

**ORDINANCE NO 1171-05-18**

**AN ORDINANCE OF THE CITY OF HONDO CHAPTER 15 OF CITY CODE OF ORDINANCES AMENDING UNIFIED DEVELOPMENT CODE, CHAPTER 6, SECTION 6.1.2 TO AMEND USE TABLE TO REPLACE “DAY CARE CENTER OR KINDERGARTEN SCHOOL” WITH “CHILDCARE OR PRESCHOOL (0-5)” AND REPLACING “PUBLIC OR DENOMINATIONAL SCHOOL” WITH “PUBLIC SCHOOL (PK-12)”;** TO AMEND USE TABLE IN SECTION 6.1.2 TO ALLOW PUBLIC SCHOOL USE IN COMMERCIAL LIGHT DISTRICTS AND TO ADD A “PRIVATE SCHOOL (PK-12)” USE TO TABLE

**WHEREAS**, the City of Hondo (“City”) has adopted a comprehensive plan to promote health, safety, good morals, and general welfare of the community; and

**WHEREAS**, City adopted the Hondo Unified Development Code (“UDC”) on January 8, 2018, by Ordinance No. 1148-01-18; and

**WHEREAS**, City staff has determined that the listed PK-12 educational uses in the UDC use outdated terminology are inconsistent with the site selection and property acquisition (for school construction) powers granted to independent districts by the State of Texas; and

**WHEREAS**, the Planning & Zoning Commission have reviewed UDC Section 6.1.2 and now recommend revisions the UDC’s school use terminology and to allow public schools in Commercial Light Districts.

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

- 1. Findings of Fact.** The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.
- 2. Amendment.**

A. The Use Table included UDC Section 6.1.2 is amended as follows:

(i) The phrase “Day Care Center or Kindergarten School,” at row B.3 is deleted in its entirety and replaced with, “Childcare or Preschool (0-5)”.

(ii) Row B.7 is deleted in its entirety and replaced the following:

	RE	R1	R2	R3	MF	MMH	CBD	C	LI	HI	PH	CL
7. Public School (PK-12)	P	P	P	P	P	P	P	P	P	P	P	P

(iii) Use Table is appended to include the following:

	RE	R1	R2	R3	MF	MMH	CBD	C	LI	HI	PH	CL
21. Private School (PK-12)	S	S	S	S	S	S	S	S	N	S	N	S

B. The uses listed in UDC Section 5.1.2(d); Section 5.1.3(d); Section 5.1.4(d); Section 5.1.5(d); Section 5.1.6(d); Section 5.1.7(d); Section 5.1.8(d); Section 5.2.1(d); Section 5.2.2(d); and Section 5.2.3(d) are amended by deleting, "Day Care Center or Kindergarten School," and replacing with, "Childcare or Preschool (0-5)".


C. The uses listed in UDC Section 5.1.2 (c); 5.1.3(c); Sections 5.1.4(c); Sections 5.1.5(c); Sections 5.1.6(c); Sections 5.1.7(c); Sections 5.1.8(c); Sections 5.2.1(c); Sections 5.2.1(c); Sections 5.2.3(c); Section 5.2.4(c); Section 5.2.5(c); Section 5.3.2 (b); are amended by deleting, "Public or Denominational School," and replacing with "Public School (PK-12)".

D. The uses listed in UDC Section 5.1.2(d); Section 5.1.3(d); Section 5.1.4(d); Section 5.1.5(d); Section 5.1.7(d); Section 5.1.8(d); Section 5.2.1(d); Section 5.2.2(d); Section 5.2.3(d); and Section 5.2.5(d) are appended to include, "Private School (PK-12)".

3. **Effective Date.** This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.
4. **Open Meetings.** 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 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 Meetings Act.
5. **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

**PASSED AND APPROVED this 14th day of May, 2018.**



  
James W. Danner, Sr.  
Mayor

ATTEST:



Miguel Cantu  
City Secretary