

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING NORTHERN HEIGHTS PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, Subpart E, known as the Zoning Ordinance of the City of Abilene, is hereby amended; as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: 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 11 day of April,
A.D. 19 85.

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 32 day of March, 19 85, 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 25 day of April, 19 85, 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 25 day of April, A.D. 19 85.

ATTEST:

Patricia Patton
CITY SECRETARY

David Stubbeman
MAYOR

APPROVED:

Karen Anderson
CITY ATTORNEY

Exhibit "A"

ORDINANCE NO. 37-1985

PART 1: Land Title. Title to land not dedicated to public use and services or for utility purposes and not otherwise designated for development purposes shall remain in the owner thereof, his heirs, assigns, lessees and successors in interest and shall not be the responsibility of the City of Abilene for any purpose.

PART 2: Development Specifications. All development in the Planned Development District shall be in accordance with the maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development District and are hereby incorporated by reference and included as part of this ordinance. Site Plan (and vicinity map) is attached as Exhibit B.

Further, all agreements, provisions, or covenants which govern the use, maintenance, and continued protection of this P.D.D. are hereby incorporated by reference and included as part of this ordinance. (Some of these documents may be attached as Exhibit C.)

All use and development within the Planned Development District must be in compliance with the general Comprehensive Zoning Ordinance of the City of Abilene except as otherwise specifically provided herein.

PART 3: Building Specifications. All structures in the herein said Planned Development District shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That Chapter 23, Subpart E, Abilene Municipal Code, known as the Zoning Ordinance of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From AO (Agricultural Open Space) District to PD C (Planned Development Commercial) District.

That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PART 5: Legal Description. The legal description of this P.D.D. is as follows:

EXHIBIT "A"

Legal Description:

Lots 1 & 2, Section 1, Northern Heights Addition, Abilene, Taylor County, Texas.

PART 6: Purpose. The purpose of the Northern Heights Planned Development district is to achieve the following objectives:

- A. Make conforming the existing manufacturing and oilfield service activity having existing at the site since prior to its annexation in 1980.
- B. Allow for new construction and expansion of buildings for those above-mentioned activities, within prescribed limits defined in the following Part 7.
- C. Allow for application of district regulations and use permitted by General Commercial (GC) zoning, if the specific existing activities ever cease to operate.

PART 7: Specific Modifications.

- A. The following regulations shall govern the use and development of the Northern Heights Planned Development district:
 1. On Lot 1, ongoing activity for light fabrication and assembly shall be permitted and may even expand their facilities, within limits prescribed further below.
 2. On Lot 2, ongoing activity for oilfield services shall be permitted and may even expand their facilities, within limits prescribed further below.
 3. One or more buildings for retail sales (of goods manufactured onsite) shall be permitted on Lot 1.
 4. Construction of any new buildings (or additions to existing buildings) on either Lot 1 or Lot 2 shall conform to the following regulations:
 - a. Minimum building setback from eastern (rear) lot boundary equals 25 feet.
 - b. Minimum building setback from lot boundary adjoining Jolly Rogers Road equals 30 feet.
 - c. Minimum building setback from lot boundary adjoining West Lake Road (F.M. 600) equals 35 feet.
 - d. Minimum building setback from interior lot boundaries shall be 10 feet.
 - e. The height of all new structures shall be limited to one story or 20 feet, whichever is less.
 - f. Construction of any new structures shall require the installation of paved off-street parking and loading areas, to accommodate the parking and loading demand attributable to activity planned within the new structure, in accordance with Zoning Ordinance requirements for parking and loading.
 - g. All other district regulations shall be the same as for the General Commercial (GC) zoning classification.

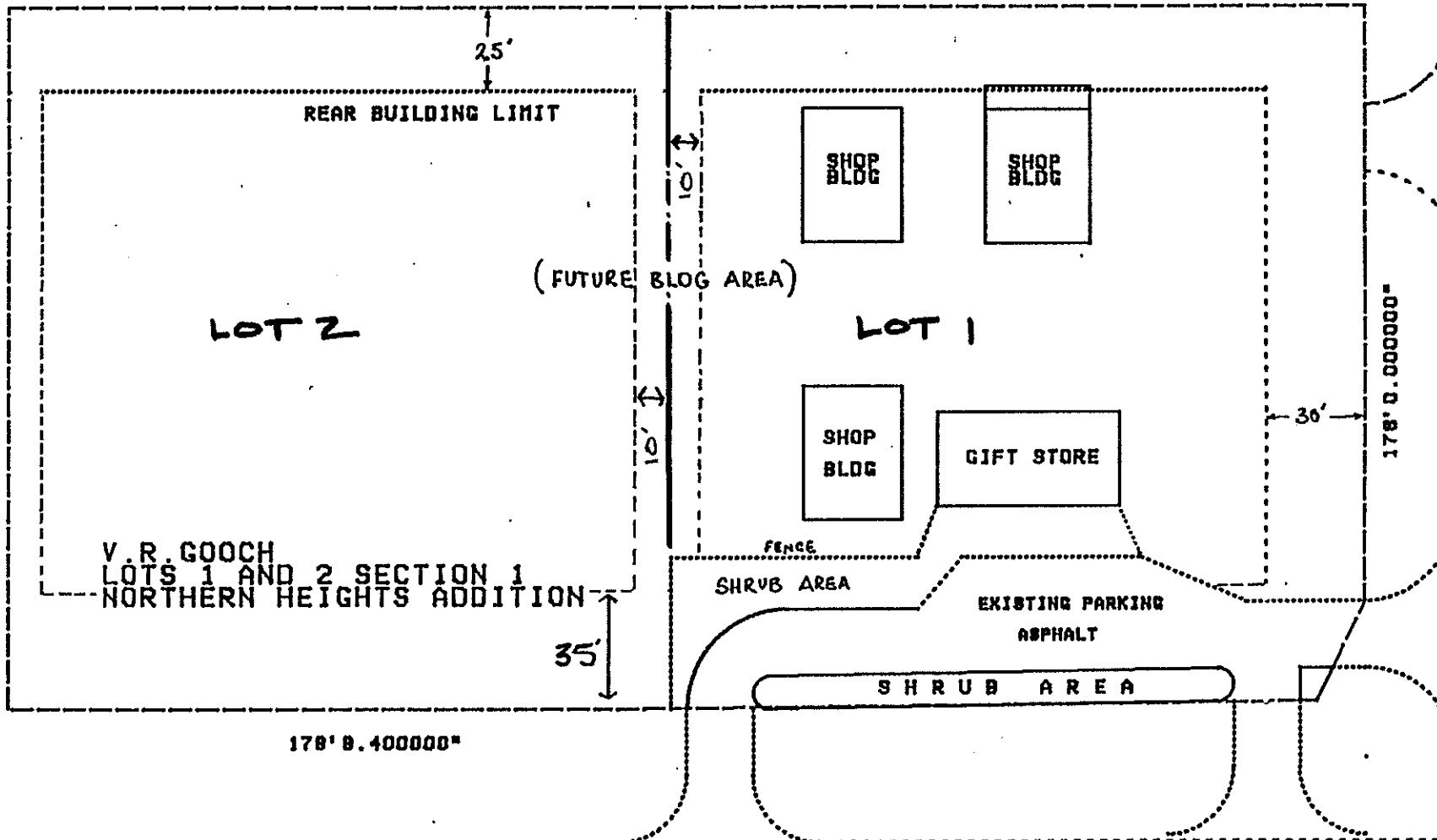
5. If existing light fabrication/assembly and/or oilfield service activities ever cease to operate on Lots 1 and/or 2, then use and development of the lot(s) shall be subject to all regulations pertinent to the General Commercial zoning classification.
- B. If and when necessary or desired, lots within the Northern Heights Planned Development district shall be resubdivided according to the Subdivision Regulations of the City of Abilene. Amendment of this Planned Development ordinance shall not be necessary for resubdivision; however, above-described regulations regarding use and development shall remain applicable to the tracts represented on the attached plan, unless such regulations are modified by amendment to this ordinance.



410' 0.000000"

PROPERTY LINE

PROPERTY LINE 210' 0.000000"



178' 0.400000"

JOLLY ROGER ROAD

FM 600

SCALE 1" = 50'-0"