

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 5 day of November, A.D. 19 87.

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 28 day of October, 19 87, 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 12 day of November, 19 87, 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 12 day of November, A.D. 19 87.

ATTEST:

Patricia Hancock
CITY SECRETARY

Dale Ferguson
MAYOR

APPROVED:

Harold Taylor
CITY ATTORNEY

ORDINANCE NO. 74-1987

EXHIBIT "A"

Amend Section 23-306.4, Permitted Uses, Cultural and Recreational Uses

DELETE: Temporary Permit (TP) required for an Amusement Facility
(temporary)

Amend Section 23-306.5.C.1, Conditional Use Provisions
Cultural and Recreational Use
Amusement Facility (temporary)

DELETE the underlined:

Amusement enterprises shall have no facilities located nearer to a residential district than three hundred (300) feet and no nearer to any occupied residential structure than six hundred (600) feet. Adequate measures shall be taken to prevent odor, dust, noise, lights, and traffic from becoming a nuisance to activities on adjacent properties. Each permit granted by the Board of Adjustment for such enterprise shall be valid for a period of not more than eight (8) days and shall not be granted for more than three (3) such periods for the same locations within any ninety (90) day period.

ADD the underlined:

Amusement enterprises shall have no facilities located nearer to a residential district than three hundred (300) feet and no nearer to any occupied residential structure than six hundred (600) feet. Adequate measures shall be taken to prevent odor, dust, noise, lights, and traffic from becoming a nuisance to activities on adjacent properties. No such enterprise shall exist at same location for more than eight (8) days and no location shall be allowed to have an amusement facility for more than three (3) such periods within any ninety (90) day period.

-END-

00313

PERMANENT, NON-PORTABLE SIGNS

Sign Classification	Permitted Zoning Districts	Maximum Area	Maximum Height	Setback Required	Number and/or Spacing Limitations	Illumination Permitted	Motion Permitted	Additional Requirements		
OFF SITE	ADVERTISING (A NON-COMMERCIAL) AO SC CB GC HC LI HI ①	700 sq. ft. per side ①	42.5 feet Interstate, primary ⑤	Interstate, primary ①	Interstate, primary no more than four attached panels spaced no less than 1500 ft. apart	yes	yes	1. permit from building official 2. the base of all signs shall be at least 8 feet above ground level		
			Others 35 ft. ⑤	Others 10ft. abutting RS, RM, MH, CU, AO	Others 750 ft. apart ②					
ON SITE	BUSINESS AND/OR IDENTIFICATION	AO MU O	700 sq. ft. ① 36 sq. ft.	35 ⑤ 12 feet	10 feet from property line	one per business or activity	yes	yes	Permit from building official	
		SC CB GC HC LI HI	other signs no more than 300 sq. ft.	50 feet except in CB District (no restrictions) ⑤	④	none for wall signs one per business per street frontage	yes	yes	permit from building official	
		LC PI	other signs no more than 100 sq. ft.	36 feet ⑤	④	none for wall signs one per business per street frontage	yes	yes	permit from building official	
		RM MH CU	20 sq. ft. ③	10 feet ③	10 feet from property line	one per business or activity per street frontage	yes	yes	permit from building official ③	
		RS	6 sq. ft. ③	③	④	one per premises ③	no	no		
		RESIDENTIAL, PRIVATE	All Districts EXCEPT RS	8 sq. ft.	10 feet		as needed	yes	yes	permit from building official
						Ac 16				

STANDARDS FOR AREA, HEIGHT, PLACEMENT AND NUMBER:
TEMPORARY, NON-PORTABLE SIGNS

Sign Classification	Permitted Zoning Districts	Maximum Area	Maximum Height	Setback Required	Number and/or Spacing Limitations	Illumination Permitted	Motion Permitted	Maximum Duration	Additional Requirements
ON SITE	CONSTRUCTION	All Districts	80 sq. ft.	15 feet	10 feet from all property lines except in CB	yes	yes	until approx. 90% complete	permit from building official if electrical or mechanical
	SPECIAL DEVELOPMENT	All Districts	80 sq. ft.	15 feet	10 feet from all property lines except in CB	yes	yes	until approx. 90% complete	permit from building official if electrical or mechanical