

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 One Thousand Dollars (\$1,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 11 day of September, A.D. 19 86.

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 31 day of August, 19 86, 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 25 day of September, 19 86, 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 25 day of September, A.D. 19 86.

ATTEST:

Patricia Patton
CITY SECRETARY

David Stubbeman
MAYOR

APPROVED:

Harry Cargill
CITY ATTORNEY

EXHIBIT "A"

ADD:

SECTION 23-320 Screening and Landscaping

1. The following activities and characteristics associated with nonresidential activities, or occurring as the primary use of land in all nonresidential zoning districts shall be screened from the view of neighboring properties and the general public in the manner described in paragraphs (2) and (3) below.
 - a. Outdoor storage of goods, materials, supplies, equipment or inventory.
 - b. Air-conditioning and/or heat generating facilities (when not attached to buildings) power generation equipment and refuse collection facilities or containers.
 - c. Truck maneuvering, loading and unloading areas and yards.
2. The activities or characteristics described above shall be visually screened by a solid, opaque fence or wall no less than seven (7) feet in height. Screening may be accomplished by use of berming, shrubs, trees, bushes or other similar means, provided the screening effect closely resembles that furnished by a wall or fence.
3. Screening shall be provided between activities and characteristics described in paragraph (1) and any residential zoning district boundary within 100 feet of the area used for such purposes.

In addition, screening shall be provided between activities and characteristics described in paragraph (1) and the right-of-way line(s) of any arterial or collector street(s) (as defined by the City of Abilene Thoroughfare and Collector Plan) within 50 feet of the area used for such purposes; except that outdoor storage/display of items meant for sale, lease or use associated with the following uses shall not be required to provide screening relative to arterial or collector streets:

ORDINANCE NO. 84-1986

EXHIBIT "A"

Page 2

- a. Automobile and Small Truck Sales
 - b. Boat Rentals
 - c. Truck Rental and Leasing
 - d. Automobile Leasing
 - e. Motorcycle Sales
 - f. Aircraft and Accessories Sales
 - g. Christmas Trees Sales
 - h. Farm Equipment Sales
 - i. Mobile Homes, Camping and Travel Trailer Sales
 - j. Marine Craft and Accessories Sales
 - k. Monuments Sales
 - l. Motorized Camping Trailer & Motor Homes Sales
 - m. Truck Sales or Service
 - n. Automobile Parking Lot or Structure (Commerical)
4. Screening requirements set forth herein shall be in addition to those screening provisions contained in Section 23-306 (Conditional Use Provisions); 23-315 (Off-Street Parking and Loading); 23-331(Park Industrial District); 23-329 (Medical Use District); 23-343 (Mixed Use Overlay Zone), except where duplication in regulation would result.

Amend Section 23-329.4, Medical Use (MU) District screening as shown on the following pages.

00318

DELETE

SCHEDULE OF SCREENING REQUIREMENTS, 23-329.4

Adjacent Land Use Activities in Medical Use District	Adjoining or Facing a Lot in a Residential District	Adjoining or Facing a Lot in a Commercial (except HC) District	Adjoining or Facing a Freeway
Power and/or heat genera- tion facilities, refuse collection, off-street loading space(s) and open storage	Visual buffer using solid wooden fence, masonry wall, or earth berm at least six (6) feet in height	Visual buffer using solid wooden fence, masonry wall, or earth berm at least six (6) feet in height	Visual buffer using solid wooden fence, masonry wall, earth berm, or planting screen at least four (4) feet in height
Activities other than the above	Visual buffer using solid wooden fence, masonry wall, or earth berm, at least four (4) feet in height	Visual buffer using solid wooden fence, masonry wall, earth berm or planting screen at least four (4) feet in height	

SCREENING REQUIREMENTS FOR THE MEDICAL USE DISTRICT

ADJACENT LAND USE M.U. DISTRICT ACTIVITIES	Adjoining or Facing a lot in a resi- dential zoning district.	Adjoining or Facing a frontage road adjacent to a Freeway.
THE REAR OF PRIN- CIPAL STRUCTURES.	Visual buffer using a solid wooden fence, masonry wall or hedge at least six feet in height.	-0-
PARKING AND MAN- EUVERING AREAS.	Visual buffer using a solid wooden fence, masonry wall hedge or earth berm at least four feet in height.	-0-
OFF-STREET LOADING SPACE(S).	Visual buffer using a solid wooden fence, masonry wall or hedge at least six feet in height.	Visual buffer using a solid wooden fence, masonry wall or hedge at least six feet in height.
POWER AND/OR HEAT GENERATION FAC- ILITIES; REFUSE COLLECTION.	Visual buffer using a solid wooden fence, or masonry wall at least six feet in height.	Visual buffer using a solid wooden fence, masonry wall or hedge at least six feet in height.