

ORDINANCE NO. 0-2015-52

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 7, "COMMUNITY DEVELOPMENT", ARTICLE IV., "GUIDELINES FOR NEIGHBORHOOD EMPOWERMENT ZONE (NEZ), OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, BY UPDATING THE REFERENCE TO THE TYLER 1ST COMPREHENSIVE PLAN AND BY AMENDING CURRENT CITATIONS TO STATE LAW TO INCLUDE ANY SUCCESSOR STATUTE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City had established Community Development regulations in Tyler City Code Chapter 7; and

WHEREAS, on April 9, 2014, the City Council adopted the Tyler 1st Comprehensive Plan as guide for future development and prioritization for projects and public spending, which replaced the Tyler 21 Comprehensive Plan; and

WHEREAS, it is important to update the current reference to the Tyler 21 Plan in the Neighborhood Empowerment Zone provisions in City Code Chapter 7 by changing the reference to Tyler 1st; and

WHEREAS, pursuant to Texas Local Government Code Chapter 378, the City Council has established Neighborhood Empowerment Zone guidelines for the purpose of increasing the public health, safety and welfare; and

WHEREAS, it is important to add a reference to any successor statute to the City Code citation to Texas Local Government Code Chapter 378;

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

PART 1: That Tyler City Code Chapter 7, "Community Development", Article IV., "Guidelines for Neighborhood Empowerment Zone (NEZ)", is hereby amended by amending Section 7-190 to read as follows:

Sec. 7-190. Program general purpose; objectives and intent.

- a. A Neighborhood Empowerment Zone (NEZ) may be established for the public purpose of increasing the public health, safety, and welfare of the citizens in accordance with Chapter 378 of the Texas Local Government Code, or successor statute.
- b. NEZ's must promote one or more of the following objectives:
 1. The creation of affordable housing in the zone;
 2. An increase in economic development in the zone;

3. An increase in the quality of social services, education, or public safety provided to residents in the zone; or
 4. The rehabilitation of affordable housing in the zone.
- c. The intent of this pilot program is to:
1. Assess the feasibility of establishing a formal NEZ program that will focus on encouraging the development of entire neighborhoods rather than construction of individual homes in existing neighborhoods.
 2. Create at least two pilot NEZs comprised of at least 20 homes on contiguous lots within the North End area of Tyler as identified by the Tyler 1st Plan.
 3. Determine the desirability of expanding the NEZ program in future years throughout the North End area. (Ord. No. 0-2011-19; 3/23/11) (Ord. No. 0-2015-52, 5-13-15)

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: This ordinance shall take effect immediately upon its adoption.

PASSED AND APPROVED on this the 13th day of May, A.D., 2015.




MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK

APPROVED:



STEVEN M. KEAN, DEPUTY
CITY ATTORNEY

