

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 Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 27 day of April, A.D. 19 89.

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 9 day of April, 19 89, 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 11 day of May, 19 89, 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 11 day of May, A.D. 19 89.

ATTEST:

[Signature]  
CITY SECRETARY

[Signature]  
MAYOR

APPROVED:

[Signature]  
CITY ATTORNEY

EXHIBIT "A"

Amend Section 23-303.1.F Specific Purposes of Zoning Districts  
Limited Commercial (LC) District

DELETE: F. Limited Commercial (LC) District

The regulations of the LC district are designed to accommodate a limited range of retail trade, services and office activities. The level of intensity and scale of development permissible within the LC district are designed for compatibility with nearby residential use. Many permitted uses within the LC district are, in fact, aimed toward meeting the day-to-day retail needs of nearby residents for food, pharmaceuticals, personal services, etcetera. The LC district occurs on limited site areas of one and one-half (1 1/2) acres or less in existing or new development, often at intersections of collector streets with more major thoroughfares and other collector streets. The LC district is not, however, intended in any way to advocate spot zoning of individual lots within already-developed areas as well as new developing areas. The district regulations are further designed to prevent congestion and to assure provision of adequate light and air to buildings within and adjacent to the district.

ADD: F. Limited Commercial (LC) District

The regulations of the LC district are designed to accommodate a limited range of retail trade, services and office activities. The level of intensity and scale of development permissible within the LC district are designed for compatibility with nearby residential use. Many permitted uses within the LC district are, in fact, aimed toward meeting the day-to-day retail needs of nearby residents for food, pharmaceuticals, personal services, etcetera. The LC district occurs on limited site areas of two and one-half (2 1/2) acres or less in existing or new development, often at intersections of collector streets with more major thoroughfares and other collector streets. The LC district is not, however, intended in any way to advocate spot zoning of individual lots within already-developed areas as well as new developing areas. The district regulations are further designed to prevent congestion and to assure provision of adequate light and air to buildings

Amend Section 23-327.1 Limited Commercial (LC) District  
Maximum District Size

DELETE: 1. Maximum District Size

Any one Limited Commercial district, or any portion of a Limited Commercial district not intersected by a street, shall be no greater than one and one-half (1 1/2) acres in size.

ADD: 1. Maximum District Size

Any one Limited Commercial district, or any portion of a Limited Commercial district not intersected by a street, shall be no greater than two and one-half (2 1/2) acres in size.

-END-