

## **ORDINANCE NO. 2017-81**

### **AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, ARTICLE 1, IN GENERAL, SECTION 06. DEFINITIONS, ARTICLE 3. GENERAL PROHIBITIONS AND REQUIREMENTS, SECTION 08. COMMERCIAL CENTER DESIGN STANDARDS, SECTION 09. COMBINED COMMERCIAL DESIGN STANDARDS**

**WHEREAS**, the City Council has received recommendations of the Planning and Zoning Commission concerning matters herein, which recommendations were made after holding a public hearing before said Commission and;

**WHEREAS**, the City Council held a workshop and a public hearing on this matter and;

**WHEREAS** the City Council of Boerne has determined that it is in the best interest of the Boerne community to take into consideration the public health, safety and welfare to adopt the amendments included herein;

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

#### **ARTICLE 1. IN GENERAL**

##### **SECTION 06. DEFINITIONS**

For the purpose hereof, certain words and terms in this ordinance are defined as follows:

**Network Nodes:** equipment at fixed locations that enable wireless communications between user equipment and a communications network (see City of Boerne Design Manual).

**Node Support pole:** a pole installed by a network provider for the primary purpose of supporting a network node (see City of Boerne Design Manual).

#### **ARTICLE 3. GENERAL PROHIBITIONS AND REQUIREMENTS**

##### **SECTION 08. COMMERCIAL CENTER DESIGN STANDARDS**

###### **3.08.009      Design Guidelines**

- E. Network Nodes.** Wherever applicable (i.e. Overlay districts), Network Nodes and Node Support Poles shall adhere to the City of Boerne Design Manual for installation of Network Nodes and Node Support Poles criteria.

## SECTION 09. COMBINED COMMERCIAL DESIGN STANDARDS

### 3.09.001. Specific Intent.

- A. **Purpose.** The Combined Commercial Design Standards are intended to enhance the community character in Regional Centers and/or in the following Use Categories: Civic, Employment, Retail, and Service. Section 3.09.002B 2, 3, 4, 5, 9, and 11 apply to multi-family apartment structures. (Ord. No. 2014-02, §3, 2-25- 2014). Specifically they are intended to allow the flexibility to create character and identity through a wide variety of diverse architectural details, and to create consistent well-designed frontages along streets and other public or community spaces. Creativity is encouraged to avoid dull or homogeneous buildings, while incorporating elements of the Texas Hill Country style. To the greatest extent possible, buildings shall be located on front building lines as outlined in 3.09.002 and on-site parking areas shall be designed to reduce the negative visual effects of vast paved areas and shall contain landscape planting islands and defined pedestrian walkways. The location of the on-site parking surface areas shall be located to the side or rear of a building. On-site parking areas shall not be located between the front building line of any principal building and a street except for conditions outlined in Section 3.09.003. (Ord. No. 2008-25, §3, 8-12-2008) Structures located in an Industrial District shall incorporate into their building design only the primary façade standards identified in Section 3.09.002.B.3. (Ord. No. 2013-23, §3, 7-23-2013) Structures that are preexisting in the Historic District that are being renovated or added onto shall use matching or similar materials and provide design features that are similar to the existing structure without requesting a creative alternative. (Ord. No. 2015-36, §3, 11-10-2015). Network Nodes and Node Support Poles, wherever applicable (i.e. Overlay districts), Network Nodes and Node Support Poles shall adhere to the City of Boerne Design Manual for installation of Network Nodes and Node Support Poles criteria.

### 3.09.008 Design Standards specific for Development of Property with between and adjacent to a Street and Creek (Cibolo, Menger, Frederick and Browns).Frontage.

- A. **Purpose.** The purpose of this ordinance section is to meet the special needs of a particularly sensitive area, property provide development options for properties adjacent to a creek and a street. This section of the ordinance is in addition to the Combined Commercial Design Criteria providing some exceptions to building and parking orientation and screening to preserve the natural environment and scenic corridors allowing visual appreciation of the creek as well as access to trails and the development. The design standards in this section shall apply to those developments that are making use of the creek as a feature of the site (i.e. Rear patios for dining). No creative alternative is required for these standards to apply.
- B. **Applicability.** This section of the ordinance shall be applicable to any subdivision or development in which the site or lot being developed is located between and adjacent to a street and a creek being where the creek is a feature of the site.

- G. **Low Impact Development Requirements.** The developer shall incorporate methods into the development of the site identified in prescribed by San Antonio River Authority (SARA) for Low Impact Development design the City of Boerne Edition – San Antonio River Basin Low Impact Development Technical Design Guidance Manual. These methods are outlined in the SARA LID Technical Guidance Manual outlining standard practice for design and implementation. <https://www.sara-tx.org/lid-sustainability/lid-services/>

PASSED and APPROVED on first reading this the \_\_\_\_ day of October, 2017.

PASSED, APPROVED, and ADOPTED on second reading this the \_\_\_\_ day of November, 2017.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

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

