

**ORDINANCE NO. 2016-35**

**AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 14, REZONING 2.811 ACRES LOCATED AT 44 AND 46 OLD SAN ANTONIO ROAD (KAD NOS. 42070, 15863, 14796, AND 42069) FROM R-E, SINGLE FAMILY RESIDENTIAL ESTATE DISTRICT TO B-2, HIGHWAY COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Boerne has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of Boerne; and

**WHEREAS**, the City Council is required to permanently zone properties that have been annexed into the City; and

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

**WHEREAS**, the City Council desires to amend the Zoning Map by rezoning 2.811 acres located at 44 and 46 Old San Antonio Road (KAD Nos. 42070, 15863, 14796, and 42069) to B-2, Highway Commercial District.

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

**Section 1.**

That Article 3, Section 14, of the Zoning Ordinance of the City of Boerne, Texas, and particularly the Zoning Map of the City of Boerne, is amended by rezoning the following described tract of land:

44 and 46 Old San Antonio Road (KAD Nos. 42070, 15863, 14796, and 42069) to B-2, Highway Commercial District.

**Section 2.**

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



### Section 3.

That all provisions of the Code of Ordinances of the City of Boerne not herein amended or repealed shall remain in full force and effect.

### Section 4.

That all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

### Section 5.

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 6.

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

PASSED AND APPROVED on this the first reading the 13<sup>th</sup> day of September, 2016.

PASSED, APPROVED AND ADOPTED on this the second reading the \_\_\_\_ day of September, 2016.

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney