

ORDINANCE NO. 2010 - 29

**AN ORDINANCE DESIGNATING 357 AND 343 CROSS STREET AND 225 HILL AVENUE AS AN EXPANSION OF THE SOPHIENBURG HILL HISTORIC DISTRICT, ACCORDING TO CHAPTER 66, ARTICLE III AND AMENDING THE ZONING MAP; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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**WHEREAS**, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Historic Landmark Preservation Ordinance and Zoning Ordinance of the City of New Braunfels; and

**WHEREAS**, the City Council wishes to protect this area as a part of the heritage of New Braunfels for future generations; and

**WHEREAS**, the City Council desires to amend the Zoning Map by designating the suffix "HO" in addition to the conventional zoning designation established by the zoning ordinance;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:**

**SECTION 1**

**THAT** the following described area is hereby designated as a Historic District in accordance with the provisions of Chapter 66, Article III of the Code of Ordinances of the City of New Braunfels, Texas:

That 357 and 343 Cross Street and 225 Hill Avenue be known as part of The Sophienburg Hill Historic District."

**SECTION 2**

**THAT** the above properties are hereby restricted as to the amount or method of change, construction, or demolition that can take place in accordance with Chapter 66, Article III of the Code of Ordinances of the City of New Braunfels.

The Secretary of Interior guidelines as defined in Article III. Historic Landmark Preservation. Sec. 66-58. will be the guidelines that apply to this District and amendment of any specific guidelines other than those identified at the adoption of this ordinance will require public hearings and approvals as currently outlined in Sec. 66-55. Designation of Historic Districts with the exception that the City would require 67% of the property owners instead of 51% to agree to change the design guidelines.

**SECTION 3**

**THAT** the above described properties are hereby entitled to all rights and privileges that are accorded to historically designated structures or sites, or which may be accorded those structures or sites in the future.

#### **SECTION 4**

**THAT**, the zoning map is amended by designating the three tracts to add "HO".

#### **SECTION 5**

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

#### **SECTION 6**

**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 7**

**THIS** ordinance will take effect upon the second and final reading of same.

**PASSED AND APPROVED:** First Reading this the 26<sup>th</sup> day of April, 2010.

**PASSED AND APPROVED:** Second Reading this the 10<sup>th</sup> day of May, 2010.

**CITY OF NEW BRAUNFELS**

  
R. BRUCE BOYER, Mayor

**ATTEST:**

  
MICHAEL A. RESENDEZ, City Secretary

**APPROVED AS TO FORM:**

  
ALAN C. WAYLAND, City Attorney

