

ORDINANCE NO. 2022-950

AN ORDINANCE OF THE CITY OF WACO, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY REVISING SECTION 28-247 IN CHAPTER 28 "ZONING" OF SAID CODE; PROVIDING THAT THE ZONING MAP SHALL BE CHANGED SO THAT 0.23 ACRES (10,000 SQUARE FEET) OF CERTAIN PROPERTY DESCRIBED AS BEING ALL OF THAT TRACT OF LAND LOCATED IN THE CITY OF WACO, MCLENNAN COUNTY, TEXAS, BEING A PORTION OF LOT 13, BLOCK 1 OF THE WESTWOOD ADDITION TO THE CITY OF WACO, MCLENNAN COUNTY, TEXAS, AS SHOWN ON THE PLAT RECORDED IN MCLENNAN COUNTY CLERK'S DOCUMENT 2015032996 OF THE OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS, KNOWN AS 4901 FRANKLIN AVENUE, SHALL BE CHANGED FROM M-2 DISTRICT CLASSIFICATION AND BECOME AND BE DESIGNATED INTO C-2 DISTRICT CLASSIFICATION; PROVIDING FOR PENALTIES; PROVIDING A SEVERABILITY CLAUSE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WACO, TEXAS:

Section 1. That pursuant to Section 28-247 in Chapter 28 "Zoning" of the Code of Ordinances of the City of Waco, Texas, the zoning maps be amended based on the following findings:

1. The proposed zoning is in keeping with the land use component of the Comprehensive Plan;
2. The public infrastructure is adequate to provide for uses allowed in the C-2 zoning district;
3. The property meets all the size and width requirements for C-2 zoning; and
4. Commercial is the dominant zoning along this side of Franklin Avenue,

and that the Zoning Map be changed so that territory located in the City of Waco, McLennan County, Texas, as hereinafter described, to-wit:

0.23 ACRES (10,000 SQUARE FEET) OF PROPERTY DESCRIBED AS BEING ALL OF THAT TRACT OF LAND LOCATED IN THE CITY OF WACO, MCLENNAN COUNTY, TEXAS, BEING A PORTION OF LOT 13, BLOCK 1 OF THE WESTWOOD ADDITION TO THE CITY OF WACO, MCLENNAN COUNTY, TEXAS, AS SHOWN ON THE PLAT RECORDED IN MCLENNAN COUNTY CLERK'S DOCUMENT 2015032996 OF THE OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS, KNOWN AS 4901 FRANKLIN AVENUE, AS DESCRIBED AND SHOWN ON EXHIBIT "A" ATTACHED,

which currently is zoned M-2 shall be changed to be designated and classified as C-2 zoning district and the Zoning Map shall be amended accordingly.

Section 2. That a violation of this ordinance shall be a Class C misdemeanor and the penalty for violating this ordinance shall be as provided for in Sec. 1-14 of the Code of Ordinances of the City of Waco, which shall be a fine of not less than \$1.00 and no more than \$2,000.00, and each day a violation exists shall be a separate offense.

Section 3. That the terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

Section 4. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED:

FIRST READING: this 15th day of November 2022.

SECOND READING: this 6th day of December 2022.

Dillon Meek, Mayor
City of Waco, Texas

ATTEST:

Michelle Hicks, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Jennifer Richie, City Attorney

APPROVED:

Clint Peters, Director of Development Services

EXHIBIT "A"

Zoning Case Z-22-68
4901 Franklin Ave
Waco TX, 76710
M-2 to C-2
Location Map and
Surrounding Zoning Categories

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

c::J Z-22-68
1 200' Property Notice Buffer

- R-1A
- R-18
- R-1C
- R-2
- R-3A
- R-38
- R-3C
- R-30
- R-3E
- O-1
- O-2
- O-3
- C-1
- C-2
- C-3
- C-4
- C-5
- M-1
- M-2
- M-3
- PUD



October 2022

0 100 200 400
Feet

CITY OF WACO
PLANNING SERVICES

