## ORDINANCE NO. 41-1994

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 8 day of September A.D. 19 94
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
of September, 19 94, 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., or
the 22 day of September, 1994, 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 Charte
of the City of Abilene.
PASSED ON SECOND AND FINAL READING THIS 22 day of September
, A.D. 19 <u>94</u>
ATTEST:
Moore Some Male
CITY SECRETARY MAYOR

APPROVED:

00156

## ORDINANCE NO. <u>41-1994</u>

## EXHIBIT "A"

Amend Section 23-306.4 Permitted Uses

Services (Other than Office-Type)

ADD: Recycling Collection and Processing Centers to be permitted with a Special Exception (SE) and under certain Conditions (C) within the GC district; permitted with certain Conditions (C) within the HC district and permitted as a Right-of-Use (X) within the PDD, LI and HI districts with the parking requirement of one (1) parking space per employee plus (+) one (1).

Amend Section 23-306.4 Permitted Uses

Accessory and Incidental Uses

ADD: Recycling Collection Points to be permitted as a Right-of-Use (X) within the PDD, SC, GC, HC, LI and HI districts.

Amend Section 23-306.5.G Services

## ADD: (23) Recycling Collection and Processing Centers

Recycling Collection and Processing Centers in the GC and HC districts shall meet the following conditions:

- (a) All processing (collection, storage, flattening, crushing or bundling) must be conducted inside of a structure or within an area enclosed on all sides by a seven (7) foot opaque fence and must be at a distance of fifty (50) feet from any residential district.
- (b) The structure must be skirted with matching weatherized material if any space is exposed between the structure and the slab or ground.
- (c) Trash and debris must be removed daily and must be sprayed for pests and odor weekly.
- (d) Recycling Collection and Processing Centers in the GC district shall be permitted only with the approval of a Special Exception by the Board of Adjustment.

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Amend Section 23-363

**Definitions** 

ADD: Recycling Collection and Processing Center

A facility that is not a salvage yard and in which recoverable resources, such as newspapers, glassware, and metal cans, are collected, stored, flattened, crushed or bundled, essentially by hand or machine.

ADD: Recycling Collection Point

Any accessory use that serves as a neighborhood drop-off point for temporary storage of recoverable resources. No processing of such items is permitted. Such a facility would be generally located in an easily accessed area where no reduction in the required parking would result. It should be reasonably free from noxious odors, rodents, insects and refuse.