

ORDINANCE NO. 2-1998

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.

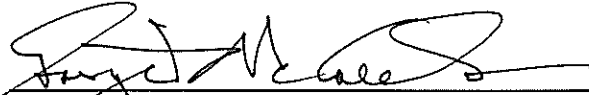
PASSED ON FIRST READING this 8 day of January A.D. 19 98.

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 21 day of December, 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 22 day of January, 19 98, 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 22 day of January, A.D. 19 98.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

EXHIBIT "A"

Amend Section 23-306.4 PERMITTED USES
Services (Other than Office-Type)

DELETE: Automobile and Small Truck (1 1/2 ton or less) Rental and Leasing.

ADD: Automobile and Truck (17' in length) Rental and Leasing.

ADD: Truck Rental and Leasing (greater than 17' in length), in GC with conditions.

Amend: Section 23-306.5.G. (23) Services

ADD: Truck Rental and Leasing (greater than 17' in length)

A truck rental and leasing business may include buildings and premises for the rental and ancillary minor servicing of trucks, utility trailers and related items generally used by persons to move their personal and household belongings.

Truck Rental and Leasing (of trucks greater than 17' in length) is permitted in the GC zoning district with the following conditions:

- a. Such trucks and trailers shall be limited to those vehicles which have only two (2) axles, which have a maximum box length of twenty-six (26) feet, are no more than twelve (12) feet in height and which do not require a commercial driver's license to operate. Rental and leasing of trucks and trailers exceeding these dimensions is prohibited in the GC zoning district.
- b. If areas of the property abut a Single Family Residential (RS) Zoned District, such areas shall be screened from the RS District. The following landscaping and screening conditions shall be required in addition to Section 23-320 SCREENING AND LANDSCAPING of the Zoning Ordinance, which applies to commercial development:
 - i. All property lines that abut Single Family Residential (RS) Zoned must be screened by a solid wooden fence, masonry wall, or landscaping, of at least 7 feet in height. Landscaping shall mean the planting of living material such as grass, shrubs, or trees. Landscaping shall provide a screening effect closely resembling that of a wall or fence at least 7 feet in height within two years of issuance of a Certificate of Occupancy. Chain link fencing shall not constitute screening.

- ii. Landscaping must be indicated on the site plan for new commercial developments and landscaping shall be required on developed sites no later than 180 days after first occupancy or completion of buildings, whichever shall occur first.
- iii. Plant material shall be maintained in good and healthy condition. Dead plants shall be replaced as quickly as possible, but in no case longer than time for the next planting period.