

**ORDINANCE NO. 1010-02-14**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HONDO, TEXAS, AMENDING CHAPTER 10, "SUBDIVISION REGULATION" SECTION 10.02.031, "GENERAL PROVISIONS" TO ADD THAT APPROVAL OF A PLAN, PLAT OR REPLAT BY THE PLANNING AND ZONING COMMISSION MUST BE RATIFIED BY A MAJORITY VOTE OF THE CITY COUNCIL AND REMOVE THE REQUIREMENT THAT APPROVAL OF A PLAN, PLAT OR REPLAT MUST BE RATIFIED BY AN ORDINANCE FROM CITY COUNCIL.**

**WHEREAS**, Section 212.006 of the Texas Local Government Code provides that the governing body by ordinance may require the approval of the governing body of a plat, and/or replat in addition to that of the municipal planning commission;

**WHEREAS**, currently Section 10.02.031(a) of the City of Hondo Code of Ordinances provides that before the approval of any plan, plat, or replat by the planning and zoning commission becomes final, such approval must be ratified by the City Council of the City of Hondo by ordinance; and

**WHEREAS**, in order to streamline the approval process and to lessen time and expense, the ratification of the Planning and Zoning Commission's recommendation for approval of a plan, plat or replat is best served by a majority vote of the City Council in order to avoid the added administrative burden in the preparation of an ordinance.

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

Section 10.02.31(a), "General Provisions" is hereby amended as follows:

**Sec. 10.02.31 General provisions**

(a) Before any plan, plat, or replat of a subdivision of land inside the city, or within one (1) mile of the city limits thereof shall be recorded with the County Clerk of Medina County, it shall first be approved by the planning and zoning commission of the City of Hondo in conformity with V.T.C.A., Local Government Code, chapter 212, and with the provisions of this article. *Before the approval of any plan, plat, or replat by the planning and zoning commission becomes final, such approval must be ratified by a majority vote of the City of Hondo city council.* However, the city council of the City of Hondo shall not approve any plan, plat, or replat of a subdivision without prior written approval of the planning and zoning commission. No transfer of land in the nature of a subdivision as defined herein shall be exempt from the provisions of this article even though the instrument or document of transfer may describe the land so subdivided by metes and bounds. The filing of any plan, plat, or replat without complying with the requirements of this article, or the transfer of land by filing of any instrument in the nature of a conveyance without having first complied with the requirements of this article, shall be deemed a violation of the provisions of this article.

Any prior ordinance of the City Council in conflict with the provisions contained in this Ordinance is hereby repealed and revoked.

Should any part of this Ordinance be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

**PASSED AND APPROVED THIS 10th DAY OF FEBRUARY, 2014.**



JAMES W. DANNER, Sr., MAYOR

**ATTEST:**



Gloria Colbath, City Secretary



**APPROVED AS TO FORM:**

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William M. McKamie, City Attorney