

**ORDINANCE NO. O-2023-30**

**AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY CHANGING THE ZONING FROM "PMF", PLANNED MULTI-FAMILY RESIDENTIAL DISTRICT TO "POD", PLANNED OFFICE DISTRICT WITH A FINAL SITE PLAN ON LOT 1 OF NCB 950-B, ONE LOT CONTAINING APPROXIMATELY 1.64 ACRES OF LAND LOCATED SOUTH OF THE SOUTHWEST INTERSECTION OF EAST 5TH STREET AND PINE CREST DRIVE (1709 PINE CREST DRIVE); DIRECTING THE AMENDMENT OF THE ZONING MAP; DIRECTING THE AMENDMENT OF THE FUTURE LAND USE GUIDE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission of the City of Tyler, Texas, and the City Council of the City of Tyler, Texas, in compliance with the Charter and the State law with reference to the zoning ordinance of the City of Tyler, Texas, and zoning map, have given requisite notices by publication and otherwise and after holding a due hearing and affording a full and fair hearing to all the property owners, generally and to the persons interested, situated in the affected area and in the vicinity thereof, the City Council is of the opinion that the zoning change should be made as set forth herein;

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

**PART 1:** That the following zone change is hereby approved as follows:

**I. APPLICATION Z22-063**

That the following described property, which has heretofore been zoned "PMF", Planned Multi-Family Residential District, shall hereafter bear the zoning classification of "POD", Planned Office District with a final site plan, to wit:

Lot 1 of NCB 950-B, one lot containing approximately 1.64 acres of land located south of the southwest intersection of East 5th Street and Pine Crest Drive (1709 Pine Crest Drive) and in accordance with the Final Site Plan in Exhibit "A" attached hereto and incorporated herein.

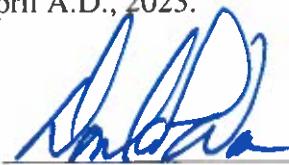
**PART 2:** That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the above described zoning and the future land use guide to reflect Office.

**PART 3:** Should any section, subsection, sentence, provision, clause, or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

**PART 4:** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished

by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until after its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be April 28<sup>th</sup>, 2023.

**PASSED AND APPROVED** this the 26<sup>th</sup> day of April A.D., 2023.



DONALD P. WARREN, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK

APPROVED:

  
DEBORAH G. PULLUM,  
CITY ATTORNEY

**ORDINANCE NO. O-2023-30  
EXHIBIT "A"  
FINAL SITE PLAN**

These observations support the D95-96 hypothesis of C. L. M. that the presence of a small number of individuals in a group is sufficient to support the formation of a social bond.

