

ORDINANCE NO. O-2024-88

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY APPROVING THE “PCD”, PLANNED COMMERCIAL DISTRICT NARRATIVE AMENDMENT ON A 44.43 ACRE PORTION OF TRACTS 7A, 7A.1 S05, AND LOT 1.2 OF NCB 1545, LOT 1 OF NCB 1545-A, AND LOTS 3, 4, 5, 6, AND 7 OF NCB 1545-B, TWO TRACTS AND SEVEN LOTS CONTAINING APPROXIMATELY 154.4 ACRES OF LAND LOCATED WEST OF THE INTERSECTION OF SOUTH SOUTHWEST LOOP 323 AND EARL CAMPBELL PARKWAY (800 BELLWOOD GOLF CLUB ROAD, 4698, 4799, AND 5202 BELLWOOD ROAD, 1471, 1531, 1555, 1565, 1575, 1669, 1699, 1753, 1757, 1781, 1801, 1839, 1847, AND 1873 SOUTH SOUTHWEST LOOP 323, AND 3752 AND 3753 EARL CAMPBELL PARKWAY); DIRECTING THE AMENDMENT OF THE ZONING MAP; 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 PD24-018

That the existing site development plan is hereby amended by approving the narrative attached hereto as Exhibit “A” on the following described property zoned “PCD”, Planned Commercial District, to wit:

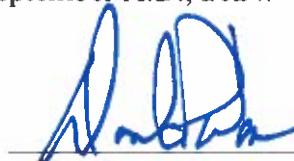
On a 44.43 acre portion of Tracts 7A, 7A.1 S05, and Lot 1.2 of NCB 1545, Lot 1 of NCB 1545-A, and Lots 3, 4, 5, 6, and 7 of NCB 1545-B, two tracts and seven lots containing approximately 154.4 acres of land located west of the intersection of South Southwest Loop 323 and Earl Campbell Parkway (800 Bellwood Golf Club Road, 4698, 4799, and 5202 Bellwood Road, 1471, 1531, 1555, 1565, 1575, 1669, 1699, 1753, 1757, 1781, 1801, 1839, 1847, and 1873 South Southwest Loop 323, and 3752 and 3753 Earl Campbell Parkway and in accordance with the Narrative 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.

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 September 27th, 2024.

PASSED AND APPROVED this the 25th day of September A.D., 2024.



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

ATTEST:

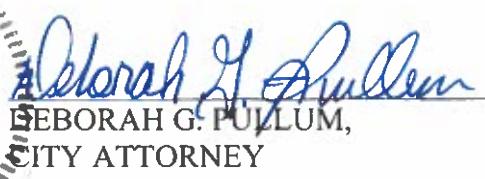


Cassandra Brager

CASSANDRA BRAGER, CITY CLERK



APPROVED:



Deborah G. Pullum

DEBORAH G. PULLUM,
CITY ATTORNEY

ORDINANCE NO. O-2024-88

EXHIBIT "A"

NARRATIVE

***Amend "PCD" narrative approved as O-2008-21 only as follows:

V. PERMITTED USES

A. Except as follows, uses permitted by Section 10-203(b) of the Zoning Ordinance [Use Chart] and by Section 10-230 of the Zoning Ordinance [Planned Commercial District] are permitted on the Property, including, but not limited to, single family detached, zero lot line homes, single family attached, multifamily (both standard and tower), and antique stores:

1. Expressly Prohibited Uses:

- a. Alcoholic, narcotic, and psychiatric care
- b. Amusement park, commercial (outdoor)
- c. Auto detail shop
- d. Auto glass, muffler, and seat cover shop
- e. Auto quick service (oil & use) (except along Loop 323 frontage)
- f. Auto service garage (except along Loop 323 frontage)
- g. Auto supply (with install)
- h. Auto transmission repair shop
- i. Auto and truck paint and body shop
- j. Auto, truck, and equipment auction facility
- k. Carwash, Automated (except along Loop 323 frontage)
- l. Carwash, do-it-yourself(4±bays)
- m. Carwash, do-it-yourself(maximum 4 bays)
- n. Farm, machinery, heavy equipment dealership
- o. Flea market (indoor only)
- p. Flea market (with outdoor display)
- q. Hauling and storage facility
- r. Mini-storage warehouse
- s. Outdoor storage (permanent)
- t. Pawn brokerage shop
- u. Second hand store (does not include an antique store)
- v. Self-service storage facility

- w. Stadium (public)
- x, Tobacco store
- y. Truck, heavy equipment rental facility
- z. Truck, tractor (sales, rental, service)