

ORDINANCE NO. 66-2014

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-41 AND ORDINANCE NO. 23-1986, 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, part known as the Land Development Code of the City of Abilene, is hereby amended by changing Ordinance No. 23-1986, 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 25th day of September A.D. 2014.

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 16th day of August, 2014, 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 9th day of October, 2014, 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 9th day of October, A.D. 2014.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO. 66-2014

EXHIBIT "A"

3rd Amendment to Ordinance No. 23-1986

An ordinance to amend the Judge Ely Boulevard Planned Development Mixed Use zoning district (Ordinance number 23-1986) in the following manner:

DELETE: Section "Specific Modification, Tract 2," 1st paragraph:

Except as otherwise specified below, use and development of land shall be subject to regulations applicable to the Shopping Center (SC) zoning classification. Furthermore, location of buildings, driveways, and other physical features, shall be guided by the site plan attached as Exhibit B.

ADD: Section "Specific Modification, Tract 2," new 1st paragraph to read as follows:

Except as otherwise specified below, use and development of land shall be subject to regulations applicable to the General Retail (GR) zoning classification. Additionally, self-storage warehousing shall be permitted on all except the western 425 feet of Tract 2. Furthermore, location of buildings, driveways, and other physical features, shall be guided by the site plan attached as Exhibit B.

DELETE: Section "Specific Modification, Tract 2, Number 4."

Two freestanding signs shall be allowed. The first sign shall be used by the occupant of the outlot located in the northwest corner of the tract, as shown on the attached site plan. This first sign shall not be allowed unless and until development occurs on the outlot and such development shall itself make use of the sign. This sign shall be setback 10 feet from all property lines. It may be no more than 20 feet tall and 136 square feet in area.

A second sign is allowed which may be used to identify the shopping center and/or its tenants. It may be built under any one of the following alternatives:

1. 25' setback, 20' tall, 200 square feet in area.
2. 50' setback, 30' tall, 300 square feet in area.
3. 100' setback, 30' tall, 300 square feet in area.
4. 200' setback, 40' tall, 350 square feet in area.
5. 25' setback, 30' tall, 350 square feet in area with 8' grade clearance, and located south of the main entrance.

ADD: Section "Specific Modification, Tract 2," new language for Number 4 to read as follows:

Two freestanding signs shall be allowed. The signs shall identify one or more uses within Tract 2. The signs may be no more than 30 feet tall, 200 square feet in area, and no closer than 100 feet from one another.

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