

ORDINANCE NO. 444

AN ORDINANCE OF THE CITY OF BANDERA, TEXAS, AMENDING THE BANDERA CODE OF ORDINANCES CHAPTER 14 ZONING AND 14A PLACE TYPE ZONING; REPEALING AND REPLACING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; ESTABLISHING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City Staff has reviewed the 2024 update of the Bandera Comprehensive Plan and Code of Ordinances, including Appendix 1, Transportation Master Plan, Appendix 2 Subdivision Ordinance & Appendix 3, Place Type Zoning Ordinance. The 2024 update includes administrative changes and text amendments, including legislative amendments, to remain compliant with state law

WHEREAS, the City Council shall have the power to appoint the members of all boards and commissions; and,

WHEREAS, on December 19, 2023 the Planning and Zoning Commission conducted a public hearing and thereafter recommended approval; and

WHEREAS, on January 9, 2024 the City Council conducted a public hearing and after considering the criteria and recommendation by the Planning and Zoning Commission, determined that the proposed amendments are appropriate and in the interest of the public safety, health and welfare.

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 City of Bandera Code of Ordinances Chapter 14 Zoning and 14A Place Type Zoning as set forth in the attached "Exhibit A".

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 The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.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 14th day of May, 2024.

CITY OF BANDERA, TEXAS

By: _____
Rebeca Gibson, Mayor

ATTEST:

Jill Shelton, City Secretary