

**ORDINANCE NO. 2014-15**

**AN ORDINANCE AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 118, ZONING, ARTICLE II, ZONING DISTRICTS AND REGULATIONS, SEC. 118-45, LIGHT COMMERCIAL DISTRICT "C-1", (a) PURPOSE AND PERMITTED USES, FOR THE PURPOSE OF ESTABLISHING RESTAURANT, CAFÉ, OR CAFETERIA, DRIVE-IN EATING ESTABLISHMENT WITH ALCOHOLIC BEVERAGES SALES, WINERY AND BREWERY AS A PERMITTED USE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, The Planning and Zoning Commission of the City of Burnet, on July 7, 2014, did conduct a public hearing for the purpose of taking public comment regarding the proposal to amend Code of Ordinances Chapter 118, Zoning, Article II, Zoning Districts and Regulations, Sec. 118-45, Light Commercial District "C-1," (a), Purpose and intended uses in order to establish "Restaurant with Alcoholic Beverages Sales, Winery and Brewery" as a permitted use in C-1 zoning districts; and

**WHEREAS**, The Planning and Zoning Commission, following public hearing did formulate a recommendation to City Council regarding adoption of said amendment; and

**WHEREAS**, The City Council has given due consideration to said Planning and Zoning Commission recommendation; and

**WHEREAS**, The City Council has further found said amendment to be consistent with enabling legislation found in Subchapter C, of the Texas Alcoholic Beverage Code; and

**WHEREAS**, Based on these findings, the City Council has determined that adoption of said amendment will be consistent with the best public interest of the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:**

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Amendment of Ordinance.** Code of Ordinances Chapter 118, Zoning Districts and Regulations, Sec. 118-45, Light Commercial District "C-1", (a) Purpose and Permitted uses is hereby amended as follows:

(9) Restaurant, café or cafeteria, drive-in eating establishment with alcoholic beverage sales, winery and brewery.

**Section 3. Repealer.** That other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

**Section 4. Severability.** 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.

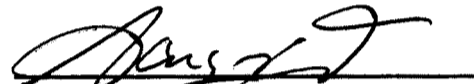
**Section 5. Effective Date.** That this ordinance is effective upon final passage and approval.

**Section 6. Open Meetings.** That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act, Chapt. 551, Loc. Gov't. Code.

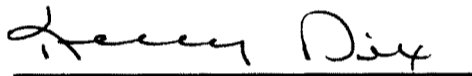
**PASSED AND APPROVED** on First Reading this 8<sup>th</sup> day of July, 2014.

**FINALLY PASSED AND APPROVED** on this 22<sup>nd</sup> day of July, 2014.

**CITY OF BURNET, TEXAS**

  
Gary Wideman, Mayor

**ATTEST:**

  
Kelly Dix, City Secretary

