

## **ORDINANCE NO. 2021-30**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, APPLYING A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT TO 1.27 ACRES LOCATED BETWEEN STAHL AND NORTH PLANT STREETS (BETWEEN 115 STAHL STREET AND 400 ROSEWOOD - A PORTION OF KAD NO. 20028 AND ALL OF KAD NO. 63697); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Boerne has approved underlying zoning for the above referenced property, and, following a public hearing on May 11, 2021, approved a Planned Unit Development Plan for the property; and

**WHEREAS**, the City Council hereby finds that taking the next step by applying a Planned Unit Development Overlay District to this property will accomplish the City's goals of providing harmony between existing zoning districts and proposed land uses; and

**WHEREAS**, the recommendation of the Planning and Zoning Commission on this matter has been received by the City Council of the City of Boerne on August 24, 2021, and the City Council has held a hearing on this matter on September 14, 2021 and complied with all other requirements of notice and public hearing as required by the Boerne Unified Development Code; and

**WHEREAS**, the City Council desires to amend the Zoning Map by applying a PUD Overlay District designation to the individual property (1.27 acres) located between 115 Stahl Street and 400 Rosewood (a portion of KAD no. 20028 and all of KAD no. 63697)

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

Section 1. That the official Zoning Map of the City of Boerne and the Boerne Unified Development Code, Chapter 3. Zoning, Section 3.2, Zoning Map is hereby amended to apply a PUD Overlay District Designation to the individual property (1.27 acres) located between 115 Stahl Street and 400 Rosewood (a portion of KAD no. 20028 and all of KAD no. 63697)

Section 2. That the Zoning Maps of the City of Boerne be physically amended to indicate the previously described change as further shown on the map below.



### 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That all provisions of the Code of Ordinances of the City of Boerne not herein amended or repealed shall remain in full force and effect.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That all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.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 14<sup>th</sup> day of September 2021.

PASSED, APPROVED AND ADOPTED on this the second reading the \_\_\_\_ day of September 2021.

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor

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

APPROVED AS TO FORM:

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