

**ORDINANCE NO. 1061-03-15**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HONDO TEXAS, AMENDING THE HONDO ZONING ORDINANCE SECTION 25.404 "USE TABLE", TABLE "B. EDUCATIONAL & INSTITUTIONAL USES" NO. 17. "ART GALLERY OR MUSEUM" TO CHANGE FROM A NON PERMITTED USE ("N") TO A SPECIFIC USE PERMIT ("SUP") IN A HEAVY INDUSTRIAL DISTRICT("HI").**

**WHEREAS**, on January 12, 2015, the Hondo City Council approved setting aside a two (2) acre lot adjacent to the Terminal at the South Texas Regional Airport at Hondo ("Airport") for a Commemorative Air Force ("CAF") museum;

**WHEREAS**, the area encompassing the Airport Terminal is currently zoned in a "Heavy Industrial District ("HI") and a museum is a prohibited use on the property;

**WHEREAS**, a reasonable need exists to change the prohibited use to a Specific Use Permit ("SUP") requirement in order to allow the construction for the contemplated CAF museum;

**WHEREAS**, pursuant to Zoning Ordinance, Section 25.1503.3, the City Council may, in the interest of the public welfare and to assure compliance of the Ordinance, establish conditions of operation, location, arrangement and construction of any specific use for which zoning is authorized;

**WHEREAS**, Notices of public hearings on the proposed permitted use change was duly posted;

**WHEREAS**, the Planning and Zoning Commission and the City Council of the City of Hondo conducted said public hearings in accordance with the Hondo Zoning Ordinance and State law;

**WHEREAS**, pursuant to Zoning Ordinance Section 25.402.3, the Planning and Zoning Commission has transmitted its findings and recommendations to the City Council as to the adoption of the proposed classification to change the prohibited use of a museum ("N") to a Specific Use Permit ("SUP") in the currently zoned Heavy Industrial District ("HI") of the Airport Terminal location in order to allow for the construction of contemplated CAF museum; and

**WHEREAS**, after due deliberation and consideration of the information submitted during the public hearings and the recommendation of the Planning and Zoning Commission, the City Council has determined that approval of the proposed amendment to the City of Hondo Zoning Ordinance regarding the change from a non-permitted use ("N") to a Specific Use Permit ("SUP") in the above-referenced Heavy Industrial District ("HI") would be in the best interest of the citizens of Hondo.

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

**Section 1.** The City of Hondo Zoning Ordinance is hereby amended as follows:

**Section 25.404 Use Table**

**B. EDUCATIONAL & INSTITUTIONAL**

**17. Art Gallery or Museum**

To allow a Specific Use Permit ("SUP") in a Heavy Industrial ("HI") zoned district.

<b>B. EDUCATIONAL &amp; INSTITUTIONAL</b>	<b>RE</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>MF</b>	<b>MMH</b>	<b>CBD</b>	<b>C</b>	<b>LI</b>	<b>HI</b>	<b>PH</b>	<b>CL</b>
17. Art Gallery or Museum	N	N	N	N	N	N	P	P	N	S	N	S

**Section 2.**

**SEVERABILITY**

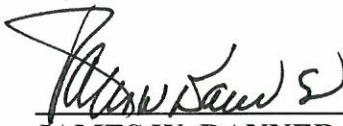
If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 3.**

**EFFECTIVE DATE**

This ordinance shall take effect on March 9, 2015.

**PASSED AND APPROVED THIS 9<sup>TH</sup> DAY OF MARCH, 2015.**

  
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**JAMES W. DANNER, MAYOR**

**ATTEST:**

  
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**Gloria Colbath**

**Gloria Colbath, City Secretary**

