

The Planning and Zoning Commission of the City of Big Spring will hold a meeting on Tuesday, June 21, 2016 at 5:30 P.M., at the City Council Chambers, 307 East 4th, Big Spring, Texas to consider the following:

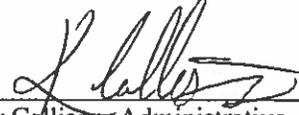
1. Call to Order.
2. Consideration for the approval of minutes for the May 17, 2016 Planning & Zoning meeting.
3. Public hearing of an ordinance of the City of Big Spring, Texas, amending the City of Big Spring Zoning Ordinance, More specifically; Article 4 entitled "Development Standards" by adding a new Section 4-18 entitled "Minimum Masonry Requirements for Building Aesthetics" and a new section 4-19, entitled 4-19 "Non-Residential Metal Building Masonry Aesthetic Design Standards": to establish procedures and standards for review of residential and non-residential development projects; providing for severability; and providing an effective date.
4. Discussion and consideration of approval of an ordinance of the City of Big Spring, Texas, amending the City of Big Spring Zoning Ordinance, More specifically; Article 4 entitled "Development Standards" by adding a new Section 4-18 entitled "Minimum Masonry Requirements for Building Aesthetics" and a new section 4-19, entitled 4-19 "Non-Residential Metal Building Masonry Aesthetic Design Standards": to establish procedures and standards for review of residential and non-residential development projects; providing for severability; and providing an effective date.
5. Public hearing of an ordinance of the City of Big Spring, Texas, amending the City of Big Spring Zoning Ordinance, more specifically; Article 6, Sections 6-6 entitled "Districts and Permitted" by adding minimum floor area restrictions to specific zoning districts including Agricultural District (A), Single-Family Dwelling (SF-1), (SF-2), (SF-3) and Central Area (CA) districts and Appendix C to include schedule A. and B. relating to minimum floor area for the same; providing for severability; and providing an effective date.
6. Discussion and consideration of approval of an ordinance of the City of Big Spring, Texas, amending the City of Big Spring Zoning Ordinance, more specifically; Article 6, Sections 6-6 entitled "Districts and Permitted" by adding minimum floor area restrictions to specific zoning districts including Agricultural District (A), Single-Family Dwelling (SF-1), (SF-2), (SF-3) and Central Area (CA) districts and Appendix C to include schedule A. and B. relating to minimum floor area for the same; providing for severability; and providing an effective date.
7. Public hearing of an ordinance of the City of Big Spring, Texas, amending the City of Big Spring Zoning Ordinance, More specifically; Article 5, Section 5-2, entitled "Board of Adjustment," to read "Zoning Board of Adjustment" and also amend Subsection 4, Paragraph (B) by adding an appeals process to the minimum floor area restrictions for residential primary use structures as outlined in Article 6, Section 6-6 entitled "Districts and Permitted" and Appendix C, Schedules A. and B. relating to Minimum Floor Area for the same; Providing for severability; and providing an effective date.
8. Discussion and consideration of approval of an ordinance of the City of Big Spring, Texas, amending the City of Big Spring Zoning Ordinance, More specifically; Article 5, Section 5-2, entitled "Board of Adjustment," to read "Zoning Board of Adjustment" and also amend Subsection 4, Paragraph (B) by adding an appeals process to the minimum floor area restrictions for residential primary use structures as outlined in Article 6, Section 6-6 entitled "Districts and

Permitted" and Appendix C, Schedules A. and B. relating to Minimum Floor Area for the same; Providing for severability; and providing an effective date.

9. Citizen Input.

10. Adjournment.

I hereby certify that this notice was posted on the bulletin board at the Big Spring Municipal Building, 310 Nolan Street, Big Spring, Texas at 10:00 a.m., June 17, 2016.



Kay Callison, Administrative Assistant

THE MEETING FACILITY IS ACCESSIBLE TO DISABLED PERSONS. ANY DISABLED PERSON NEEDING SPECIAL ACCOMMODATIONS OR HEARING IMPAIRED PERSONS WISHING TO HAVE AN INTERPRETER SHOULD CONTACT KAY CALLISON, 432-264-2319, AT LEAST 48 HOURS PRIOR TO THE SCHEDULED MEETING.

AGENDA REMOVAL NOTICE:

This public notice was removed from the official posting Board at the Big Spring Municipal Building, 310 Nolan Street, Big Spring, Texas at _____ on _____, 2016.

Terry McDaniel, Chairperson, called the Planning and Zoning Commission Meeting to order at 5:30 P.M. on Tuesday, May 17, 2016 in the City Council Chambers, 307 East 4th, Big Spring, TX 79720.

Committee members
in attendance: Terry McDaniel
Dale Avant
Aubrey Weaver Jr. Kevan Schooler
Lupe Dominguez

Also in attendance: Johnny Womack, Public Works Director
Kay Callison, Planning Secretary
Nati Saldivar Roxanne Johnston, City Planner
Carmen Harbour, City Council

ITEM I

Consideration for the approval of corrected minutes for the April 05, 2016 Planning & Zoning meeting.

Schooler made motion to approve minutes, seconded by Weaver with all members present voting “aye” for the same. Motion passed.

ITEM II

Public hearing of a Specific Use Permit in a Single-Family (SF-3) Dwelling District to allow for a Private Community Center as outlined in Section 7-2(15) of the Zoning Ordinance. More specifically, the subject property occupies all of Block 14 in the Bauer Addition (St. Thomas Church).

Public Hearing was opened by motion from Schooler, seconded by Dominguez with all members present voting “aye” for same.

Weaver recused himself from the meeting discussion and vote due to a conflict of interest. Avant advised that although he is the treasurer for the North Side Movement, this subject is not exclusively related to the North Side Movement and that he would vote on the subject.

Saldivar addressed the committee and advised of her intentions to use the property as a private community center and host events including, but not limited to weddings, reunions, and vow renewals. She stated her intent is to only have two large events on the property each year, including Cinco de Mayo and Diez y Seis de Septiembre. She advised that she had reached out to residents within a four block radius and received no objections.

Saldivar also advised that she would also like to rename the property to “St. Thomas Square” in the future. She advised that the only renovations expected are to replace the carpet, clean the church, and potentially replace the roof. The City Planner advised that no work compromising the architectural structure can be completed.

Public Hearing was closed by motion from Avant and seconded by Dominguez with all members present voting “aye” for the same.

ITEM III

Discussion and consideration of approval of a Specific Use Permit in a Single-Family (SF-3) Dwelling District to allow for a Private Community Center as outlined in Section 7-2(15) of the Zoning Ordinance. More specifically, the subject property occupies all of Block 14 in the Bauer Addition (St. Thomas Church).

Dominguez made motion to approve the submission schedule, seconded by Schooler with all members present voting “aye” for the same. Motion passed.

ITEM IV

Adjournment

A motion was made by Schooler and seconded by Avant to adjourn the meeting, with all members present voting “aye” for the same.

Terry McDaniel, Chairperson

Date



Memo

Meeting Date: June 21, 2016

To: Planning and Zoning Commission members

From: Roxanne Johnston, City Planner

Subject: Amendments to the Zoning Ordinance. More specifically, Article 4, entitled “Development Standards” by adding Sections 4-18 and 4-19 which address masonry requirements for residential and non-residential buildings and an appeals process.

Purpose: Approval of these proposed Zoning Ordinance sections will ensure consistent aesthetic design throughout future development of residential and non-residential buildings as recommended by the recently approved 2030 Comprehensive Plan.

Contacts: Roxanne Johnston, City Planner 432-264-2319

Recommendation: Planning staff recommends **APPROVAL** of these requests. These requests are consistent with recommendations of the 2030 Comprehensive Plan.

General Information:

In its Livability component entitled “Building Materials,” the 2030 Comprehensive Plan (herein referred to as “the Plan”) recommends masonry building materials and lists guidelines for percentages of those materials that would enhance the overall physical development of Big Spring looking forward. This includes new construction for both residential and non-residential buildings. The first paragraph on page 63 of the Plan states:

“The use of quality building materials has long-lasting impacts on a particular development on the city as a whole. Quality materials make a building attractive and appealing when new but also help the building (weather) the elements and keep its appearance longer. The use of quality building materials will enhance the overall physical environment of Big Spring as a whole.”

Additionally, the Plan explains that it is important that new development constructed in existing developed areas match the general characteristics of those areas to ensure aesthetic compatibility. These generally relate to front building facades, but for those buildings situated on corner lots, it is important that the street vantage points along side streets are visually appealing as well.

Staff is recommending that a new section be added to the Zoning Ordinance (Section 4-18) in order to address aesthetics. Below, Staff recommends proposals as suggested by the Plan and are broken down by classification. These are incremental so the higher the class number, the more choices there would be in materials:

Class One: Brick and natural or manufactured stone.

Class Two: Brick, natural or manufactured stone, architectural concrete block, 3-step stucco and tilt wall concrete panels.

Class Three: Brick, natural or manufactured stone, architectural concrete block, 3-step stucco tilt wall concrete panels, Exterior Insulation Finishing System (EIFS) and sealed and painted concrete block.

The following are recommendations for construction requirements regarding **residential facades**:

Single-Family, Duplexes, Twinhome, Townhome (up to and including 3 dwelling units) & Zero Lot-Line units and including all modular residential development

75% **Class One** building materials for front facades.

Multi-family and Townhome units including and over 4 dwelling units

60% **Class One** or 80% **Class Two** building materials on the front façade and 25% up to 10' in height per side for multi-family units exceeding one story in height.

Manufactured Homes

20% **Class One** building materials per front façade. Such structures placed on corner lots shall also be required to utilize twenty-five (25%) percent **Class One** building materials on the side facing the street.

Metal residential units

100% **Class Three** building materials per side.

The following are recommendations for construction requirements for **office and retail front facades**:

100% percent **Class Two** building materials.

The following are recommendations for construction requirements for **heavy commercial use front facades**:

75% **Class Two** building materials.

The following are recommendations for construction requirements for **industrial and light industrial front facades**:

50% **Class Three** building materials.

In addition to the above masonry design standards, the Plan specifically addresses non-residential building masonry design standards for metal buildings. Therefore, Staff is proposing a non-residential metal building masonry design standards section that would be placed in the Zoning Ordinance as “Section 4-19.” Similarly to the section proposed for residential buildings discussed above, these minimal masonry standards would be utilized to enhance the visual appeal of the facades on non-residential metal buildings used for commercial and industrial purposes along Big Spring’s primary corridors. Therefore, the following class system of masonry building materials would be used for non-residential purposes:

Class Two: Brick, natural or manufactured stone, architectural concrete block, 3-step stucco and tilt wall concrete panels.

Class Three: Brick, natural or manufactured stone, architectural concrete block, 3-step stucco tilt wall concrete panels, Exterior Insulation Finishing System (EIFS) and sealed and painted concrete block.

The Plan recommends the following areas and percentages of Class Two and Class Three materials:

S. Highway 87/Gregg Street/LaMesa Highway & Marcy Drive

100% **Class Two** building materials on the front façade
75% **Class Three** building masonry on the sides.

Business 20 and Interstate 20

50% **Class Two** masonry on the front façade

25% on each side.

Industrial uses in areas including but not limited to the Airpark and Airport

25% **Class Three** masonry on all sides facing the public view.

Staff considered the disadvantage that developers seeking to develop multiple stories would have in providing masonry on all stories, so is recommending that masonry used for aesthetic enhancements is generally not required to exceed 10' in height on buildings exceeding one story in height.

Lastly, Staff also considered an appeals process for anyone wishing to appeal the above proposed masonry requirements in what would be Article 4, Sections 4-18 and 4-19 of the Zoning Ordinance and recommends providing for such a process consistent with those outlined in Section 5-2 of the Zoning Ordinance.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, AMENDING THE CITY OF BIG SPRING ZONING ORDINANCE, MORE SPECIFICALLY; ARTICLE 4 ENTITLED “DEVELOPMENT STANDARDS” BY ADDING A NEW SECTION 4-18, ENTITLED “MINIMUM MASONRY REQUIREMENTS FOR BUILDING AESTHETICS” AND A NEW SECTION 4-19, ENTITLED “NON-RESIDENTIAL METAL BUILDING MASONRY AESTHETIC DESIGN STANDARDS”: TO ESTABLISH PROCEDURES AND STANDARDS FOR REVIEW OF RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT PROJECTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission gave its unanimous approval of the following amendments to the City of Big Spring Zoning Ordinance on _____ and

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

SECTION 1. That the City of Big Spring Zoning Ordinance, Article 4, Section 4-18 entitled “Minimum Masonry Requirements for Building Aesthetics” shall read in its entirety as follows:

SECTION 4-18. Minimum Masonry Requirements for Building Aesthetics

(a) Purpose – The use of quality masonry materials has long-lasting impacts on a particular development and on the city as a whole. Such materials enhance the aesthetics of a building when new and also helps the building weather the elements and keep its appearance longer. The use of such materials will enhance the overall physical environment within the city. Additionally, it is important that new development constructed in an existing developed area match the general characteristics of that area to ensure aesthetic compatibility. Commercial and Industrial metal buildings are addressed in Section 4-19. These standards apply to development whereupon completed applications were accepted by the Permits Department after the passing of this ordinance.

(b) Applicability

1. A class system of masonry building materials is hereby established to include the following:

(A) Class One: Brick and natural or manufactured stone.

(B) Class Two: Brick, natural or manufactured stone, architectural concrete block, 3-step stucco and tilt wall concrete panels.

(C) Class Three: Brick, natural or manufactured stone, architectural concrete block, 3-step stucco tilt wall concrete panels, Exterior Insulation Finishing System (EIFS) and sealed and painted concrete block.

2. Construction requirements for Residential Facades:

(A) Single-Family, Duplexes, Twinhome, Townhome (up to and including 3 dwelling units) & Zero Lot-Line units and including all modular residential development- Seventy-five (75%) percent Class One building materials for front facades.

(B) Multi-family and Townhome units including and over 4 dwelling units- Sixty (60%) percent Class One or Eighty (80%) percent Class Two building materials on the front façade and twenty-five (25%) up to ten (10') feet in height per side for multi-family units exceeding one story in height.

(C) Manufactured Homes- Twenty (20%) percent Class One building materials per front façade. Such structures placed on corner lots shall also be required to utilize twenty-five (25%) percent Class One building materials on the side facing the street.

(D) Metal residential units- One-hundred (100%) percent Class Three building materials per side.

3. Construction requirements for Office and Retail Front Facades:

(A) One-hundred (100%) percent Class Two building materials.

4. Heavy Commercial Use Front Facades:

(A) Seventy-five (75%) percent Class Two building materials.

5. Industrial and Light Industrial Front Facades:

(A) Fifty (50%) percent Class Three building materials.

(c) Appeals. The appeal process for the contents of this Section are outlined in Section 5-2 of this Ordinance.

SECTION 2. That the City of Big Spring Zoning Ordinance, Article 4, Section 4-19 entitled “Non-Residential Metal Building Masonry Design Standards” shall read in its entirety as follows:

SECTION 4-19. Non-Residential Metal Building Masonry Design Standards

(a) Purpose: The following are minimal masonry standards that shall be utilized to enhance the visual appeal of the facades on non-residential metal buildings used for commercial and industrial purposes along Big Spring’s primary corridors listed in subsections 1-3, below. These standards apply to development whereupon applications were accepted by the Permits Department after the passing of this ordinance.

(b) Applicability

1. A class system of masonry building materials established in Section 4-18 shall include the following for metal buildings used for non-residential purposes:

(A) Class Two: Brick, natural or manufactured stone, architectural concrete block, 3-step stucco and tilt wall concrete panels.

(B) Class Three: Brick, natural or manufactured stone, architectural concrete block, 3-step stucco tilt wall concrete panels, Exterior Insulation Finishing System (EIFS) and sealed and painted concrete block.

2. S. Highway 87/Gregg Street/LaMesa Highway & Marcy Drive

(A) One-hundred (100%) percent Class Two building materials on the front façade, Seventy-five (75%) percent Class Three building masonry on the sides.

3. Business 20 and Interstate 20

(A) Fifty (50%) percent Class Two masonry on the front façade; twenty-five (25%) on each side.

4. Industrial uses in areas including but not limited to the Airpark and Airport

(A) Twenty-five (25%) percent Class Three masonry on all sides facing the public view.

(c) Exceptions: Masonry used for aesthetic enhancements is generally not required to exceed ten (10') feet in height on buildings exceeding one story in height.

(d) Appeals. The appeal process for the contents of this Section are outlined in Section 5-2 of this Ordinance.

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

SECTION 4. This Ordinance shall take effect immediately from and after its publication and passage upon two readings in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

SECTION 5. It is officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the _____ with all members present voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the _____, with all members present voting "aye" for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

DRAFT

	Agricultural	Single Family Dwelling	Single Family Dwelling	Single Family Dwelling	Two Family Dwelling	General Residential	Multiple Family Dwelling
Minimum floor area allowable for principal residential building	1,500	1,500	1,200	1,000			

B. Schedule Minimum Floor Area. – Residential Uses in Non-Residential Districts

Use	Districts							
	O	NS	R	LC	HC	CA	LI	HI
	Office	Neighborhood Service	Retail	Light Commercial	Heavy Commercial	Central Area	Light Industrial	Heavy Industrial
Minimum floor area allowable for principal residential building						1,000		

Where there are no subdivision deed restrictions, and in the case where there is an irregular lot that may not accommodate a larger home, then a developer would have the option of going through an appeals process (seek a variance) as outlined in Section 5-2 of the Zoning Ordinance.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, AMENDING THE CITY OF BIG SPRING ZONING ORDINANCE, MORE SPECIFICALLY; ARTICLE 6, SECTION 6-6 ENTITLED "DISTRICTS AND PERMITTED" BY ADDING MINIMUM FLOOR AREA RESTRICTIONS TO SPECIFIC ZONING DISTRICTS INCLUDING AGRICULTURAL DISTRICT (A), SINGLE-FAMILY DWELLING (SF-1), (SF-2), (SF-3) AND CENTRAL AREA (CA) DISTRICTS AND APPENDIX C TO INCLUDE SCHEDULES A. AND B. RELATING TO MINIMUM FLOOR AREA FOR THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission gave its unanimous approval to recommend following amendments to the City of Big Spring Zoning Ordinance on _____ ;

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

SECTION 1. That the City of Big Spring Zoning Ordinance, Article 6, Section 6-6 entitled "DISTRICTS AND PERMITTED" shall be amended as follows:

SECTION 6-6. Districts and Permitted

A, Agricultural District

...

(G) Floor Area. The minimum Floor Area allowable for each principal structure per lot shall be 1,500 square feet. This excludes additional square footage of accessory uses such as attached and detached carports and garages.

SF-1, Single Family Dwelling District

...

(G) Floor Area. The minimum Floor Area allowable for each principal structure per lot shall be 1,500 square feet. This excludes additional square footage of accessory uses such as attached and detached carports and garages.

SF-2, Single Family Dwelling District

...

(G) *Floor Area.* The minimum Floor Area allowable for each principal structure per lot shall be 1,200 square feet. This excludes additional square footage of accessory uses such as attached and detached carports and garages.

SF-3, Single Family Dwelling District

...

(G) *Floor Area.* The minimum Floor Area allowable for each principal structure per lot shall be 1,000 square feet. This excludes additional square footage of accessory uses such as attached and detached carports and garages.

...

CA, Central Area District

...

(G) *Floor Area.* The minimum Floor Area allowable for each residential principal structure per lot shall be 1,000 square feet. This excludes additional square footage of accessory uses such as attached and detached carports and garages.

...

SECTION 2. That the City of Big Spring Zoning Ordinance, Appendix C, entitled "AREA REGULATIONS" shall be amended as follows:

APPENDIX C - AREA REGULATIONS

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered, or converted for any use permitted in the district in which it is located unless it is in conformity with all minimum regulations herein specified for lot area, lot width, lot depth, **minimum floor area measured in square feet for residential uses**, lot coverage and front, side, and rear yards:

....

APPENDIX C- AREA REGULATIONS MINIMUM FLOOR AREA

The minimum floor area in square feet, which shall hereinafter be allowable by the residential principal building of the lot or tract on which that building is to be located shall not exceed the following schedule, except where an existing principal building at the effective date of this chapter may contain less square footage than herein prescribed, such building shall be considered a conforming use:

IN THE FOLLOWING ZONING DISTRICTS, THE MINIMUM BUILDING FLOOR AREA FOR PRINCIPAL STRUCTURES PER LOT (EXCLUDING ADDITIONAL SQUARE FOOTAGE OF ACCESSORY USES SUCH AS ATTACHED AND DETACHED CARPORTS AND GARAGES) SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

A. Schedule Minimum Floor Area – Residential Districts

Use	Districts						
	A	SF-1	SF-2	SF-3	2F	GR	MF
	Agricultural	Single Family Dwelling	Single Family Dwelling	Single Family Dwelling	Two Family Dwelling	General Residential	Multiple Family Dwelling
Minimum floor area allowable for principal residential building	1,500	1,500	1,200	1,000			

B. Schedule Minimum Floor Area. – Residential Uses in Non-Residential Districts

Use	Districts							
	O	NS	R	LC	HC	CA	LI	HI
	Office	Neighborhood Service	Retail	Light Commercial	Heavy Commercial	Central Area	Light Industrial	Heavy Industrial
Minimum floor area allowable for principal residential building						1,000		

...

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

SECTION 4. This Ordinance shall take effect immediately from and after its publication and passage upon two readings in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

SECTION 5. It is officially found and determined that the meeting at which this Ordinance amendment was passed was open to the public as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the _____ with all members present voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the _____, with all members present voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BIG SPRING, TEXAS, AMENDING THE CITY OF BIG SPRING ZONING ORDINANCE, MORE SPECIFICALLY; ARTICLE 5, SECTION 5-2, ENTITLED "BOARD OF ADJUSTMENT," TO READ "ZONING BOARD OF ADJUSTMENT" AND ALSO AMEND SUBSECTION 4, PARAGRAPH (B) BY ADDING AN APPEALS PROCESS TO THE MINIMUM FLOOR AREA RESTRICTIONS FOR RESIDENTIAL PRIMARY USE STRUCTURES AS OUTLINED IN ARTICLE 6, SECTION 6-6 ENTITLED "DISTRICTS AND PERMITTED" AND APPENDIX C, SCHEDULES A. AND B. RELATING TO MINIMUM FLOOR AREA FOR THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission gave its unanimous approval to recommend following amendments to the City of Big Spring Zoning Ordinance on _____ ;

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

SECTION 1. That the City of Big Spring Zoning Ordinance, Article 5, Section 5-2 entitled "BOARD OF ADJUSTMENT" be amended to read "ZONING BOARD OF ADJUSTMENT" and Subsection 4, entitled "Jurisdiction" paragraph (b) shall be amended as follows:

SECTION 5-2. ZONING BOARD OF ADJUSTMENT

...

4. JURISDICTION. ...

(b) Permit such modifications of the height, yards area, coverage, **minimum floor area restrictions for residential primary use structures not included in square footage of attached and detached accessory structures such as garages and carports**, minimum access and parking regulations as may be necessary to secure appropriate development of a parcel of land which differs from other parcels in the district by being of such restricted area, shape or slope that it cannot be appropriately developed without such modification.

...

SECTION 2. Should any section, paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any purpose, the remainder of this Ordinance shall not be affected thereby.

SECTION 3. This Ordinance shall take effect immediately from and after its publication and passage upon two readings in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

SECTION 4. It is officially found and determined that the meeting at which this Ordinance amendment was passed was open to the public as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the _____ with all members present voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the _____, with all members present voting “aye” for the passage of same.

Larry McLellan, Mayor

ATTEST:

Tami Davis, Asst. City Secretary

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