

ORDINANCE NO. 35-2017

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; 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 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.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PART 4: This Ordinance, although it shall be published in the newspaper within 20 days from passage, shall be effective beginning October 1, 2018.

PASSED ON FIRST READING this 24th day of August, A.D. 2017.

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, 2017, 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 12th day of September, 2017 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene. This ordinance shall be effective on October 1, 2018.

PASSED ON SECOND AND FINAL READING THIS 12th day of September, A.D. 2017.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

EXHIBIT "A"

AMEND: Section 2.4.2.1 The Land Use Matrix

REVISE: Change MF (Multiple-Family Residential) from a P (Permitted) use to a C (Conditional Use) in the O (Office), NO (Neighborhood Office), GR (General Retail), MX (Mixed Use), MU (Medical Use), and NR (neighborhood Retail),

Amend: Section 2.3.2.9 Residential Multiple-Family (MF) District

(a) **Purpose.** The Residential Multiple-Family (MF) District is designed to encourage the provision of conveniently located, centrally maintained rental accommodations with traditional apartment units. This district provides for a maximum of twenty-four (24) dwelling units per acre. As one of the multiple-family zoning districts provided for development in Abilene, this district is also designed to achieve the following:

(1) Protect the residential character of the included areas by excluding most commercial and other incompatible activities, as appropriate. Allow for Residential Multiple-Family (MF) within other non-residential zoning districts with a Conditional Use Permit (C), per Section 2.4.2.1 The Land Use Matrix.

(2) Encourage a suitable environment by permitting certain appropriate institutions and facilities to be located in residential neighborhoods.

AMEND: Section 2.4.3.3 All Other Uses With Specific Requirements

REVISE: Add the regulations pertaining to MF (Multi-Family Residential).

(a) Specific Requirements.

(61) Residential Multiple-Family (MF) District

Allow for Residential Multiple-Family (MF) within other non-residential zoning districts with a Conditional Use Permit (C), per Section 2.4.2.1 The Land Use Matrix.

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