

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2023-02**

AN ORDINANCE AMENDING CHAPTER 60 OF THE CODE OF ORDINANCES, CITY OF KERRVILLE, TEXAS; BY CHANGING THE ZONING OF AN APPROXIMATE 0.63 ACRE PROPERTY KNOWN AS 226 AND 228 W. MAIN; FROM A PLANNED DEVELOPMENT ZONING DISTRICT (PDD) TO A LIGHT COMMERCIAL ZONING DISTRICT (C-2); AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT

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 December 13, 2022, 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 known as 226 and 228 W. Main and comprising approximately 0.63 acres; such change to result in the removal of the property from a Planned Development (Zoning) District (PDD) to placement within a Light Commercial Zoning District (C-2); and

WHEREAS, on December 13, 2022, City Council held a public hearing on this zoning change 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, Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas (the "Zoning Code"), and the *Official Zoning Map* are amended to designate the following described property as zoned within a Light Commercial Zoning District (C-2):

Legal Description: Being a 0.63 acre tract, consisting of two tracts, both being out of the John Young Survey No. 118, Abstract 375; said property depicted at **Exhibit A**, attached hereto and made a part hereof for all purposes, and hereafter referred to as the "Property."

Address: 226 and 228 W. Main, Kerrville, Texas 78028.

SECTION TWO. The City Manager 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 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. This Ordinance repeals Ordinance No. 2002-21, as adopted on November 26, 2002, and which created the Planned Development (Zoning) District (PDD) on the Property.

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 13 day of December, A.D., 2022.


PASSED AND APPROVED ON SECOND AND FINAL READING, this the 10 of January, A.D., 2023.

ATTEST:


Judy Eychner, Mayor


Shelley McElhannon, City Secretary

APPROVED AS TO FORM:


Michael C. Hayes, City Attorney

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City of Kerrville, KPUB, USDA, TNRIIS

Location Map

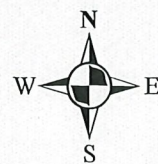
Case # PZ-2022-062

Location:

226 & 228 W Main St N

Legend

200' Notification Area
Subject Properties



0 30 60 120

Scale In Feet