

ORDINANCE NO. 2-2005

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-82 AND ORDINANCE NO. 40-2003, A 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 Ordinance No.40-2003, 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 16th day of December 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 28th day of December, 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 13th day of January, 2005, 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 13 day of January, A.D. 2005.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO.

Exhibit "A"

1st Amendment to Ordinance No. 40-2003

Amend:

PART 7: Specific Modifications

ADD: Add to Permitted Use List "A"
Hotel/Motel

DELETE: Section D. Signage

ADD: Section D. Signage

Tract 1:

1. No more than seven monument signs shall be permitted on Tract 1, as shown in approximate locations on Exhibit B (signs marked "C"). Each monument sign shall not exceed a height of 6 feet and a width of 10 feet.
2. One pole sign of no greater than 30 feet in height and not exceeding 100 square feet in area is permitted along the access road frontage in the northwest portion of the property, shown on the site plan for "future development" (see sign denoted "D" on Exhibit B).
3. One pole sign of no greater than 30 feet in height and not exceeding 100 square feet in area is permitted near the southwest corner of the property. This sign shall be at least 50 feet north of southwest corner of the property (see sign denoted "B" on Exhibit B).
4. One monument sign identifying the project and businesses located within shall be permitted, not to exceed 30 feet in height and 10 feet in width. This sign shall be constructed with similar materials as the buildings (masonry, stone, brick, etc.) and shall match the architectural quality of these buildings (see sign denoted "A1" on Exhibit B).
5. Up to two monument signs identifying the project and businesses located within shall be permitted, not to exceed 10 feet in height and 10 feet in width. These signs shall be constructed with similar materials as the buildings (masonry, stone, brick, etc.) and shall match the architectural quality of these buildings (see signs denoted "A2" on Exhibit B).
6. All signs on Tract 1 shall include landscaping in addition to turf, such as low shrubs, around the base of each sign.

Tract 2 (the north 250'):

7. One freestanding sign identifying the project shall be permitted within the north 250 feet of Tract 2, and shall not exceed 30 feet in height and 10 feet in width. This sign shall be constructed with similar materials as the

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EXHIBIT "A"

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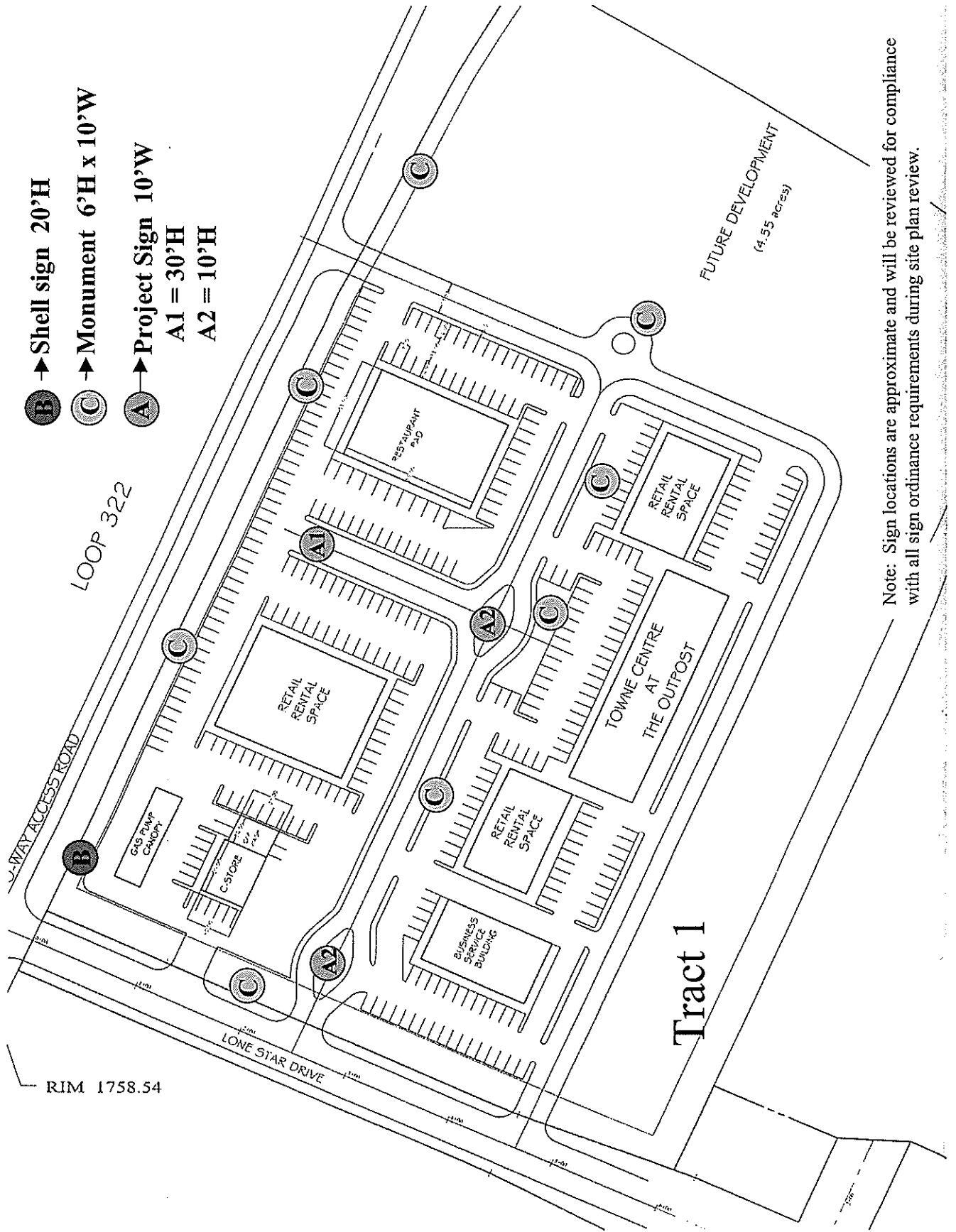
buildings (masonry, stone, brick, etc.) and shall match the architectural quality of these buildings.

Location: Lone Star Drive and Loop 322

-END-

Exhibit B: Staff Recommendation

- (B)** → Shell sign 20'H
- (C)** → Monument 6'H x 10'W
- (A)** → Project Sign 10'W
 A1 = 30'H
 A2 = 10'H



Note: Sign locations are approximate and will be reviewed for compliance with all sign ordinance requirements during site plan review.