

ORDINANCE NO. 2015-18

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 18.17 ACRES LOCATED AT 135 OLD SAN ANTONIO ROAD (KAD 40403), FROM R-A, RURAL RESIDENTIAL – AGRICULTURAL DISTRICT TO R-4, MULTI-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE AND PROVIDING THE FOLLOWING STIPULATIONS: 1) THAT THE HEIGHT BUFFERING REQUIREMENTS AS IDENTIFIED IN SECTION 3.05.001 OF THE ZONING ORDINANCE SHALL APPLY TO THE NORTH SIDE OF THE DEVELOPMENT THAT ABUTS THE RESIDENTIAL AREA, AND 2) THAT A FENCECRETE OR SOLID MASONRY FENCE BE CONSTRUCTED 8 FT. IN HEIGHT BETWEEN THE RESIDENTIAL PROPERTIES TO THE NORTH AND 6 FT. IN HEIGHT BETWEEN THE RETIREMENT COMMUNITY TO THE SOUTH, AND 3) THAT ON THIS SITE THEY USE THE MORE RESTRICTIVE OUTDOOR LIGHTING REGULATIONS THAT APPLIED TO PROPERTIES LOCATED WITHIN 3 MILES OF CAMP BULLIS (DARK SKY).

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 18.17 acres located at 135 Old San Antonio Road (KAD 40403) from R-A, High Density Residential District To R-4, Multi-Family Residential 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:

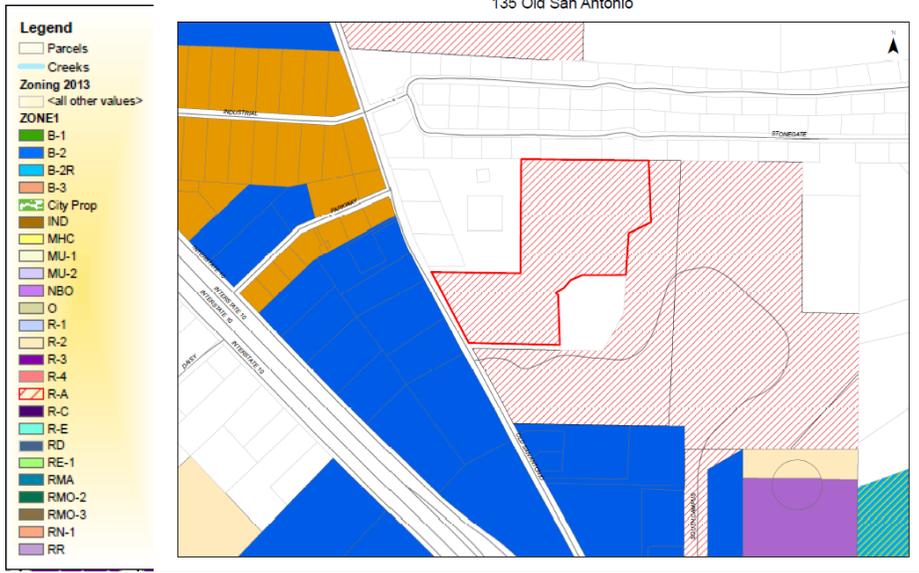
135 Old San Antonio Road (KAD 40403) from R-A, High Density Residential District To R-4, Multi-Family Residential District.

And providing the following stipulations:

1. That The Height Buffering Requirements As Identified In Section 3.05.001 Of The Zoning Ordinance Shall Apply To The North Side Of The Development That Abuts The Residential Area; and
2. That A Fencecrete Or Solid Masonry Fence Be Constructed 8 Ft. In Height Between The Residential Properties To The North And 6 Ft. In Height Between The Retirement Community To The South; and
3. That On This Site They Use The More Restrictive Outdoor Lighting Regulations That Are Applied To Properties Located Within 3 Miles Of Camp Bullis (Dark Sky).

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 14th day of July, 2015.

PASSED, APPROVED AND ADOPTED on this the second reading the 28th day of July, 2015.

APPROVED:

s/s Michael D. Schultz
Mayor

ATTEST:

s/s Lori A. Carroll
City Secretary

APPROVED AS TO FORM:

s/s Kirsten B. Cohoon
City Attorney