

ORDINANCE NO. 66-2005

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-95 AND ORDINANCE NO. 38-2004 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 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 Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 17<sup>th</sup> day of November, 2005 A.D.

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 13<sup>th</sup> day of October, 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 1<sup>st</sup> day of December, 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 1<sup>st</sup> day of December, A.D. 2005.

ATTEST:

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

  
\_\_\_\_\_  
MAYOR

APPROVED:

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

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

Western Hills, Block 10 Replat

Location: 402 Arnold Boulevard

**AMEND: PART 7: SPECIFIC MODIFICATIONS**

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.

**ADD:**

*The attached site plan should be used for zoning purposes only. An official site plan must be approved by the Planning Director prior to the issuance of any building or installation permits.*

**A. Permitted Uses:**

1. Mobile Homes (the number permitted for permanent residency as delineated on the attached site plan )

**DELETE:**

- ~~• 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.~~
- ~~• 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.~~
- ~~• The park will accommodate and allow for the future installation of a Laundromat facility.~~

**ADD:**

2. *Recreational vehicles will not be a permitted use after January 1, 2007.*

**B. Setbacks:**

**DELETE:**

~~The following setbacks shall apply to the park property lines:~~

- ~~• From the front park property line: 25 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~~
- ~~• From the rear and side park property lines: 15 feet~~
- ~~• Between mobile structures: 15 feet~~

**ADD:**

1. *Front setbacks adjacent to all interior streets: 15 feet*
2. *Interior side setbacks: 0 feet on one side as long as the building line on the remaining side is a minimum of 10 feet. (See official Site Plan for designated building lines) Maintenance easements shall be provided within the setback area to allow neighboring residents to access and maintain the side of the mobile home placed along the space boundary.*
3. *Exterior side setbacks: 10 feet*
4. *Rear setback adjacent to PDD boundary: 7.5 feet*
5. *Rear setbacks adjacent to an interior street: 10 feet*
6. *Between mobile structures: 10 feet (See Site Plan)*

C. Parking:

**DELETE:**

- ~~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.~~

**ADD:**

1. *No vehicles, mobile homes, nor recreational vehicles shall be parked on any interior streets.*
2. *Two paved off-street parking spaces shall be provided for each mobile home.*

D. Community Facilities:

1. 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.

E. Landscaping and Buffers:

1. The parkways shall remain landscaped.
2. Xeriscape principles shall be utilized.

F. Signage:

1. 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.
2. The following temporary signs shall not be permitted on this site: banners, balloons, pennants, or portable signs.

**ADD:**

3. *One Special Development sign is permitted according to the regulations stated in the City of Abilene Sign Regulations:*
  - a. *Sign permit required*
  - b. *Maximum sign area: 80 square feet.*
  - c. *Maximum height: 15 feet*
  - d. *Minimum setback from all property lines: 10 feet*
  - e. *Maximum duration: Until the park is approximately 90% occupied*

G. Street Improvements:

**DELETE:**

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

**ADD:**

1. *All private interior streets shall be a minimum of 27 feet in width. Concrete curbs and gutters shall be installed on all interior streets according to City of Abilene specifications. Curbs may be lay-down or stand-up.*

H. Spaces:

**DELETE:**

- ~~Each interior block of the park is permitted to have one row of angled spaces measuring 90' deep by 45' wide.~~
- ~~Each interior block of the park is permitted to have one row of stacked spaces measuring 45' deep and 100' wide.~~
- ~~The western most spaces, along Chapel Hill Road, shall be permitted to measure 90' deep.~~

**ADD:**

1. *Minimum space width: 38 feet*
2. *Minimum space depth: 78 feet*

I. Screening:

**DELETE:**

- ~~A 6' opaque fence of masonry or wood materials shall be constructed along the property line adjacent to Chapel Hill Road.~~
- ~~A 6' opaque fence of masonry or wood materials shall be constructed along the northern park property line.~~

**ADD:**

1. *A 6' opaque fence of masonry or wood materials shall be constructed and maintained along the entire boundary of the PDD. This requirement shall not apply to park entrances where paved interior streets intersect the public right-of-way. These entrances may be open or gated, and shall provide the only access points to the development. No spaces shall have driveways directly onto right-of-way outside of the development.*

-END-

