

ORDINANCE NO. 38-2004

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-95 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 by changing the zoning district boundaries 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 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 18th day of November, 2004 A.D.
2004.

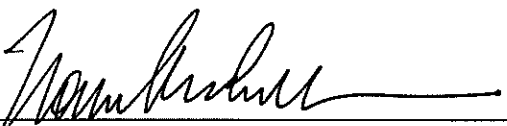
A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 16th day of November, 2004, the same 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 8:30 a.m., on the 2nd day of December, 2004, 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 2nd day of December,
A.D. 2004.

ATTEST:

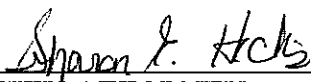


CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

ORDINANCE NO.

Exhibit "A"

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. 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 MH (Mobile Home) and GC (General Commercial) District to PDD (Planned Development 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 PDD is as follows:

Western Hills, Block 10 Replat

Location: 402 Arnold Boulevard

PART 6: Purpose. The purpose of the Planned Development District (PDD) request is to allow for mobile home and recreational vehicle development and related activities of a tract located at 402 Arnold Boulevard.

PART 7: Specific Modifications. The following regulations and the attached site plan shall govern the use and development of this Planned Development District, and where any conflict exists, this PDD text shall override the site plan.

Permitted Uses:

- Mobile Homes (the number permitted for permanent residency as delineated on the attached site plan)
- Recreational Vehicles or Vacation Travel Trailers (No trailer within the park shall be used a permanent place of dwelling or business for indefinite periods of time. Continuous occupancy extending beyond 3 months in any 12 month periods shall be presumed permanent occupancy).
- No more than 30 travel trailers shall be permitted at any given time at the site.
- A register containing the name and address of each occupant of the park, as well as the date of arrival and departure, the make, model, year, and license number and state, of all vehicles shall be kept for periodic inspection.
- The park will accommodate and allow for the future installation of a Laundromat facility.

Setbacks:

The following setbacks shall apply to the park property lines:

- From the front park property line: 25 feet
- From the rear and side park property lines: 15 feet

The following setbacks shall apply to the interior space lines within the park:

- From curb or edge of pavement of interior streets: 15 feet
- From rear space lines: 5 feet
- Between mobile structures: 15 feet

Parking:

- No vehicles, mobile homes, nor recreational vehicles shall be parked on any parkway or public right-of-way.
- Two off-street parking spaces shall be provided for each mobile home or travel trailer.

Community Facilities

- Refuse containers or collection sites shall be conveniently located for park residents. A central refuse collection site for the park as a whole shall be provided. Such a container shall be water tight and rodent proof. If refuse is to be collected by the City of Abilene, central refuse collection areas shall be located in conformance with City standards.

Landscaping and Buffers:

- The parkways shall remain landscaped.
- Xeriscape principles shall be utilized.

Signage:

- Signage will comply with existing City standards for the Mobile Home District or those adopted at a later date by the City Council, whichever is more restrictive.
- The following temporary signs shall not be permitted on this site: banners, balloons, pennants, or portable signs.

Street Improvements:

- All private interior streets shall be a minimum of 27 feet in width.

-END-