

ORDINANCE NO. 687

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BULVERDE, TEXAS, AMENDING CHAPTER 14, ZONING, THE CITY OF BULVERDE CODE OF ORDINANCES BY AMENDING SECTION 14.06.005 TO ALLOW FOR PAVING OTHER THAN CONCRETE, ASPHALTIC CONCRETE, AND ASPHALT FOR PERIODIC USES SUCH AS FARMER'S MARKETS AND TEMPORARY OUTDOOR SALES; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to amend Chapter 14, Code of Ordinances of the City of Bulverde, Texas (the "**Zoning Ordinance**") to allow for alternative paving requirements for periodic uses such as farmer's markets and temporary outdoor sales;

WHEREAS, the Planning and Zoning Commission of the City of Bulverde, Texas, and the City Council of the City of Bulverde, Texas, in compliance with the Charter and State law with reference to the Zoning Ordinance, have given requisite notices by publication and otherwise, and after holding a due hearing and affording a full and fair hearing to all persons interested, the City Council, having received the final report of the Planning and Zoning Commission and having determined that the revisions to the Zoning Ordinance adopted by this Ordinance will promote the health, safety, morals, and general welfare of the City of Bulverde and the safe, orderly, and healthful development of the City of Bulverde, is of the opinion that the Zoning Ordinance should be revised as set forth in this Ordinance; and

WHEREAS, the City Council finds and determines that the meeting at which this Ordinance was passed was open to the public, that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code; and that the City of Bulverde complied with all other requirements, including but not limited to the notice requirements in Chapter 211, Texas Local Government Code;

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

1. **Findings of Fact.** The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.
2. **Enactment.** Section 14.06.005, Code of Ordinances of the City of Bulverde, Texas is amended as shown in Exhibit A.
3. **Repealer.** All ordinances, resolutions, or parts thereof, that are in conflict or are inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict or inconsistency, and the provisions of this Ordinance shall be and remain controlling as to the matter regulated herein.
4. **Severability.** Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause, or phrase of this ordinance and same are deemed severable for this purpose.
5. **Effective Date.** This Ordinance shall be effective as of the date of adoption.

PASSED AND ADOPTED this 8th day of February, 2022



Bill Krawietz, Mayor

ATTEST:



Maria Franco, City Secretary



EXHIBIT A

Section 14.06.005(d), Code of Ordinances of the City of Bulverde, Texas is amended as shown below, with insertions indicated by underlines (e.g. underlines) and deletions indicated by strikethroughs (e.g. ~~strikethroughs~~):

Sec. 14.06.005 Design, construction and maintenance of off-street parking areas

...

(d) All parking areas shall be properly graded for drainage, and surfaced with concrete, asphaltic concrete or asphalt; provided, however, that parking areas may be surfaced with permeable materials, such as crushed rock, in accordance with the following:

(1) Use of permeable materials to surface parking areas is only allowed in conjunction with the following uses:

(A) farmer's markets;

(B) temporary outdoor sales; and

(C) uses allowed by special use permit if the ordinance approving the special use permit authorizes the use of permeable materials to surface parking areas.

(2) Parking areas surfaced with permeable materials shall:

(A) Be maintained in a dust-free condition;

(B) Constructed and maintained in a manner that prevents surface materials from getting washed or tracked into public rights of way; and

(C) Comply with all other laws, ordinances, regulations, and standards,