

ORDINANCE NO. 09-090

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, TEXAS, AMENDING THE CITY OF GREENVILLE CODE OF ORDINANCES, CHAPTER 28, ZONING REGULATIONS, ARTICLE IV PLANNED UNIT DEVELOPMENT, SECTION 6-2.3, AMENDING LANGUAGE REGARDING THE SIZE AND DENSITY REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR A REPEALING, SEVERABILITY, AND PENALTY CLAUSE AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER DECEMBER 8, 2009.

WHEREAS, Staff is recommending the approval of an amendment to Chapter 28, Section 6-2.3 to grant Planned Development Zoning designations for smaller sites, provided the site meets all of the requirements of a Planned Development District; and

WHEREAS, notice of a hearing was published in a newspaper of general circulation in the City, which stated the time and place of hearing, which time was not fewer than fifteen (15) days after first day of such publication; and

WHEREAS, on November 16, 2009, the Planning and Zoning Commission, and, after the public hearing, recommended approval of this request; and

WHEREAS, a public hearing was held by the City Council prior to approval of the proposed amendment; and

WHEREAS, the City Council hereby finds that amending Chapter 28, Section 6-2.3 to grant Planned Development Zoning designations for smaller sites, provided the site meets all of the requirements of a Planned Development District is in the best interest of the citizens of Greenville;

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

SECTION 1. The recitals set forth above are hereby found by the City Council to be true and correct, and are incorporated by reference herein and expressly made a part hereof as if copied verbatim.

SECTION 2. The City Council of the City of Greenville hereby amends Chapter 28, Section 6-2.3 Size & Density as follows:

(C) A PD District may be established for a gross contiguous area less than those outlined in Section 6-2.3(A)(1)-(4), subject to the following conditions:

(1) All requirements for a Planned Development District listed herein are satisfied;

- (2) Recommendation of the Planning and Zoning Commission and approval of the City Council.

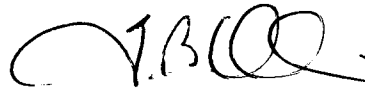
SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are repealed to the extent of conflict only.

SECTION 4. A person who violates this Ordinance is guilty of a separate offense for each day or part of day the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That if any section, provision, subsection, paragraph, sentence, clause, phrase, or word in this Ordinance or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions of this Ordinance, and the City Council of the City of Greenville, Texas hereby declares it would have enacted such remaining portions, despite such invalidity.

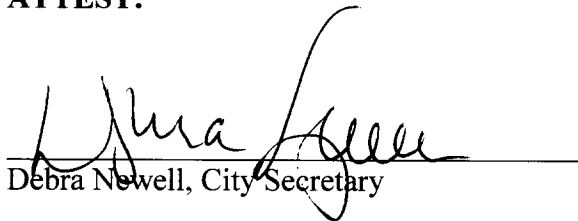
SECTION 6. This Ordinance shall be in full force and effect from and after December 8, 2009.

PASSED AND APPROVED, this the 8th day of December, 2009.



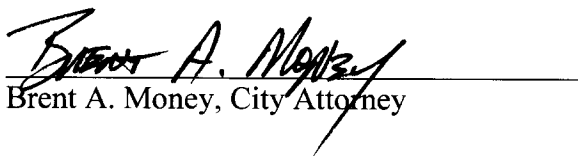
Thomas B. Oliver, Mayor

ATTEST:



Debra Newell, City Secretary

APPROVED AS TO FORM:



Brent A. Money, City Attorney