

ORDINANCE NO. 58-2008

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE; AND ORDINANCE NO. 30-2000 CONCERNING THE PDD #73 PLANNED DEVELOPMENT DISTRICT; DECLARING A PENALTY AND CALLING A PUBLIC HEARING; 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. 30-2000, 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 6 day of November A.D. 2008.

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 15 day of October, 2008, 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 6 day of November, 2008, 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 20 day of November, A.D. 2008.

ATTEST:


CITY SECRETARY


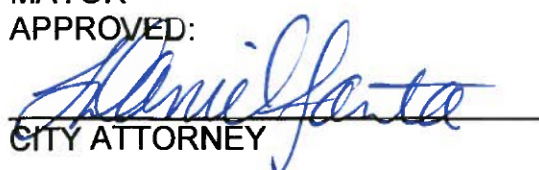

MAYOR
APPROVED:

CITY ATTORNEY

EXHIBIT "A"

3rd Amendment to Ordinance No. 30-2000

Amend Part 7 Specific Modifications A.

DELETE: The use of land shall be restricted to Assembly/Manufacturing/Warehousing, Product Research and Development, and Distribution. In addition, the following commercial uses are permitted: convenience stores, fast food restaurants, copy centers, cleaners, and childcare. These commercial uses are restricted to the commercial zone within the Park as designated in the attached site plan. A hiking, biking, jogging trail may be located in the Park. The trail may include a picnic and water feature area.

ADD: The use of land shall be restricted to Assembly/Manufacturing/Warehousing, Product Research and Development, distribution, and Petroleum/Gas wells. In addition, the following commercial uses are permitted: convenience stores, fast food restaurants, copy centers, cleaners, and childcare. These commercial uses are restricted to the commercial zone within the Park as designated in the attached site plan. A hiking, biking, jogging trail may be located in the Park. The trail may include a picnic and water feature area.

Amend Part 7 Specific Modifications B.6.

DELETE: Buildings shall be faced wholly or in combinations of the following materials:

- Tilt-up concrete wall panels with a paint finish
- Face brick
- Split-face concrete masonry units
- Burnished concrete masonry units
- Aluminum composite panels
- Aluminum and glass curtainwall or storefront
- Metal concealed fastener wall panels with flat profile

ADD: The front of buildings, building walls oriented toward a street, and building walls or portions thereof visible from a public right-of-way and within 300' of the street right-of-way shall be faced wholly or in combinations of the following materials:

- Tilt-up concrete wall panels with a paint finish
- Face brick
- Split-face concrete masonry units
- Burnished concrete masonry units
- Aluminum composite panels
- Aluminum and glass curtainwall or storefront
- Metal concealed fastener wall panels with flat profile

ORDINANCE NO. 58-2008

EXHIBIT "A"

Page 2

Amend Part 7 Specific Modifications B.7.

DELETE: Openings, windows and doors shall be constructed of aluminum and glass curtainwall or storefront and shall comprise a minimum of 5 percent of the main facade of the building facing on street frontage.

ADD: Openings, windows and doors shall be constructed of aluminum and glass curtainwall or storefront and shall comprise a minimum of 5 percent of the first floor (16 feet) of the main facade of the building facing on street frontage.

-END-