



DATE January 29, 2013
TO Mayor and City Council
FROM Lee Ann Dumbauld *lad*
SUBJECT Ordinance 2013-O0006

Attached is a copy of the ordinance as amended on the floor at the January 10, 2013 City Council meeting for Item 5.24 in the January 31, 2013 agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 7084 AND THE OFFICIAL MAP OF THE CITY OF LUBBOCK MAKING THE FOLLOWING CHANGES: **ZONE CASE NO. 2904-F; A ZONING CHANGE FROM M-2, C-4 AND C-4 SPECIFIC USE TO IHC, ON LOTS 1-15, AND THE EAST PART OF LOTS 16-21, BLOCK 31, EASLEY ADDITION; LOTS 1-15 AND LOTS 26-30, LOW & MCNABB ADDITION; LOTS 1-9, BLOCK 2, LOTS 1-4, BLOCK 7 AND LOT 8, BLOCK 10, RICHMOND SECOND ADDITION AND ADJACENT RAILROAD RIGHT-OF-WAY; TRACT B, R.C. TAYLOR ADDITION AND ADJACENT RAILROAD RIGHT-OF-WAY; LOTS 12-21, BLOCK 7, WILLIAM TUBBS ADDITION, LUBBOCK, TEXAS; PROVIDING A PENALTY; PROVIDING A SAVINGS CLAUSE AND PROVIDING FOR PUBLICATION.**

WHEREAS, the proposed changes in zoning as hereinafter made have been duly presented to the Planning and Zoning Commission for its recommendation which was received by the City Council and, after due consideration, the City Council found that due to changed conditions, it would be expedient and in the interest of the public health, safety and general welfare to make those proposed changes in zoning; and

WHEREAS, the 1986 Comprehensive Land Use Plan as amended is a guide to help the Lubbock Planning and Zoning Commission and City Council determine the physical development of the community; however, planning is a continuous process and change is inevitable; and

WHEREAS, the Lubbock Planning and Zoning Commission and City Council recognize that the zone change is a minor deviation from the 1986 Comprehensive Land Use Plan as amended, which protects public and private commitments that have been previously based on the Plan; and

WHEREAS, all conditions precedent required by law for a valid amendment to the Zoning Ordinance and Map have been fully complied with, including giving notices in compliance with Section 40.01.005 of the Code of Ordinances, City of Lubbock, Texas, and the notices provided by the Texas Local Government Code §211.007 (Vernon, 1990), and notice was duly published in the Lubbock Avalanche-Journal more than fifteen (15) days prior to the date of the public hearing before the City Council on such proposed amendment, and the public hearing according to said notice, was held in the City Council Chamber of the Municipal Building, Lubbock, Texas, at which time persons appeared in support of the proposal; and after said hearing, it was by the City Council determined that it would be in the public interest, due to changed conditions, that the Zoning Ordinance and the Zoning Map be amended in the manner hereinafter set forth in the body of this Ordinance and this Ordinance having been introduced prior to first reading hereof; NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUBBOCK:

ZONE CASE NO. 2904-F

SECTION 1. THAT Ordinance No. 7084 and the Official Zoning Map are amended as follows:

A change of zoning under provisions of Section 40.01.005 of the Code of Ordinances of the City of Lubbock from **M-2, C-4, and C-4 Specific Use to IHC on Lots 1-15, and the east part of Lots 16-21, Block 31, Easley Addition; Lots 1-15 and Lots 26-30, Low & McNabb Addition, Lots 1-9, Block 2, Lots 1-4, Block 7 and Lot 8, Block 10, Richmond Second Addition and adjacent Railroad Right-of-Way; Tract B, R.C., Taylor Addition and adjacent Railroad Right-of-Way; Lots 12-21, Block 7, William Tubbs Addition, City of Lubbock, Lubbock County, Texas, located at east of North Avenue Q Drive, north of 3rd Street, west of Avenue M, and south of 2nd Street.**

SECTION 2. THAT violation of any provision of this Ordinance shall be deemed a misdemeanor punishable by fine not to exceed Two Thousand and No/100 Dollars (\$2,000.00) as provided in Section 40.01.006 of the Zoning Ordinance of the City of Lubbock.

SECTION 3. THAT should any paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

SECTION 4. THAT the City Secretary is hereby authorized to cause publication of the descriptive caption of this Ordinance as an alternative method provided by law.

AND IT IS SO ORDERED.

Passed by the City Council on first reading on _____.

Passed by the City Council on second reading on _____.

GLEN C. ROBERTSON, MAYOR

ATTEST:

Rebecca Garza, City Secretary

APPROVED AS TO CONTENT:



Randy Henson, Director of Planning

APPROVED AS TO FORM:



Chad Weaver
Assistant City Attorney

vw/CityAtt/Chad/Zones/ZC2904-F (Amended)
January 10, 2013