

ORDINANCE NO. 401

AN ORDINANCE OF THE CITY OF BANDERA, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BANDERA; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; ESTABLISHING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Bandera, Texas as previously created and appointed a Planning and Zoning Commission as authorized by the Texas Local Government Code; and

WHEREAS, the Texas Local Government Code authorizes a municipality to adopt zoning regulations designed to accomplish the goals as delineated in Section 211.004 of the Texas Local Government Code and for the purpose of regulating those issues as delineated in Section 211.003 of the Texas Local Government Code; and

WHEREAS, the City of Bandera's Planning and Zoning Commission and City Council have met for numerous months and held public meetings regarding a Comprehensive Plan, Amended Zoning Ordinance and an Amended Zoning Map for the City of Bandera; and

WHEREAS, based on their studies and their meetings the Planning and Zoning Commission, through Planning Consultant SimpleCity created a preliminary report for an amended Comprehensive Zoning Map based upon the new Comprehensive Plan and Amended Zoning Ordinance; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission on November 2, 2021, on such preliminary report and at which all persons were given an opportunity to appear and express their opinion concerning the proposed Comprehensive Zoning Ordinance and Zoning Map and after consideration of all such testimony, the Planning and Zoning Commission made a final report recommending the adoption of the Comprehensive Zoning Ordinance and Zoning Map; and

WHEREAS, the City Council of the City of Bandera held a public hearing on November 4, 2021 and all persons were given an opportunity to appear and express their opinion concerning the proposed Zoning Ordinance and Zoning Map; and

WHEREAS, having adopted a new Comprehensive Plan and an amended Comprehensive Zoning Ordinance, the City Council of the City of Bandera has determined it to be in the public interest to adopt to the Amended Zoning Map, which in its best judgment promotes the health, safety, morals, and general welfare and protect the use and enjoyment of property throughout the City.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANDERA TEXAS:

Section 1. Findings. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. Adoption. The City Council of the City of Bandera, Texas hereby amends the Official Zoning Map of the City of Bandera, attached as Exhibit “A”, as set forth in the attached “Exhibit B”, reflecting the New Official Zoning Map of the City of Bandera.

Section 3. Savings Clause. The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Bandera under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

Section 4. Cumulative. The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein. This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

Section 5. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

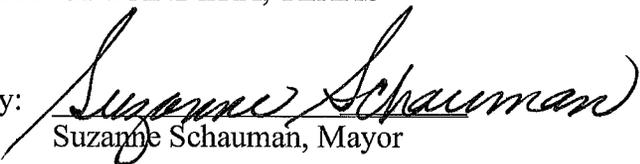
Section 6. Proper Notice and Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

Section 7. Effective Date. This Ordinance will take effect upon its adoption by the City Council.

PASSED AND APPROVED this 15th day of March 2022.

CITY OF BANDERA, TEXAS

By:


Suzanne Schauman, Mayor

ATTEST:


Jill Shelton, City Secretary