

ORDINANCE NO. 2022-01

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, GRANTING A SPECIAL USE PERMIT FOR A SHORT-TERM RENTAL TO 0.054 ACRES LOCATED AT 428 HERFF STREET (IRONS & GRAHAMS ADDITION LOT 187C, KAD NO. 46417) IN AN R3-A, ATTACHED RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE

WHEREAS, under the authority of Chapter 211 of the Texas Local Government Code, the City of Boerne adopts regulations and establishes zoning to control the use of land within the corporate limits of the City; and

WHEREAS, it is the intent of the City Council of the City of Boerne to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the subject property located at 428 Herff Street is currently zoned R3-A, Attached Residential District; and

WHEREAS, the City has received an application for a special use permit, to allow the Property to be used as a short-term rental; and

WHEREAS, the Unified Development Code requires a Special Use Permit for the use of a Short-term Rental in an R3-A District; and

WHEREAS, the Planning and Zoning Commission recommended approval of the Special Use Permit by a vote of 4-0; and

WHEREAS, the City Council of the City of Boerne has complied with all requirements of notice of public hearing and such hearing was held on January 11, 2022, at which time interested parties and citizens were given an opportunity to be heard; and

WHEREAS, the City Council finds the proposed special use complies with all applicable requirements and criteria of the Unified Development Code and with adopted plans and policies of the City; and

WHEREAS, the City Council finds that this zoning amendment is designed to and does promote health and the general welfare of the citizens.

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

Section 1.

The foregoing recitals are hereby made a part for all purposes as findings of fact.

Section 2.

That Chapter 3. Zoning, Section 3.2, Zoning Map, of the City of Boerne Unified Development Code is hereby amended by granting a special use permit for a short-term rental located at 428 Herff Street (Irons & Grahams addition Lot 187C, 0.054 acres, KAD No. 46417) in an R3-A, Attached Residential District.

Section 3.

That the Zoning Maps of the City of Boerne be amended to indicate the previously described change.



Section 4.

That all provisions of the Unified Development Code of the City of Boerne not herein amended or repealed shall remain in full force and effect.

Section 5.

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

Section 6.

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 7.

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

PASSED AND APPROVED on this the first reading the ____ day of January, 2022.

PASSED, APPROVED AND ADOPTED on this the second reading the ____ day of January, 2022.

APPROVED:

ATTEST:

Mayor Pro Tem

City Secretary

APPROVED AS TO FORM:

City Attorney

Site Plan