

CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2021-10

AN ORDINANCE AMENDING CHAPTER 60, CODE OF ORDINANCES, CITY OF KERRVILLE, TEXAS; CHAPTER 60 MORE COMMONLY KNOWN AS THE CITY'S ZONING CODE; BY CHANGING THE ZONING OF A PROPERTY KNOWN AS 1555 HIGHWAY 173 AND CONSISTING OF AN APPROXIMATE 7.158 ACRE TRACT OF LAND OUT OF THE WILLIAM C. FRANCIS SURVEY NO. 146, ABSTRACT NO. 137, AND WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; FROM AN AGRICULTURE ZONING DISTRICT (AG) TO A MULTIFAMILY RESIDENTIAL ZONING DISTRICT (R-3); PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND ORDERING PUBLICATION

WHEREAS, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper for the City of Kerrville, Texas ("City"), and otherwise, of a hearing held before the City Council on May 11, 2021, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on this Ordinance, the adoption of which will result in the change of a zoning district for the property located at 1555 Highway 173.; such change to result in the removal of the property from a Agriculture Zoning District (AG) to placement within a Multifamily Residential Zoning District (R-3); and

WHEREAS, on May 11, 2021, City Council held a public hearing on the zoning change referenced above pursuant to the published notice and has considered the application, comments, reports, and recommendations of the Planning and Zoning Commission and staff, public testimony, and other relevant support materials;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. The Zoning Code for the City of Kerrville, Texas, as enacted by City Council and effective October 1, 2019 and included within Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas, and the *Official Zoning Map* be and the same are hereby amended to designate the following described property zoned as within a Multifamily Zoning District (R-3):

Legal Description: Being an approximate 7.158 tract of land out of the William C. Francis Survey No. 146, Abstract No. 137, and within the City of Kerrville, Kerr County, Texas; said tract more specifically described and depicted at Exhibit A, attached hereto and made a part hereof for all purposes.

Address: 1555 Highway 173, Kerrville, TX 78028

SECTION TWO. The City Manager or designee is authorized and directed to amend the City's *Official Zoning Map* to reflect the change in districts adopted herein and to take other actions contemplated by and in accordance with the City's Zoning Code.

SECTION THREE. The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance is declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION FIVE. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

SECTION SIX. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07 of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the 11 day of May, A.D., 2021.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the 25 of May, A.D., 2021.

Bill Blackburn
Bill Blackburn, Mayor

ATTEST:

Shelley McElhannon
Shelley McElhannon, City Secretary

APPROVED AS TO FORM:

Michael C. Hayes
Michael C. Hayes, City Attorney



Location Map

Case # PZ-2021-5

Location:
1555 Bandera Hwy

Legend
200' Notification Area
Subject Properties



0 100 200 400

Scale In Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.