

ORDINANCE NO. O-2016-51

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; APPROVING A SPECIAL USE PERMIT TO ALLOW FOR A MAJOR FOOD TRUCK PARK, CONSISTING OF A MAXIMUM OF FIVE MOBILE FOOD UNITS, FOR AN INDEFINITE PERIOD OF TIME ON LOTS 24A OF NCB 41 AND LOT 30 OF NCB 41, TWO LOTS CONTAINING APPROXIMATELY 0.27 ACRES OF LAND LOCATED EAST OF THE INTERSECTION OF SOUTH CENTER AVENUE AND EAST ELM STREET (120 SOUTH CENTER AVENUE AND 119 ADAMS AVENUE); 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 special use 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 special use is hereby approved as follows:

I. APPLICATION S06-16-009

That the following described property, which is currently zoned "DBAC", Downtown Business, Arts and Culture District, shall hereafter be used under a special use permit to allow for a major food truck park, to-wit:

Lots 24A of NCB 41 and Lot 30 of NCB 41, two lots containing approximately 0.27 acres of land located east of the intersection of South Center Avenue and East Elm Street (120 South Center Avenue and 119 Adams Avenue), for an indefinite period of time and in accordance with Exhibit "A", which is attached hereto and is incorporated herein.

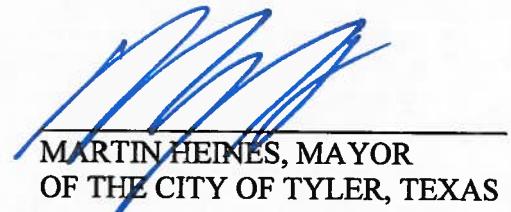
PART 2: The Special Use Permit is restricted to five mobile food units at any one time.

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 June 27, 2016.

PASSED AND APPROVED this the 22nd day of June, A.D., 2016.

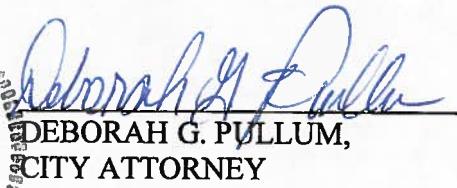

MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


DEBORAH G. PULLUM,
CITY ATTORNEY

**ORDINANCE NO. O-2016-51
EXHIBIT "A"
SITE PLAN**

LONG HPI
MANUFACTURING

S. CENTER AVE. (50' ROW)

ZONED M-1
MANUFACTURING

E. ELM ST. (50' ROW)

170 171

1000 1000

MANUFACTURING

ADAMS AVE. (50' ROW)

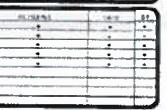
LINED K-1
MANUFACTURING



TYLER FOOD TRUCK PARK
120 S. CENTER AVE.

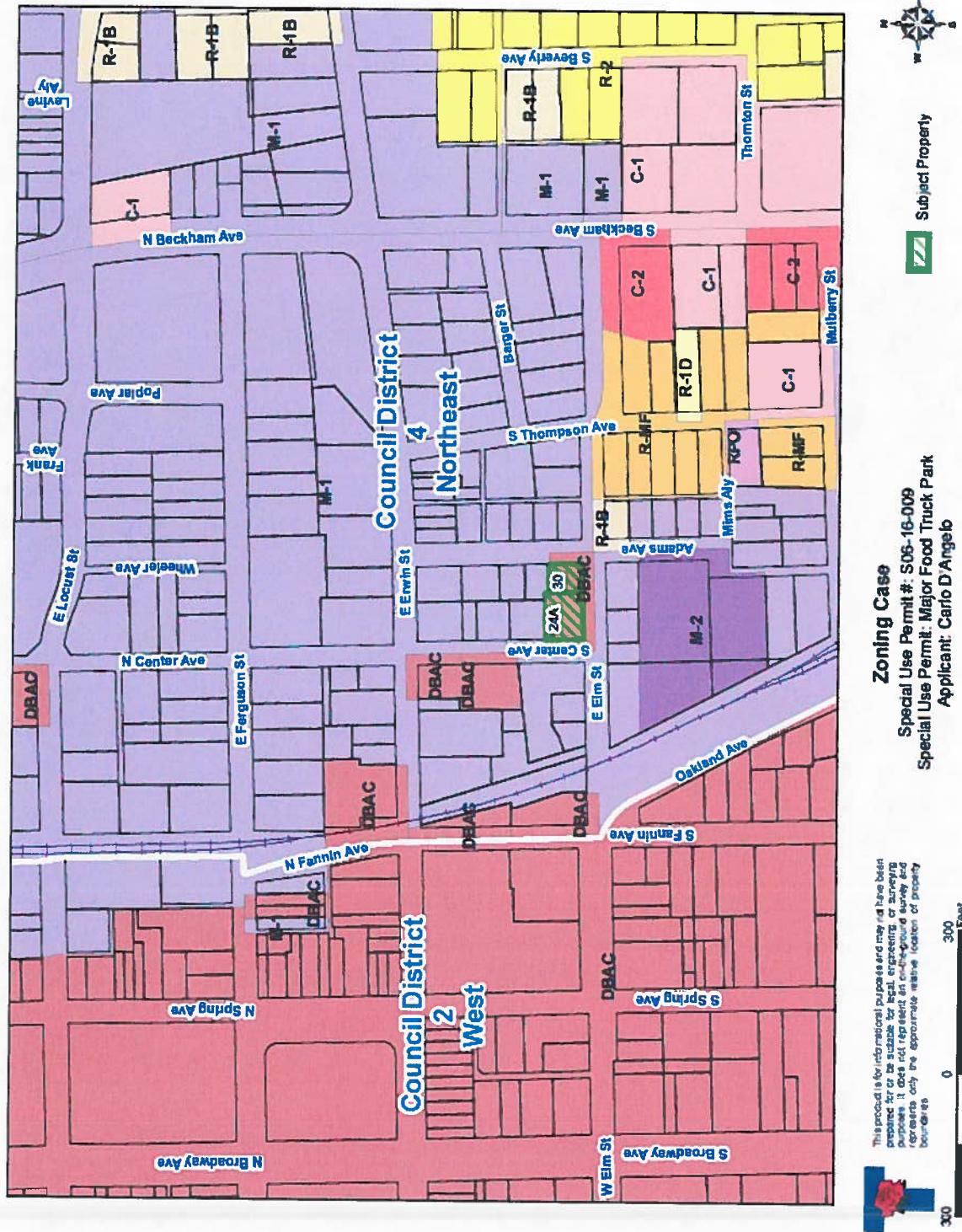
SUP SITE PLAN

 Adams



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ORDINANCE NO. O-2016-51
EXHIBIT "B"
LOCATION MAP



ORDINANCE NO. O-2016-51
 EXHIBIT "C"
 TYLER 1ST FUTURE LAND USE GUIDE

