

ORDINANCE NO. 33-1997

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 10 day of July A.D. 19 97.

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 6 day of July, 19 97, 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 24 day of July, 19 97, 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 24 day of July, A.D. 19 97.

ATTEST:

[Signature]
CITY SECRETARY

[Signature]
MAYOR

APPROVED:

[Signature]
CITY ATTORNEY

EXHIBIT "A"

Amend Section 23-303.1. SPECIFIC PURPOSES OF ZONING DISTRICTS

ADD: Q. Park Zoning (PZ) District

This district provides the city with a tool for maintaining the quality of parks, school grounds and public recreation facilities, protecting flood-prone areas, steep slopes and other environmentally sensitive areas and regulating land use in transportation rights-of-way and scenic routes. The purpose of this district is to regulate land use; provide standards and criteria to avoid disturbance of steep slopes; preserve the quality of open space and green areas; facilitate the provision and protection of scenic rights-of-way and an integrated park system across Abilene from intrusive land use; and prevent signage in inappropriate areas. Areas intended for this district include highway, railroad and utility rights-of-way; watercourses and flood-prone areas; slopes in excess of a 15 percent grade; existing and potential parks, playgrounds and schools; and newly annexed land within the floodway.

Amend Section 23-306.4 PERMITTED USES
Cultural and Recreational Uses

ADD: Arenas and Field Houses, Ballfields and Ballparks (non commercial), Boat Rentals and Boat Access Sites, Camping and Picnic Areas, Camps for Group Organizations, Fairgrounds, Fishing or Boating Lakes, Golf Courses, Golf Driving Ranges, Gymnasiums and Athletic Fields, Museums, Parks and/or play grounds, Playlots and Tot Lots, Swimming pools (public or private), Wildlife and Nature Preserves, Zoos permitted as right of use (X) in the PZ district.

Amusement Facilities, Art Galleries, Libraries, Planetariums, Temporary Amusement Facilities, Theaters or Playhouses, permitted with conditions (C) in the PZ district.

PERMITTED USES
Educational and Religious Uses

Schools permitted as right of use (X) in the PZ district.

Churches or Places of Worship permitted with conditions (C) in the PZ district.

PERMITTED USES
Transportation, Communication and Utilities

Gas Line Regulation or Compression Stations, Petroleum Pipeline Rights-of-way, Sewage Pressure Control Stations and Lift Stations, Transportation Rights-of-way, Water Pressure Control Stations, Water Treatment Plants, Water Storage permitted as right of use (X) in the PZ district.

Airports and Flying Field Terminals shall be permitted with conditions (C).

Electrical Substations shall be permitted by special exception (SE) with conditions (C).

ADD: Section 23-306.5.C.
CONDITIONAL USE PROVISIONS
Cultural and Recreational Uses

- (12) Art Galleries - Minimum lot size 3 acres
- (13) Libraries - Minimum lot size 3 acres
- (14) Planetariums - Minimum lot size 3 acres
- (15) Theaters and Playhouses - Minimum lot size 3 acres

ADD: Section 23-306.5.E.
CONDITIONAL USE PROVISIONS
Educational and Religious Use

- (3) Churches and Other Places of Worship

Add PZ district to have the same setback requirements as AO.

Amend Section 23-311 APPLICATION OF DISTRICT REGULATIONS

DELETE: The regulations set by this Ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

ADD: The regulations set by this Ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided. The requirements are further subject to any conditions stipulated in Section 23-306.5.A-L of this ordinance.

ADD: Section 23-312 SCHEDULE OF DISTRICT REGULATIONS

Add new zoning district PZ.

The PZ zoning district shall require the following: minimum lot area one acre, minimum lot width eighty (80) feet; minimum lot depth one hundred (100) feet; minimum setbacks sixty (60) feet for all sides; maximum building height forty-five (45) feet; maximum lot coverage fifteen (15) percent.

-END-