

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2024-19**

AN ORDINANCE CREATING A “PLANNED DEVELOPMENT DISTRICTS” (ZONING) TO AUTHORIZE MEDIUM DENSITY RESIDENTIAL DISTRICT USES AND SHORT-TERM RENTAL UNITS; CONSISTING OF COMANCHE TRACE PHASE 13, BLOCK D, LOTS 1 THROUGH 6, AND MORE COMMONLY KNOWN AS 3001, 3003, 3005, 3007, 3009, AND 3011 CLUB HOUSE ROAD; AND COMANCHE TRACE PHASE 18, LOTS 7 THROUGH 28, AND MORE COMMONLY KNOWN AS 4528 COMANCHE TRACE DRIVE, UNITS 7 THROUGH 28; ADOPTING A CONCEPT PLAN AND CONDITIONS; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, the Planning and Zoning Commission of the City of Kerrville, Texas and City Council, in compliance with the laws of the State of Texas and the ordinances of the City Kerrville, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, City Council, in the exercise of its legislative discretion, has concluded that the City’s Zoning Code and Zoning Map should be amended as provided herein;

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

SECTION ONE. The property described as follows is removed from a Medium Density Residential Zoning District (R-2) and placed within newly created Planned Development Districts (“PDD”) for development and use as provided herein:

Comanche Trace Phase 13, Block D, Lots 1 through 6; more commonly known as 3001, 3003, 3005, 3007, 3009, and 3011 Club House Road, Kerrville, Texas; and Comanche Trace Phase 18, Lots 7 through 28; more commonly known as 4528 Comanche Trace Drive, Units 7 through 28, Kerrville, Texas; and as depicted in Exhibit A (the Property).

SECTION TWO. The Property may be developed and used but only in accordance with the following conditions:

- A. Permitted Uses:** The following uses are permitted within the PDD subject to the conditions provided herein and the applicable regulations for each use as provided within the Zoning Code:

PUBLISHED 9/04/2024
EFFECTIVE 9/14/2024

1) **Medium Density Residential Zoning District (R-2)** – all permitted and conditional uses as allowed within a Medium Density Residential Zoning District (R-2) as provided within the Zoning Code.

2) **Short-Term Rental Units** – short-term rental units as provided within the Zoning Code and subject to Chapter 80, City's Code of Ordinances.

B. **Prohibited Uses**: Any use not specifically allowed is expressly prohibited.

C. **Concept Plan**: The development and use of the Property shall be substantially in accordance with a Concept Plan.

D. **Setbacks**: Setbacks are required in compliance with the City's Zoning Code (Ch. 60, City's Code of Ordinances) (Zoning Code) and the regulations applicable to residential zoning districts.

E. **Parking**: Parking is required in compliance with the Zoning Code and the regulations applicable to residential zoning districts and short-term rental uses.

SECTION THREE. 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 FOUR. The provisions of this Ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided however, to the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Kerrville governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION FIVE. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION SIX. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Section 1-7, Chapter 1 of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).

SECTION SEVEN. In accordance with Section 3.07 of the City Charter and Texas Local Government Code §52.013(a), 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 EIGHT. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07b. of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the 13 day of August, A.D., 2024.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the 27 day of August, A.D., 2024.

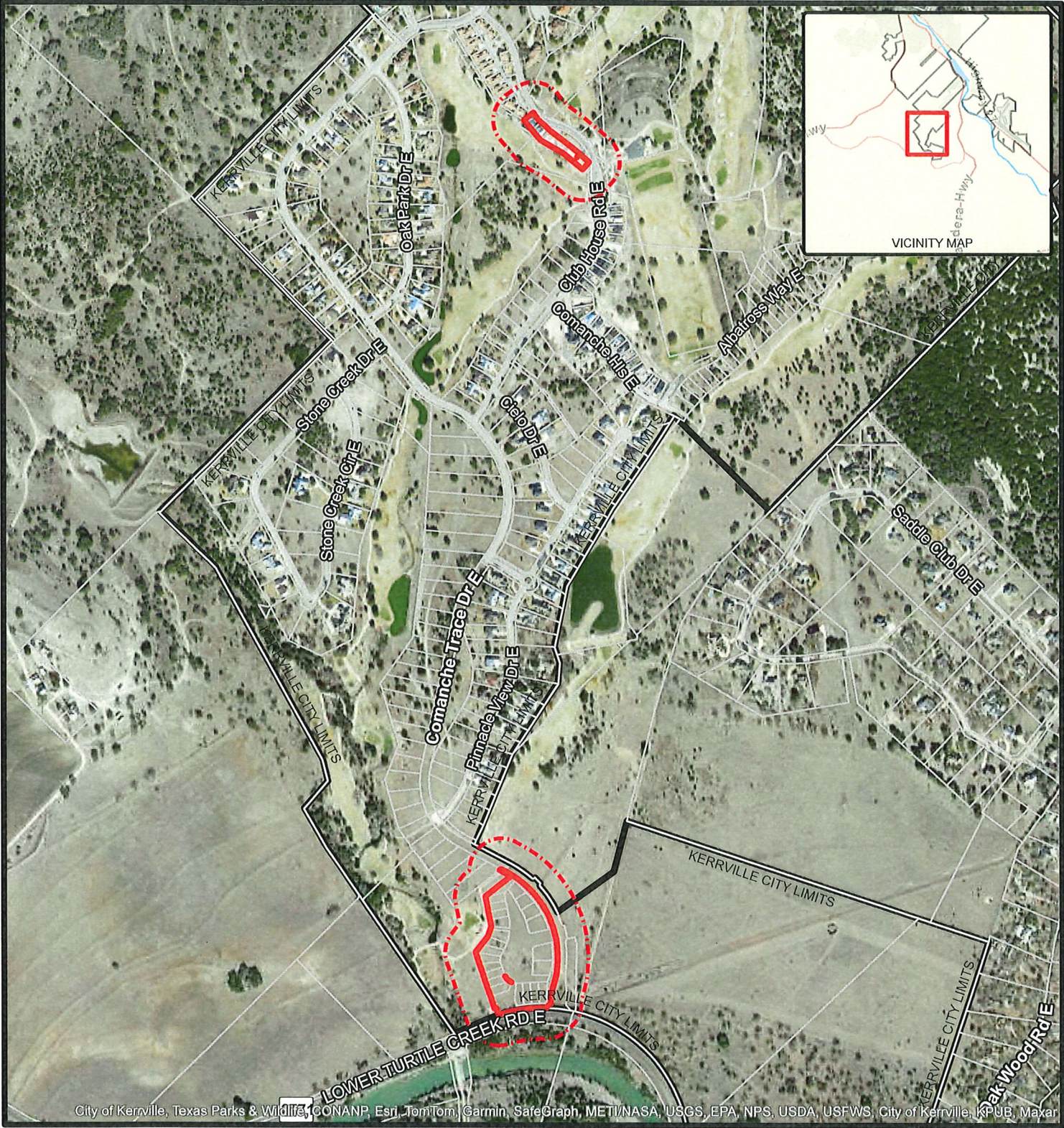

Joe Herring Jr., Mayor

APPROVED AS TO FORM:


Michael C. Hayes, City Attorney

ATTEST:


Shelley McElmannon, City Secretary



City of Kerrville, Texas Parks & Wildlife, CONANP, Esri, TomTom, Garmin, SafeGraph, METI/NASA, USGS, EPA, NPS, USDA, USFWS, City of Kerrville, KPUB, Maxar

Location Map

Case #PZ-2024-16

Location:

3001 Club House Rd E; 3003 Club House Rd E; 3005 Club House Rd E; 3007 Club House Rd E; 3009 Club House Rd E; 3011 Club House Rd E; 4528 Comanche Trace Dr E, Units 7 through 28.

Legend

-  Subject Properties
-  200 Feet Notification Area



0 500 1,000
Scale In Feet

06/10/2024