

**ORDINANCE** 1094**AN ORDINANCE TO AUTHORIZE THE ISSUANCE OF A CONDITIONAL USE PERMIT (CUP) TO ALLOW A SELF-STORAGE FACILITY AT 806 NORTH MAIN STREET, CIBOLO, TEXAS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Texas Local Government Code Section 211.02 authorizes the City of Cibolo, as a home-rule municipality, to adopt, repeal or amend zoning district boundaries and regulate the location and use of buildings and other structures for business and other purposes and

**WHEREAS**, Section 9.02 of the City Charter of the City of Cibolo provides that the City Council with the authority by ordinance to fix City zoning district boundaries, and provide for the alteration of said boundaries and to regulate the location and use of buildings and other structures for business and other purposes in any manner provided by law; and

**WHEREAS**, the City of Cibolo received an application to allow a Self-Storage Facility at 806 North Main Street, Cibolo, Texas; and

**WHEREAS**, the proposed use is located in a Retail/Office (C-3) zoning district, which expressly allows the proposed use only upon the issuance of a CUP; and

**WHEREAS**, Texas Local Government Code Section 211.004 provides that zoning regulations and district boundaries must be adopted in accordance with a Comprehensive Plan and promote the public health, safety and general welfare of the City; and

**WHEREAS**, the Cibolo UDC stipulates that Conditional Use may be granted subject to all procedural requirements of the zoning map amendment process, as stipulated in Texas Local Government Code Section 211.006, and the CUP criteria stipulated in UDC Section 4.3.2; and

**WHEREAS**, two public hearings were held to discuss the issuance of a CUP at 806 North Main Street, Cibolo, Texas; with the first public hearing being conducted by the Planning & Zoning Commission on Wednesday, March 12, 2014 at 6:30 p.m. in the Cibolo City Hall; and, the second public hearing being conducted by City Council on Tuesday, March 25, 2014 at 7:00 p.m. in the Cibolo City Hall; each being conducted for the purpose of providing all interested persons the opportunity to be heard concerning the proposed CUP; and

**WHEREAS**, written notice was sent to each owner of real property, as indicated on the approved tax roll of the City of Cibolo, within 200 feet of the properties to be assigned permanent zoning, with said notice provided more than ten (10) days prior to the initial public hearing of the Planning and Zoning Commission as cited above and published in The Seguin Gazette; and

**WHEREAS**, the City Council has determined and found that the proposed CUP application is in accordance with the criteria stipulated in UDC Section 4.3.2; and

**NOW, THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS:**

**SECTION I.**

**THAT** a Conditional Use Permit is granted for the property located at 806 North Main Street, Cibolo, Texas, subject to the following conditions:

1. The architectural design shall be finished to meet the exterior elevation renderings presented to City Council on March 25, 2014, per March 25, 2014 Official City Council Minutes.
2. The final site plan must be submitted to Planning and Zoning Commission for recommendation to City Council, where City Council will have final approval.

**SECTION II.**

**THAT** all provisions of the Code of Ordinances of the City of Cibolo not herein amended or repealed shall remain in full force and effect.

**SECTION III.**

**THAT** all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

**SECTION IV.**

**THAT** if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

**SECTION V.**

**THIS** ordinance will take effect its passage, approval and publication as provided by law.

PASSED, APPROVED, AND ADOPTED THIS 8<sup>th</sup> DAY OF April, 2014.



Lisa M. Jackson  
Mayor, City of Cibolo

ATTEST:



Peggy Cimics  
City Secretary, City of Cibolo

