

## **ORDINANCE NO. 1205-07-19**

### **AN ORDINANCE AMENDING CHAPTER 11 OF THE UNIFIED DEVELOPMENT CODE BY AMENDING SECTIONS 11.2 AND 7.5 TO REVISE THE DEFINITION OF CARPORTS AND TO CLARIFY SETBACK REQUIREMENTS FOR DETACHED CARPORTS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Hondo, Texas is a Home-Rule municipality operating pursuant to its City Charter and the laws of the State of Texas; and

**WHEREAS**, the City of Hondo has approved a Unified Development Code (the “UDC”) establishing the general regulations for carports; and

**WHEREAS**, on September 12, 2016, the City Council approved Ordinance 1108-09-16, adding the definition of carports and establishing setback requirements for carports; and

**WHEREAS**, confusion has arisen regarding the spacing requirements of carports from a primary structure on a property; and

**WHEREAS**, the City Council finds that the public would be better served by revising the UDC to clarify that spacing requirements for detached carports in residential districts.

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HONDO TEXAS:**

#### **SECTION 1. AMENDMENT**

**A.** UDC Chapter 11.2 Defined Terms – the definition for “Carport” is hereby amended to read as follows:

Carport: An open-sided structure for parking of an automobile consisting of a roof supported on posts.

**B.** UDC Chapter 7, Section 7.5.1 Residential Districts - the first paragraph of this section is deleted in its entirety and replaced with the following:

Accessory buildings including garages, tool sheds and other utility structures shall be permitted behind the front setback line, except that carports may be located at a minimum of five (5) feet from the front property line and there is no spacing requirement between detached carport and any other structure on the property. An accessory building or carport attached to a primary structure (whether original or subsequently added to the primary structure) is considered part of the primary structure and must comply with the setback requirement of the primary structure. Accessory

buildings shall not be used for commercial purposes. The following restrictions shall apply to Accessory Buildings:

**SECTION 2. INCORPORATION OF RECITALS.** The City Council finds the recitals contained in the preamble to this ordinance are true and correct and incorporates them as findings of fact.

**SECTION 3. REPEALING ORDINANCES IN CONFLICT.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED** this 22<sup>nd</sup> day of July 2019.

  
MAYOR JAMES W. DANNER

ATTEST:

  
MIGUEL CANTU  
CITY SECRETARY

