

ORDINANCE NO. 2026-04

AN ORDINANCE OF THE CITY OF BOERNE, TX, AMENDING THE UNIFIED DEVELOPMENT CODE, INCLUDING BUT NOT LIMITED TO CHAPTER 1, SECTION 1-12.B. - PLANNING AND ZONING COMMISSION, SECTION 1-12.D. - HISTORIC LANDMARK COMMISSION, SECTION 1-12.E. - DESIGN REVIEW COMMITTEE, CHAPTER 2, SECTION 2-1.H.- APPLICATION SUBMITTAL DATES, SECTION 2-1.L - VARIANCES, SECTION 2-1.M - APPEALS, SECTION 2-10.E. - SIGN VARIANCES, CHAPTER 3, SECTION 3-6.D - NON-RESIDENTIAL USES, SECTION 3-9.B.2. - CREATIVE ALTERNATIVES IN AN OVERLAY DISTRICT OTHER THAN THE HISTORIC DISTRICT, SECTION 3-12.G. - SIGNAGE, SECTION 3-13.D. - DIMENSIONS, SECTION 3-14.H. - SIGNAGE, SECTION 3-16.J - SIGNAGE, SECTION 3-17.G. - SIGNAGE, CHAPTER 9, SECTION 9-5. - SIGN ILLUMINATION, SECTION 9-7.C. - FREE STANDING SIGNS, AND APPENDIX A. DEFINITIONS - DESIGN REVIEW COMMITTEE

WHEREAS, the Unified Development Code establishes the regulations governing land use and development within the City of Boerne; and

WHEREAS, the City Council has determined that amendments to the Unified Development Code are necessary to streamline development review procedures, eliminate redundant review processes, clarify administrative procedures, and align responsibilities among the Planning and Zoning Commission and Historic Landmark Commission; and

WHEREAS, Senate Bill 1883, enacted by the 89th Texas Legislature, reforms the process cities use to approve and update development impact fees, and

WHEREAS, the City Council subsequently adopted Resolution No. 2026-R30 revising the organization, appointments, and procedures for City boards and commissions, including the Planning and Zoning Commission and Historic Landmark Commission; and

WHEREAS, the amendments contained herein update the Unified Development Code to implement those changes by dissolving the Design Review Committee, transferring sign-related responsibilities to the Historic Landmark Commission, transferring creative alternative review to the Planning and Zoning Commission, and revising related provisions throughout the Unified Development Code; and

WHEREAS, the City has complied with all applicable requirements of Chapters 211 and 212 of the Texas Local Government Code and all other applicable laws relating to notice, publication, and public hearings for amendments to the Unified Development Code; and

WHEREAS, the Historic Landmark Commission conducted a public hearing on June 2, 2026, and recommended approval of the proposed amendments by a vote of 5-1; and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on July 6, 2026, and recommended approval of the proposed amendments by a vote of 7-0; and

WHEREAS, the City Council conducted a public hearing on _____, 2026, and finds that adoption of these amendments is in the best interest of the public health, safety, and welfare of the citizens of Boerne;

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

Section 1.

The Unified Development Code is hereby amended as set forth in Exhibit A. The amendments revise the following sections: Chapter 1, Section 1-12.B. - Planning and Zoning Commission; Section 1-12.D. - Historic Landmark Commission; Section 1-12.E. - Design Review Committee; Chapter 2, Section 2-1.H. - Application Submittal Dates; Section 2-1.L. - Variances; Section 2-1.M. - Appeals; Section 2-10.E. - Sign Variances; Chapter 3, Section 3-6.D. - Non-Residential Uses; Section 3-9.B.2. - Creative Alternatives in an Overlay District Other Than the Historic District; Section 3-12.G. - Signage; Section 3-13.D. - Dimensions; Section 3-14.H. - Signage; Section 3-16.J. - Signage; Section 3-17.G. - Signage; Chapter 9, Section 9-5. - Sign Illumination; Section 9-7.C. - Free Standing Signs; and Appendix A. - Definitions - Design Review Committee, as set forth herein.

Section 2.

That all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

Section 3.

That if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

Section 4.

The fines and penalties set forth in the Unified Development Code are hereby adopted and approved by City Council and the City Secretary shall provide for publication related to this Ordinance to the extent required by law.

Section 5.

This ordinance will take effect upon the second and final reading of same.

PASSED AND APPROVED on this the first reading the ____ day of _____, 2026.

PASSED, APPROVED AND ADOPTED on this the second reading the ____ day of _____, 2026.

APPROVED:

ATTEST:

Mayor

City Secretary

APPROVED AS TO FORM:

City Attorney