

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

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

PART 1: That Chapter 23, Subpart E, "Zoning," of the Abilene Municipal Code be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 14th day of April, A.D. 19 83.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 3rd day of April, 19 83, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 9:00 a.m., on the 28th day of April, 19 83, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING this 28th day of April, A.D. 19 83.

ATTEST:

Shelly Beard, Asst
CITY SECRETARY

Jul Bell
MAYOR

APPROVED:

John T. Patterson
CITY ATTORNEY

EXHIBIT "A"

Amend:

Section 32-9.2 Permitted Use Chart, Trade & Retail Plant Material (Flowers, Small Plants, Shrubs, Trees, Garden Supplies--No Production on Premises--Retail Only)

ADD: To the chart under Plant Material (Flowers, Small Plants, Shrubs, Trees, Garden Supplies--No Production on Premises--Retail Only) "C" as a conditional right of use under GC (General Commercial) District subject to special conditions as outlined in Section 32-9.3.

Amend:

Section 32.9.3.7 (12)

ADD: Paragraph 12 to Section 32.9.3.7

Plant Material (Flowers, Small Plants, Shrubs, Trees, Garden Supplies--No Production on Premises--Retail Only). In a GC zone Plant Material (Flowers, Small Plants, Shrubs, Trees, Garden Supplies--No Production on Premises--Retail Only) shall be subject to all outdoor storage areas being screened by an opaque wall or fence 6 feet in height so as to screen the outdoor storage area from being viewed from outside the boundaries of the subject property.