



ORDINANCE NO. 1233

AN ORDINANCE OF THE CITY OF CIBOLO, TEXAS, AMENDING APPENDIX A OF THE CITY OF CIBOLO'S CODE OF ORDINANCES, ENTITLED "2013 CIBOLO UNIFIED DEVELOPMENT CODE" BY REVISIONS TO THE ARTICLES THEREIN; INCLUDING ADOPTION OF A NEW ARTICLE 11, ENTITLED "WIRELESS COMMUNICATION FACILITIES, HAM RADIO ANTENNA, SATELLITE DISHES, SMALL-SCALE WIND ENERGY CONVERSION SYSTEMS, SOLAR ARRAYS"; AND THE ADOPTION OF APENDIX A, ENTITLED "EXTERIOR BUILDING COLOR PALETTE"; AND ADOPTION OF APPENDIX B, ENTITLED, "BUILDING HEIGHT EXHIBIT"; AND ADOPTION OF APPENDIX C, ENTITLED "BUILDING MATERIAL EXHIBIT"; PROVIDING FOR ADOPTION; REPEALING ALL OTHER ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, PROVIDING FOR PENALTY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, §212 of the Texas Local Government Code empowers the City of Cibolo to establish, administer, enforce and amend Subdivision Regulations; and

WHEREAS, §211 of the Texas Local Government Code empowers the City of Cibolo to establish, administer, enforce and amend Zoning Regulations; and

WHEREAS, the City Council of the City of Cibolo, Texas, adopted Ordinance 1048 on February 26, 2013, adopting a Unified Development Code to improve the ability of the City to protect the community health, safety and general welfare; and

WHEREAS, Article 3, Section 3.7 of the UDC allows the City of Cibolo to amend the UDC as necessary, in accordance with the requirements of Chapter §211 of the Texas Local Government Code to protect the community health, safety and general welfare; and

WHEREAS, the City Council of the City of Cibolo, Texas, adopted Ordinance 1099 on April 22, 2014, amending Ordinance 978 by creating a Unified Development Code Committee comprised of seven citizens from multiple appointed advisory groups with expertise in land development, economic development, infrastructure construction and who were active in the affairs of the City of Cibolo, to update the Cibolo Unified Development Code to improve the ability of the City protect the community health, safety and general welfare; and

WHEREAS, the UDC Committee held eleven (11) meetings to discuss proposed amendments of the UDC, each held within the Cibolo City Hall; all as being legally posted and open to the public; and

WHEREAS, a joint workshop was held to discuss the various proposed amendments as outlined in Exhibit "A", the amendment of Article 11 and adoption Appendix A, B, and C of the Unified Development Code by City Council, the Planning & Zoning Commission, the Unified Development Code Committee and Economic Development Corporation on February 7, 2018 in the Cibolo City Hall; as being legally posted and open to the public; and

WHEREAS, two public hearings were held to discuss the various proposed amendments of the UDC as depicted in Exhibit "A", with the first public hearing being conducted by the Planning and Zoning Commission on April 11, 2018 in the Cibolo City Hall; and, the second public hearings being conducted by City Council on April 24, 2018 in the Cibolo City Hall; each being conducted for the purpose of providing all interested persons the opportunity to be heard concerning the proposed amendments to the Unified Development Code; and

WHEREAS, legal notice notifying the public of both public hearings was published in the *Seguin Gazette*, a newspaper of general circulation in the City of Cibolo, on March 25 and March 27, 2018, with said publications provided more than fifteen (15) days prior to the initial public hearing of the City Council as cited above; and

WHEREAS, the Planning and Zoning Commission recommended approval of the various proposed amendments, the amendment of Article 11 and the addition Appendix A, B and C, as outlined in Exhibit "A"; and

WHEREAS, the City Council finds and determines that the various proposed amendments were fully reviewed by the Planning and Zoning Commission and accurately reflects the land development policies of the City Council.

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS:

**SECTION I.
RECITALS**

THAT the recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

**SECTION II.
ADOPTION**

THAT, the City of Cibolo Code of Ordinances' UNIFIED DEVELOPMENT CODE "UDC" is hereby amended as more particularly described on Exhibit "A".

**SECTION III.
SEVERABILITY**

THAT, if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of the ordinance; and

**SECTION IV.
REPEAL**

THAT, all ordinances, or parts of ordinances, in conflict with any of the provisions of this ordinance are hereby repealed insofar as the same is in conflict with the provisions hereof; and

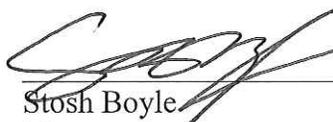
**SECTION V.
PUBLIC MEETING**

THAT, it is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code and Chapters 211 and 212 of the Texas Local Government Code.

**SECTION VI.
EFFECTIVE DATE**

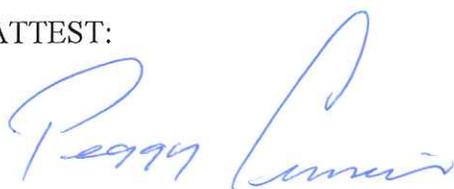
THIS ordinance will take effect its passage, approval and publication as provided by law.

PASSED AND APPROVED this, the 24th day of April 2018.



Stosh Boyle
Mayor

ATTEST:



Peggy Cimics, TRMC
City Secretary

