

ORDINANCE NO. 45-2005

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-91 AND ORDINANCE NO. 20-2004 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. 20-2004, 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 11th day of August A.D. 2005 .

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 20th day of July, 2005, 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 25th day of August, 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 25th day of August, A.D. 2005 .

ATTEST:

  
\_\_\_\_\_  
CITY SECRETARY

  
\_\_\_\_\_  
MAYOR

APPROVED:


  
\_\_\_\_\_  
CITY ATTORNEY

Exhibit "A"

3rd Amendment to Ordinance No. 43-1990

Section 1:

Amend PART 7. Specific Modifications, Sub-part (2)(F) as follows:

DELETE: F. Signs:

- Free-standing signs
  - One pole sign shall be permitted along the I-20 frontage with a maximum height of 35 feet and a maximum area of 175 square feet.
  - One additional pole sign shall be permitted for the property described in this Exhibit. Such sign shall have a maximum height of 60 feet and a maximum area of 200 square feet.
  - All other free-standing signs shall be monument design with a maximum height of 6 feet and a maximum area of 75 square feet.
  - Each business is limited to one free-standing sign.
- Wall signs: May not exceed 10% of the area of any wall on which they are located.
- Banners: Shall only be allowed when attached to and flat against a building
- Prohibited Signs: Portable signs, off-site advertising, other free-standing temporary signs

ADD: F. Signs:

- Free-standing signs shall be permitted as follows:
  - Lot 1, Block 1
    - One pole sign with a maximum height of 75 feet and a maximum area of 200 square feet; and,
    - Two monument signs with a maximum height of 6 feet and a maximum area of 120 square feet.
  - Lots 3-5 and 102, Block 1 and Lots 1-3, Block 2
    - One pole sign with a maximum height of 60 feet and a maximum area of 200 square feet; or,
    - One monument sign with a maximum height of 6 feet and a maximum area of 75 square feet.
- Wall signs: May not exceed 10% of the area of any wall on which they are located.
- Banners: Shall only be allowed when attached to and flat against a building

ORDINANCE NO. 45-2005

EXHIBIT "A"

PAGE 3

- Prohibited Signs: Portable signs, off-site advertising, other free-standing temporary signs

Section 2: Property Description

Wal-Mart Supercenter Addition, Abilene, Taylor County, Texas.

Location: The north corner of I-20 and State Highway 351

-END-