

ORDINANCE NO. 2010 - 08

AN ORDINANCE AMENDING CHAPTER 25. ZONING,
ARTICLE IV. SUPPLEMENTAL DISTRICT REGULATIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS, COUNTY OF NUECES, STATE OF TEXAS:

SECTION 1. Amendment to Chapter 25. Zoning, Article IV. Supplemental District Regulations, Division 6. ADULT ENTERTAINMENT ESTABLISHMENTS, Sec. 25-212 and Sec. 25-213 (a), Port Aransas City Code of Ordinances is hereby amended to read as follows, new matter being indicated by underscoring:

Sec. 25-212. Prohibition.

All adult motion picture theaters, adult book stores, and commercial sexual exhibitions are prohibited, except in the commercial and industrial districts. Within any such districts such businesses, activities, and uses are prohibited within one thousand three hundred twenty (1,320) feet of any church; one thousand three hundred twenty (1,320) feet of any areas zoned exclusively for residential use; two thousand six hundred forty (2,640) feet of any school; one thousand three hundred twenty (1,320) feet of any city park or public building; two thousand six hundred forty (2,640) feet of the public beach as measured from the natural vegetation line; one thousand three hundred twenty (1,320) feet of any other adult book store, adult motion picture theater, or commercial sexual exhibition and one thousand three hundred twenty (1,320) feet of any sexually oriented commercial activity as defined by section 25-226.

Sec. 25-213. Measurement of distances.

(a) For the purpose of measuring the distance from a church, school, city park, public building, public beach, or an area zoned exclusively for residential use to an adult book store, adult motion picture theater, or a commercial sexual exhibition, the measurement shall be taken along a straight line starting from that point of the building in which such business, activity or use is or is proposed to be conducted which is closest to the church, school, city park, public building, public beach, or boundary line of such area zoned exclusively for residential use.

SECTION 2. Amendment to Chapter 25. Zoning, Article IV. Supplemental District Regulations, Division 7. SEXUALLY ORIENTED COMMERCIAL ESTABLISHMENTS, Sec. 25-227 and Sec. 25-228 (a), Port Aransas City Code of Ordinances is hereby amended to read as follows, new matter being indicated by underscoring:

Sec. 25-227. Prohibition.

All sexually oriented commercial activities as herein defined are prohibited, except in commercial and industrial districts, and within any such district such activities are prohibited within one thousand three hundred twenty (1,320) feet of any church, one thousand three hundred twenty (1,320) feet of any

areas zoned exclusively for residential use, two thousand six hundred forty (2,640) feet of any school, one thousand three hundred twenty (1,320) feet of any city park or public building, two thousand six hundred forty (2,640) feet of the public beach as measured from the natural vegetation line, one thousand three hundred twenty (1,320) feet of any other sexually oriented commercial activity, and one thousand three hundred twenty (1,320) feet of any adult motion picture theater, adult book store, or commercial sexual exhibition as defined by section 25-211.

Sec. 25-228. Measurement of distances.

(a) For the purpose of measuring the distance from a church, school, city park, public building, public beach, or an area zoned exclusively for residential use to a sexually oriented commercial activity, the measurement shall be taken along a straight line starting from that point of the building in which such activity is or is proposed to be conducted which is closed to the church, school, city park, public building, public beach, or boundary line of such area zoned exclusively for residential use.

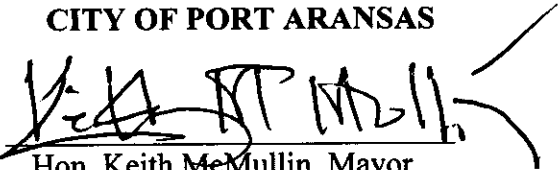
SECTION 3. SAVINGS CLAUSE. Any ordinance or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

SECTION 4. SEVERABILITY CLAUSE. If any word, phrase, sentence, paragraph or section is found to be illegal, invalid or unconstitutional, the remaining portion of this ordinance shall remain in full force and effect.

SECTION 5. EFFECTIVE CLAUSE. This ordinance shall take effect and be in full force immediately upon its final passage, approval and publication in the official newspaper.

PASSED, ORDAINED, APPROVED AND ADOPTED this 15th day of July, 2010.

CITY OF PORT ARANSAS

By: 
Hon. Keith McMullin, Mayor

ATTEST:


Esther Arzola, City Secretary