROVISIONS OF THE PARKING AND LOADING REGULATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is authorized by Section 211.005, "Districts" of the Texas Local Government Code to zone property into districts in accordance with a Comprehensive Plan; and,

WHEREAS, the City Council of the City of Bedford deems it necessary in order to lessen the congestion on streets, to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent overcrowding of land; and avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewers, schools, parks and other public requirements; to conserve the value of property and encourage the most appropriate use of land throughout the City, that the hereinafter contained provisions of this ordinance should be passed, promulgated and enforced; and,

WHEREAS, the Planning and Zoning Commission of the City of Bedford initiated proposed changes to the City of Bedford Zoning Ordinance; and,

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Bedford have advertised and mailed notices of public hearings to receive comments on the proposed Zoning Ordinance amendments; and,

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Bedford have after thoughtful deliberation voted to approve these Zoning Ordinance amendments.

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

SECTION 1. That *Item (10) of Section 5.2.A – General Provisions of Section 5.2 – Parking and Loading Regulations* is amended as follows:

- (10)** Carports shall be permitted in the R-15,000, R-9,000, R-7,500, R-6,500 single family districts, the MD-1, MD-2, MD-3 moderate density residential districts, and the MF and M districts in accordance with the following conditions:
 - a.** No carport may be located in the required front yard or required side yard adjacent to a street.
 - b.** Material and design of carports, other than portable canvas carports located behind a screening barrier, must be comparable to that material located on the main structure. Relief from the material requirements may be granted by the Zoning Board of Adjustment by means of a Special Exception upon demonstrating merit of the request.

SECTION 2. That this ordinance shall be cumulative of all other ordinances and shall not repeal any of the provisions of such ordinances except for those instances where there are direct conflicts with the provisions of this ordinance. Ordinances or parts thereof in force at the time this ordinance shall take effect and that are inconsistent with this ordinance are hereby repealed to the extent that they are inconsistent with this ordinance.

SECTION 3. That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the ordinance, and the City Council hereby declares it would have passed such remaining portion of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 4. That this ordinance shall take effect from and after its date of passage in accordance with law, and it is so ordained.

PRESENTED AND PASSED on this 14th day of July 2009, by a vote of 7 ayes, 0 nays and 0 abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Shanae Jennings, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney