

ORDINANCE NO. 18-2018

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE," OF THE ABILENE CITY CODE, CONCERNING PD-159 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 I: That 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.


PASSED ON FIRST READING this 22nd day of March A.D. 2018.

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 16<sup>th</sup> day of February, 2018, 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 4:30 p.m., on the 12<sup>th</sup> day of April, 2018 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 12th day of April A.D. 2018.

ATTEST:

  
CITY SECRETARY

  
MAYOR



APPROVED:  
  
CITY ATTORNEY

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Exhibit "A"

PART 1: Land Title. Title to land not dedicated to public use and services or for utility purposes and not otherwise designated for development purposes shall remain in the owner thereof, his heirs, assigns, lessees and successors in interest and shall not be the responsibility of the City of Abilene for any purpose.

PART 2: Development Specifications. All development in the Planned Development District shall be in accordance with the maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development Mixed Use District and are hereby incorporated by reference and included as part of this ordinance.

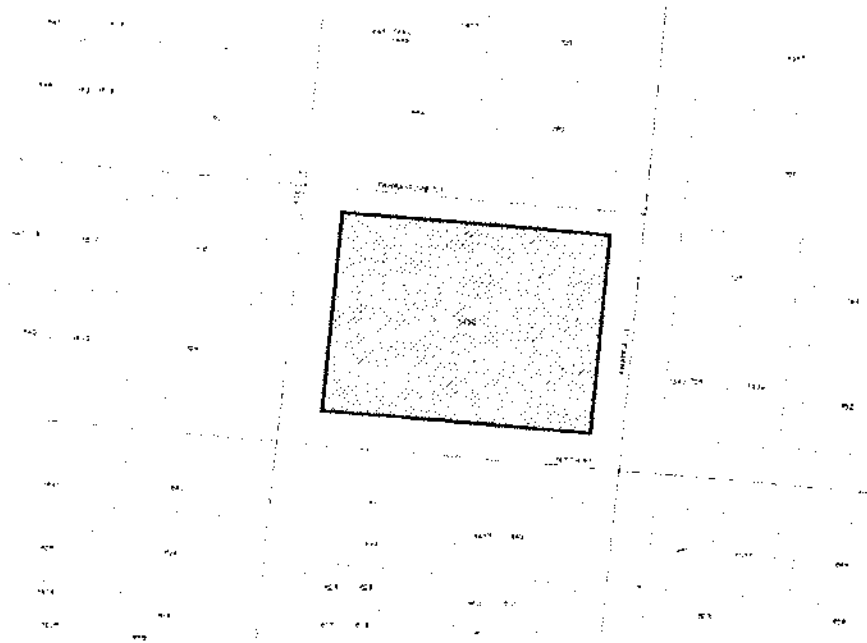
All use and development within the Planned Development Mixed Use District must be in compliance with the general Comprehensive Zoning Ordinance of the City of Abilene except as otherwise specifically provided herein.

PART 3: Building Specifications. All structures in the herein said Planned Development Mixed Use District shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That the Land Development Code of the City of Abilene is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From Central Business (CB) District to Planned Development (PD) District. 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 5: Legal Description The legal description of this P.D.D. is as follows:

All of Block A, in Parramore's Subdivision of the West ¾ of Block No. 149, Original Town of Abilene, City of Abilene, Taylor County, Texas.



**Location:**

An entire city block bounded by Orange, Beech, Parramore and North 7th Streets, at a location near the northwest corner of Abilene's traditional downtown core. This city block measures 235' x 300'

PART 6: Purpose. The purpose of the Planned Development District (PDD) request is to allow for development of patio homes, semi-detached dwellings and townhomes, according to a graphic concept plan and certain development standards.

PART 7: Specific Metrics The following regulations shall govern the use and development of this Planned Development District:

A. The property shall be developed to generally comply with the attached graphic concept plan labeled Exhibit B.

B. Permitted Uses and Specific Regulations

1. Permitted Use. Only three types of dwellings shall be permitted within this Planned Development zoning district, which said three dwelling types are specifically defined as follows:

**Patio Home:** a type of detached, single-family dwelling on a lot separate from any other dwelling, and which permits the construction of such dwelling with one side wall (of that dwelling) placed on one side property line, so long as the walls of each such dwelling are at least ten feet from the wall of any other dwelling.

**Semi-Detached Dwelling:** a building containing two attached dwelling units that share a common wall at the lot line and that are on separate lots.

**Townhome Dwelling:** One of a group of not less than three (3) and no more than twelve (12) attached dwelling units, each located on a separate lot, and being separated from the adjoining unit by an approved wall extending from the foundation through the roof and structurally independent of the corresponding wall of the adjoining unit.

Except as otherwise specified in and allowed by this ordinance, the use and development of this subject property shall be governed by regulations applicable to the Single-Family Residential (RS-6) zoning classification.

2. Specific Regulations. The following special development standards are applicable to each above-described dwelling type, within the Planned Development zoning district.

For patio homes

Minimum depth required of each patio home site = 65 feet. Minimum width required of each patio home site = 40 feet.

Minimum overall area required of each patio home site = 2600 square feet.

Minimum residential building setback required from street side lot boundaries = ten feet (10'). Minimum residential building setback required from rear lot boundary = seven feet (7').

At least one (1) off-street parking space must be provided on each patio home site, and such parking space may be made available inside an enclosed garage or underneath an open carport.

The minimum setback required of any enclosed garage, storage building or open carport (from interior side or rear lot boundaries) is three feet measured from any point (fascia or projection) on such structure.

The fascia on or projection from any enclosed garage, storage building or open carport may extend all the way to any street side lot boundary.

The exterior wall of any detached accessory building must be minimum six feet (6') from the exterior wall of any other building on the same lot or an adjoining lot,

**For semi-detached dwellings**

Minimum depth required of each such dwelling site = 65 feet. Minimum width required of each such dwelling site = 40 feet.

Minimum overall area required of each such dwelling site = 2600 square feet.

Minimum residential building setback required from street side lot boundaries = ten feet (10').

If not contiguous to another dwelling unit, semi-detached dwellings must be set back a minimum of five feet (5') from any interior side lot boundary.

Minimum residential building setback required from rear lot boundary = five feet (5').

At least one (1) off-street parking space must be provided on each dwelling site, and such parking space may be made available inside an enclosed garage or underneath an open carport.

An enclosed garage, storage building or roof on an open carport may extend all the way to the same interior side boundary as the one sidewall of the dwelling, <sup>1</sup> so long as any point (fascia or projection) on such structure extends no closer than three feet (3') from the other side boundary except a street side lot boundary.

The fascia on or projection from an enclosed garage, storage building or open carport may extend all the way to any street side lot boundary.

The minimum setback required of any enclosed garage, storage building or open carport (from rear lot boundaries) is three feet measured from any point (fascia or projection) on such structure.

The exterior wall of any detached accessory building must be minimum six feet (6') from exterior wall of any other building on the same lot or an adjoining lot.

**For townhome dwellings**

Minimum depth required of each townhome site = 65 feet. Minimum width required of each townhome site = 18 feet.

Minimum overall area required of each townhome site = 1800 square feet.

Minimum residential building setback required from street side lot boundaries = ten feet (10').

If not contiguous to another townhouse unit, townhome dwellings must be set back a minimum of five feet (5') from any interior side lot boundary.

Minimum residential building setback required from rear lot boundary = five feet (5')

At least one (1) off-street parking space must be provided on each townhome site, and such parking space may be made available inside an enclosed garage or underneath an open carport.

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<sup>1</sup> notwithstanding requirements of applicable Building Code adopted by City of Abilene

An enclosed garage, storage building or roof on an open carport may extend all the way to the same interior side boundary (or boundaries) as the townhome dwelling itself, <sup>1</sup> so long as any point (fascia or projection) on such structure extends no closer than three feet from an interior side boundary other than that to which the dwelling itself extends.

The minimum setback required of any enclosed garage, storage building or open carport (from rear lot boundaries) is three feet measured from any point (fascia or projection) on such structure.

The exterior wall of any detached accessory building must be minimum six feet (6') from exterior wall of any other building on the same lot or an adjoining lot.

**Private Driveways**

Vehicle access to and from the rear of home sites may be made available by and through a network of private driveways shared and maintained by adjoining property owners.

**Fence separation from sidewalks**

Fences on private property must be separated a minimum of two feet (2') from the edge of parallel public sidewalk improvements in rights-of-way for adjoining streets.

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EXHIBIT "A"  
Site Exhibit "B"

