

KERRVILLE CITY COUNCIL AGENDA
TUESDAY, JUNE 26, 2018, 6:00 P.M.
CAILLOUX THEATER,
910 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

INVOCATION by George Baroody, Councilmember Place Two.

PLEDGE OF ALLEGIANCE TO THE FLAG

1. VISITORS/CITIZENS FORUM

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must fill out the speaker request form and give it to the City Secretary. City Council may not discuss or take any action on an item but may place the issue on a future agenda. The number of speakers will be limited to the first ten speakers and each speaker is limited to four minutes.

2. ORDINANCE, SECOND AND FINAL READING:

2A. Ordinance No. 2018-13 adopting "Kerrville 2050" as the comprehensive plan for the City of Kerrville, Texas; the plan is adopted pursuant to Chapter 213 of the Texas Local Government Code and will guide the growth and development of the city; defining the relationship of the plan to the city's development regulations; containing a cumulative clause; containing a savings and severability clause; replacing Ordinance No. 2002-14 and all other ordinances or parts of ordinances that amended it; and providing for other matters related to the subject.

3. RECOGNITION OF KERRVILLE 2050 STEERING COMMITTEE AND SUBCOMMITTEE MEMBERS FOR OUTSTANDING SERVICE IN DEVELOPMENT OF THE CITY'S NEW COMPREHENSIVE PLAN.

ADJOURNMENT.

NOTE: A reception for all attendees will follow in the building lobby. There will be no further action on city business.

The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-257-8000 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the City hall of the City of Kerrville, Texas, and said notice was posted on the following date and time: June 22, 2018 at 3:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Brenda Craig
City Secretary, City of Kerrville, Texas



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Second reading of Ordinance No. 2018-13 adopting “Kerrville 2050” as the comprehensive plan for the City of Kerrville, Texas; the plan is adopted pursuant to Chapter 213 of the Texas Local Government Code and will guide the growth and development of the city; defining the relationship of the plan to the city’s development regulations; containing a cumulative clause; containing a savings and severability clause; replacing Ordinance No. 2002-14 and all other ordinances or parts of ordinances that amended it; and providing for other matters related to the subject.

AGENDA DATE OF: 6/26/2018 **DATE SUBMITTED:** 6/19/2018

SUBMITTED BY: Drew Paxton, Executive Director of Development Services

EXHIBITS: Ordinance No. 2018-13, Kerrville 2050 Comprehensive Plan

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
N/A	\$0	\$0	N/A

PAYMENT TO BE MADE TO: N/A

SUMMARY STATEMENT:

This item is for the second reading of the ordinance adopting the Kerrville 2050 Comprehensive Plan.

City Council plans to adopt a comprehensive plan, known as “Kerrville 2050”, for the long-range development of the City of Kerrville and its extraterritorial jurisdiction. The comprehensive plan contains provisions on land use, transportation, and public utilities, among other subjects, and will be used to coordinate and guide the establishment of the City’s development regulations.

The proposed draft of the Kerrville 2050 Comprehensive Plan can be found on the kerrville2050.com website.

RECOMMENDED ACTION:

Approve Ordinance No. 2018-13 adopting Kerrville 2050 as the City of Kerrville’s Comprehensive Plan.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2018-13**

AN ORDINANCE ADOPTING “KERRVILLE 2050” AS THE COMPREHENSIVE PLAN FOR THE CITY OF KERRVILLE, TEXAS; THE PLAN IS ADOPTED PURSUANT TO CHAPTER 213 OF THE TEXAS LOCAL GOVERNMENT CODE AND WILL GUIDE THE GROWTH AND DEVELOPMENT OF THE CITY; DEFINING THE RELATIONSHIP OF THE PLAN TO THE CITY’S DEVELOPMENT REGULATIONS; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; REPLACING ORDINANCE NO. 2002-14 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES THAT AMENDED IT; AND PROVIDING FOR OTHER MATTERS RELATED TO THE SUBJECT

WHEREAS, Chapter 213 of the Texas Local Government Code (“Chapter 213”) provides that municipalities may adopt a comprehensive plan for the purposes of promoting the sound development of a municipality and promoting the public health, safety, and welfare; and

WHEREAS, Chapter 213 specifies that the governing body of a municipality may adopt a comprehensive plan for the long-range development of the municipality and as a way to coordinate and guide the establishment of development regulations; and

WHEREAS, Chapter 213 also provides that a municipality may define the relationship between the comprehensive plan and the municipality’s development regulations and provide standards for determining the consistency required between the plan and development regulations; and

WHEREAS, City Council of the City of Kerrville, Texas (“City Council”), appointed the Comprehensive Plan Steering Committee on August 8, 2017, which consisted of 43 Kerrville and Kerr County citizens and which, in conjunction with City staff and consultants, undertook a series of studies and held public meetings on developing a Comprehensive Plan for the City of Kerrville, such plan known as *Kerrville 2050*; and

WHEREAS, in addition to the Steering Committee, City Council also appointed 7 subcommittees, each of which was charged with studying a specific element of *Kerrville 2050*; and

WHEREAS, over 120 members of the Kerrville community served on one of the appointed committees, dedicating time and effort and supplying valuable input towards the development of *Kerrville 2050*; and

WHEREAS, development of *Kerrville 2050* also involved several hundred individuals working in large and small group discussions and online surveys, the purpose of which was to encourage widespread community participation in this effort to ensure that *Kerrville 2050* accurately reflects the vision of the people of Kerrville; and

WHEREAS, the City's Planning and Zoning Commission reviewed and recommended approval of *Kerrville 2050* at their meeting held on June 7, 2018; and

WHEREAS, *Kerrville 2050* contains guiding principles proposed to be used by the City in the preparation of land use and development ordinances, in decisions regarding the provisions of City services and capital improvements, and in other policy considerations by City Council and its various boards, commissions, and committees; and

WHEREAS, City Council finds that a public hearing was held on this Ordinance as required by law, and the Council has heard and considered all comments made at said hearing or in writing;

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

SECTION ONE. City Council hereby adopts the document titled the *Kerrville 2050*, attached hereto as **Exhibit A** and included herein for all purposes, as the City's Comprehensive Plan.

SECTION TWO. *Kerrville 2050* is hereby declared as the comprehensive plan for the development of the Kerrville community, and will be used as a guide and companion document to the land use and development regulations of the City. Notwithstanding the foregoing, the City recognizes that circumstances may change in ways not anticipated by the elements of *Kerrville 2050*, and City Council reserves the right to legislatively determine that this comprehensive plan needs amendment, for example, by allowing for different land use classifications than shown on the Future Land Use Map, or alterations of roadways shown on the Kerrville Master Thoroughfare Plan Map. Any such amendment shall not be granted without careful study and consideration, and must be made only on a showing of substantially changed circumstances. City Council may refer any requested change to *Kerrville 2050* and its elements back to City staff and such committees as may be appropriate,

including the Planning and Zoning Commission, for further study and recommendations.

SECTION THREE. Subject to Section Two, above, City Council reserves the right to amend *Kerrville 2050* at any time by adding or removing elements or by amending in part or in whole the elements listed in the Plan.

SECTION FOUR. Until such time as the existing zoning, subdivision, and other land use and development regulations of the City are amended to conform with *Kerrville 2050*, the terms and provisions of such existing land use and development regulations shall control in the event of any conflict or inconsistency with *Kerrville 2050*.

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.

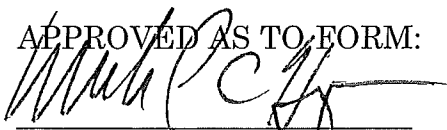
SECTION SIX. The provisions of this Ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that Ordinance No. 2002-14, which was the City's previous Comprehensive Plan and its amending ordinances (2004-06, 2005-16, 2006-20, 2008-05, 2008-08, 2008-23, 2009-03, 2009-04, 2009-05, 2014-14, 2014-23, 2015-14, 2015-22, 2016-08, and 2017-02) are hereby replaced by *Kerrville 2050*, subject to Section Four, above.

PASSED AND APPROVED ON FIRST READING, this the 12th
day of June, 2018.

PASSED AND APPROVED ON SECOND AND FINAL READING,
this the ____ of _____, 2018.

Bill Blackburn, Mayor

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ATTEST:

Brenda Craig, City Secretary