

ORDINANCE NO. 15-2021

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE CITY CODE AND CONCERNING PD-82, A PLANNED DEVELOPMENT DISTRICT, AS WELL AS ORDINANCE NUMBER 40-2003, 02-2005, and 19-2006; 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 the Land Development Code of the City of Abilene is hereby amended by changing Ordinance Numbers 40-2003, 02-2005 and 19-2006; specifically 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 ordinance 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 22<sup>nd</sup> day of April, 2021.

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 20<sup>th</sup> day of March, 2021, 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 13<sup>th</sup> day of May, 2021, 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 13<sup>th</sup> day of May, 2021.

ATTEST:



Shawna Atkinson,  
City Secretary



Anthony Williams,  
Mayor

APPROVED:



Stanley Smith,  
City Attorney



**ORDINANCE NO. 15-2021**

Exhibit "A"

4<sup>th</sup> Amendment to Ordinance No. 40-2003, 02-2005, and 19-2006

PART 7:Specific Modifications: As identified in Exhibit B of Ordinance 40-2003; Tract 1 shall be subject to the requirements of the General Retail (GR) zoning district; as modified below:

DELETE: Portion of Section B. Permitted Uses

B. Permitted Uses:

Tract 1 (north of Lone Star Drive)

- Service and retail uses listed on Permitted Use List "A"

ADD: New subparagraph to Section B, to read as follows:

B. Permitted Uses:

Tract 1 (north of Lone Star Drive)

- All uses ordinarily permitted within General Retail (GR) Zoning.

DELETE: Portion of Section D. Signage

D. Signage

Tract 1:

1. No more than seven monument signs shall be permitted on Tract 1, as shown in approximate locations on Exhibit B (signs marked "C"). Each monument sign shall not exceed a height of 6 feet and a width of 10 feet.
2. One pole sign of no greater than 30 feet in height and not exceeding 100 square feet in area is permitted along the access road frontage in the northwest portion of the property, shown on the site plan for "future development" (see sign denoted "D" on Exhibit B).
3. One Pole sign of no greater than 30 feet in height and not exceeding 100 square feet in area is permitted near the southwest corner of the property. This sign shall be at least 50 feet north of southwest corner of the property (see sign denoted "B" on Exhibit B).
4. One monument sign identifying the project and business located within shall be permitted, not to exceed 30 feet in height and 10 feet in width. This sign shall be constructed with similar materials as the buildings (masonry, stone, brick, etc.) and shall match the architectural quality of these buildings (see sign denoted "A1" on Exhibit B).
5. Up to two monument signs identifying the project and businesses located within shall be permitted, not to exceed 10 feet in height and 10 feet in width. These signs shall be constructed with similar materials as the buildings (masonry, stone brick, etc.) and shall match the architectural quality of these buildings (see signs denoted "A2" on Exhibit B).
6. All signs on Tract 1 shall include landscaping in addition to turf, such as low shrubs, around the base of each sign.

ADD: Section D. Signage

D. Signage

Tract 1:

1. All signs within Tract 1 shall conform to standards ordinarily applicable within General Retail (GR) Zoning.

DELETE: Section f. Structure Height

- Maximum of 35 feet, except hotel/motel, which may be a maximum of 4 stories if they are separated from residentially zoned property by a minimum of 100'

ADD: Section f. Structure Height

- Tract 1:
  - Structure height shall be subject to standards ordinarily applicable within General Retail (GR) Zoning
- Tract 2:
  - Maximum of 35 feet, except hotel/motel, which may be a maximum of 4 stories if they are separated from residentially zoned property by a minimum of 100'



Location: 4300 block (east side) of Loop 322, at 4401 thru 4449 Loop 322 and at 404 thru 442 Lone Star Dr.

# Graphic Concept Plan

ORDINANCE NO. 40-2003

EXHIBIT "B"

