

ORDINANCE NO. O-2013-19

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 HOMELESS DAY RESOURCE ROOM FOR A ONE YEAR PERIOD OF TIME ON LOT 34 OF NCB 231, ONE LOT TOTALING APPROXIMATELY 0.36 ACRES OF LAND LOCATED AT THE SOUTHEAST INTERSECTION OF VALENTINE STREET AND CARLYLE AVENUE (601 VALENTINE STREET); 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 S03-13-010

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 homeless day shelter, to-wit:

Lot 34 of NCB 231, one lot containing approximately 0.36 acres of land located at the southeast intersection of Valentine Street and Carlyle Avenue (601 Valentine St), for a one year period of time.

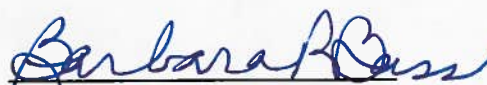
PART 2: The Special Use Permit is subject to the following requirements which are addressed in Exhibit "A":

1. No occupants shall stay at the facility overnight
2. Maintain client roster
3. Prohibit clientele from loitering
4. Prohibit clientele from trespassing on private property
5. Prohibit clientele from begging
6. Prohibit improper use of bus stops
7. Prohibit criminal activity
8. Provide daytime programming of activities inside the resource room

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 March 29, 2013.

PASSED AND APPROVED this the 27th day of March, A.D., 2013.

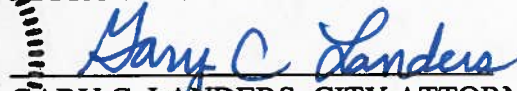

BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


GARY C. LANDERS, CITY ATTORNEY

Gateway to Hope Action Plan

Mission Statement: Gateway to hope works to prevent and end homelessness in East Texas so that no one is without a safe, stable place to call home.

Goals: Partner with individuals, government, business, congregations, and non-profit agencies to prevent and end homelessness.

Address root causes of homelessness through education, job training, spiritual services from the spectrum of faith traditions, and behavioral health services.

1. No occupants shall stay at the facility overnight

Gateway to Hope is a day resource room only. GED and other educational classes may be conducted in the evening lasting no later than 7 p.m. No overnight stay is allowed.

2. Maintain client roster

Clients are issued photo IDs, provided mail boxes and lockers. Clients are connected to the message center. A client roster is maintained.

3. Prohibit clientele from loitering

The Gateway to Hope will have a designated Smoking Area in compliance with the City Smoking ordinance. Clients are welcome to remain at the establishment while conducting business and encouraged to seek employment upon their departure. Clients are not allowed to loiter.

4. Prohibit clientele from trespassing on private property

A handout is provided to all registered clients with information and instructions related to the day resource room.

Clients are instructed not to trespass on adjacent private property.

5. Prohibit clientele from begging

A handout is provided to all registered clients with information and instructions related to the day resource room.

Clients are instructed not to engage in begging activity.

6. Prohibit improper use of bus stops

A handout is provided to all registered clients with information and instructions related to the day resource room.

Clients are instructed not to engage in the improper use of bus stops.

EXHIBIT "A" to ORDINANCE NO. O-2013-19

Page 2 of 2

7. Prohibit criminal activity

A handout is provided to all registered clients with information and instructions related to the day resource room.

Clients are instructed not to engage in criminal activity.

8. Provide daytime programming of activities inside the resource room

Gateway of Hope will provide the following:

Photo IDs

Mail boxes

Lockers

Message Center

Computer Access

Barber Shop

Showers

Laundry

Network with Social and Job Agencies