

ORDINANCE NO. 2021-34

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, REZONING 1.0672 ACRES LOCATED AT 128 ARANSAS PASS, (SUNRISE ADDITION BLK 6, LOTS 15, 19, 20, AND PART OF 21, KAD NO. 26872) FROM R2-M RR, MODERATE DENSITY RESIDENTIAL RIVER ROAD OVERLAY, TO C2 RR, TRANSITIONAL COMMERCIAL RIVER ROAD OVERLAY; 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 to provide harmony between existing zoning districts and proposed land uses; 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 October 26, 2021, at which time interested parties and citizens were given an opportunity to be heard; and

WHEREAS, the Planning and Zoning Commission has submitted a recommendation to the City Council regarding this amendment to the Official Zoning Map of the City of Boerne; and

WHEREAS, the City Council finds it in the best interest of the citizens to amend the Zoning Map by rezoning 1.0672 acres located at 128 Aransas Pass, (Sunrise Addition Blk 6, lots 15, 19, 20, and part of 21, KAD No. 26872) from R2-M RR, Moderate Density Residential River Road Overlay, to C2 RR, Transitional Commercial River Road Overlay.

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 rezoning 1.0672 acres located at 128 Aransas Pass, (Sunrise Addition Blk 6, lots 15, 19, 20, and part of 21, KAD No. 26872) from R2-M RR, Moderate Density Residential River Road Overlay, to C2 RR, Transitional Commercial River Road Overlay.

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That all provisions of the Unified Development Code of the City of Boerne not herein amended or repealed shall remain in full force and effect.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 October, 2021.

PASSED, APPROVED AND ADOPTED on this the second reading the ____ day of November, 2021.

APPROVED:

ATTEST:

Mayor

City Secretary

APPROVED AS TO FORM:

City Attorney