

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 14 day of January, A.D. 19 88.

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 3 day of January, 19 88, 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 28 day of January, 19 88, 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 28 day of January, A.D. 19 88.

ATTEST:
Patricia Hancock
CITY SECRETARY

Dale E. Ferguson
MAYOR

APPROVED:
Stacy Cayce
CITY ATTORNEY

EXHIBIT "A"

1. Section 23-306.4 Permitted Uses, Services

Delete: Automobile Glass, Muffler, Seat Cover, and Upholstery Services

Add: Muffler, Seat Cover, and Upholstery services to be permitted by right-of-use in CB (Central Business), GC (General Commercial), HC (Heavy Commercial), LI (Light Industrial), HI (Heavy Industrial), and PDD (Planned Development District) zoning districts.

2. Section 23-306.4 Permitted Uses, Trade-Retail

Delete: Paint, Glass, and Wallpaper

Add: Paint, Glass, Auto Glass, and Wallpaper to be permitted as a right-of-use in CB (Central Business), GC (General Commercial), HC (Heavy Commercial), LI (light Industrial), and PDD (Planned Development District) zoning districts and allowed conditionally (C) in the SC (Shopping Center) zoning district.

3. Section 23-306.5.H Retail Trade

Add: Paint, Glass, Auto Glass, and Wallpaper

Retail sale of paint, glass, auto glass, and wallpaper shall be permitted by right-of-use; however, the installation of auto glass shall be permitted conditionally (C) subject to the following conditions:

1. All installation, storage of glass and related materials must occur within the primary structure.
2. If the storage of service vehicles occurs within fifty (50) feet of a residential district, this area shall be effectively screened by a solid opaque wall or fence.
3. Garage/service area entrances shall be from the side or rear of the structure.