

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART B, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, Subpart B, "Land Development Code," of the Abilene Municipal Code be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.


PART 3: 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 27th day of May A.D. 2010.

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 1st day of May, 2010, 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 10th day of June, 2010, 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, with the exception of the change adding a new Section 1.2.2.3 requiring posting of notice on the property of a zoning amendment, which will become effective on October 1, 2010.

PASSED ON SECOND AND FINAL READING THIS 10th day of June, A.D. 2010.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:

CITY ATTORNEY

List of Proposed Changes to the Land Development Code

<u>Page</u>	<u>Change</u>
1-25	Posting Notice on Property for Zoning Amendments
1-26	Section numbering
1-40	Remove PDP reference
2-67	Correct from 'AZP' to 'APZ'
2-68	Delete annotation #3 from Manufacturing in APZ II
2-68	Delete 'or noise/vibration sensitive' from note #3
2-79 to 2-91	Add Neighborhood Office column
2-92	Add Jones County reference
2-101	Add allowed uses for liquor stores in AO (as approved by City Council)
2-103	Add restriction for mining use for parks at Lake Fort Phantom Hill
2-126	Add statement about "net metering" in Wind Energy Conversion section
2-134	Correct Figure 2-8 dimensions
3-3	Grammar/syntax corrections
3-5	Correct reference
3-5	Delete item 6
3-10	Grammar/syntax correction
3-10	Correct reference to Design, Details, and Construction Standards
3-12	Grammar/syntax correction
3-16	Delete part of sentence not needed
3-23	Grammar/syntax correction
3-28	Correct time period
3-32	Correct reference to Design, Details, and Construction Standards
3-32	Correct responsible official
3-34	Grammar/syntax correction
3-38	Add reference to City code
3-38	Correct reference to Design, Details, and Construction Standards
3-40	Correct responsible official
3-41	Correct responsible official
3-41	Correct reference to Design, Details, and Construction Standards
3-42	Correct responsible official
3-45	Correct numeric references
3-47	Grammar/syntax correction
3-49	Clarify language for abandonment or closure
3-50	Correct reference to Design, Details, and Construction Standards
3-52	Correct reference to Design, Details, and Construction Standards
3-52	Grammar/syntax correction
3-53	Correct reference to Design, Details, and Construction Standards
3-54	Grammar/syntax correction
3-55	Delete footnotes from Table 3-1
3-56	Grammar/syntax correction in title of Table 3-2
3-56	Delete footnote from Table 3-2
3-57	Grammar/syntax correction
3-59	Delete item 'c'
3-60	Correct reference
3-64	Correct reference to Design, Details, and Construction Standards
3-66	Grammar/syntax correction
3-66	Correct reference to Design, Details, and Construction Standards
3-67	Grammar/syntax correction
3-68	Add 'Type III'

3-68 Grammar/syntax corrections
3-69 Clarify language for driveway approaches at intersections
3-70 Replace 'variance' with 'variation'
3-70 Delete table reference
3-71 Add 'Type III'
3-71 Add 'City Engineer'
3-81 Clarify language for Drainage Plans
3-81 Remove references to Drainage Flow Diagrams
3-81 Correct reference to East Highway 80
3-83 Remove Drainage Flow Diagram section
3-88 Add language inadvertently left out from existing ordinance
3-89 Add language inadvertently left out from existing ordinance
3-91 Grammar/syntax correction
3-97 Grammar/syntax correction
3-102/3-103 Revise language for Easements for New Development
3-105 Revise language for alleys on irregularly-shaped lots
4-6 Delete TIA reference
4-9 Correct the responsible department
4-10 Revise to use correct terms
4-11 Correct the responsible official
4-18 Grammar/syntax corrections
4-18 Revise and add language for 'barriers'
4-22 Add language inadvertently left out from existing ordinance
4-24 Add reference to City Ordinance
4-29 Grammar/syntax correction
5-1 Correct reference

Bold = item of discussion at the Public Hearing