



AGENDA ITEM SUMMARY

Agenda Date	January 14, 2025
Requested Action	APPROVE ON SECOND READING ORDINANCE NO. 2024- 27; AN ORDINANCE OF THE CITY OF BOERNE, TX, AMENDING THE UNIFIED DEVELOPMENT CODE ADOPTED BY ORDINANCE NO. 2020-29 ON NOVEMBER 24, 2020, INCLUDING BUT NOT LIMITED TO SECTION 2-11.B.9 – HISTORIC PRESERVATION PARTIAL TAX EXEMPTION, SECTION 3-11.G.1.a – HISTORIC DISTRICT PROHIBITED SIGN TYPES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A PENALTY FOR VIOLATION; AND CONTAINING A SEVERANCE CLAUSE. (Amendment to Unified Development Code)
Contact Person	Nathan Crane, AICP Planning Director (830) 248.1521 ext. 1105 ncrane@boerne-tx.gov
Background Information:	<p>PRIOR REVIEW:</p> <p>On December 10, 2024, the City Council received the recommendation from the Planning and Zoning Commission, held a public hearing and approved the first reading of the ordinance.</p> <p>BACKGROUND:</p> <p>The City’s Unified Development Code regulates land use, establishes minimum development standards and design criteria, and identifies the procedures required for City approval. It is used to protect property values and ensure land use compatibility. It is also the primary tool for implementing the future land use policies in the Comprehensive Plan.</p> <p>The format and content of most UDC’s are similar, but the regulations within each ordinance are tailored to fit the needs of the local community.</p> <p>Staff has identified specific sections of the UDC pertaining to the Historic District Overlay that require clarification or realignment to address key issues.</p>

REQUEST:

1. The proposed amendment is summarized as follows:

- Section 2.11.B.9 Historic Preservation Tax Exemption – Removing the option for a property tax exemption.
- Section 3.11.G.1.a Historic District Prohibited Sign Types – Adding Freeway Pylon Signs to the list of prohibited signs and streamlining the section on prohibited signs.

ANALYSIS:

The primary objective of this amendment is to support City of Boerne Comprehensive Plan Goals, address key issues and simplify the Unified Development Code, while improving city management or governance.

Historic Preservation Partial Tax Exemption (Section 2.11.B.9)

This section was adopted in December of 2007. It provides an opportunity for property owners to apply for a property tax exemption if:

- The property is designated as a historic landmark or within an historic district.
- The city council has designated the property as a historically significant site in need of tax relief to encourage its preservation.
- The property has been substantially rehabilitated and/or restored as approved by the landmark commission.

To date there has been no property that has been designated as a historically significant site in need of tax relief to encourage its preservation.

As part of the 2025 Work Plan, staff will be revamping the Historic District Improvement Grant program which is a more effective way to support historic preservation.

Pole Signs (Section 3.11.G.1.a)

This section regulates types of signs that are prohibited within the Historic Overlay District. On August 27, 2024, the City Council approved an amendment to the UDC to prohibit new pole signs. The proposed amendment is needed to bring this section in alignment with the Council action.

HISTORIC LANDMARK COMMISSION ACTION:

The Historic Landmark Commission held a public hearing on the proposed amendments at their August 6th, 2024, meeting and voted 6-0 to recommend **APPROVAL** of the amendment.

PLANNING AND ZONING COMMISSION ACTION:

The Planning and Zoning Commission held a public hearing on the amendment at their November 4th, 2024, meeting and voted 6-0 to recommend **APPROVAL** of the amendment.

FINDINGS:

The proposed amendment meets the following findings:

- The proposed amendment is consistent with the city charter, state and federal law.
- The proposed amendment is consistent with the Comprehensive Plan and the other plans and initiatives of the city.
- The proposed amendment enables the city to more effectively fulfill the purpose of the UDC.
- Meets the criteria for approval as outlined in Section 2.2.C of the UDC.

STAFF RECOMMENDATION:

Based on the recommendation of the P&Z and the alignment with UDC, staff recommends that the City Council accept the findings and **APPROVE** on second reading the proposed amendment to Section 2.11.B.9 - Historic Preservation Partial Tax Exemption and 3.11.G.1.a – Prohibited Signs.

MOTIONS FOR CONSIDERATION:

The following motions are provided to assist the City Council’s decision and motion.

- I move that the City Council, accept the findings, and **APPROVE** on second reading the proposed amendment.
- I move that the City Council **DENY** the proposed amendment, based on the following findings: (The Council will need to state the reasons for the denial).

Item Justification Verify	<input checked="" type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Infrastructure Investment <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Customer Pull <input type="checkbox"/> Increase Revenue <input checked="" type="checkbox"/> Service Enhancement <input type="checkbox"/> Mitigate Risk <input checked="" type="checkbox"/> Process Efficiency <input type="checkbox"/> Comprehensive Plan <input type="checkbox"/> Other: Recommendation
Strategic Alignment	This request is consistent with the tenants of environmental responsibility, community charm and customer service.
Financial Considerations	There are no financial obligations related to this request.
Citizen Input/Board Review	<p>Notice of the Historic Landmark Commission meeting was published in the Boerne Star on June 16, 2024. No comments were received.</p> <p>Notice of the Planning and Zoning Commission meeting was published in the Boerne Star on October 17, 2024. No comments were received.</p> <p>Notice of the City Council public hearing was published in the Boerne Star on November 24, 2024. No comments were received.</p>
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	Ordinance No. 2024-27 Proposed Amendment