

ORDINANCE NO. 05-2023

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTY; 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 2 (Zoning Regulations) of the Land Development Code of the City of Abilene, is hereby amended by changing 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.

PASSED ON FIRST READING the 12th day of January, 2023.

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 18th day of December, 2022, the same being more than fifteen (15) days prior to a public hearing held at the Council Chambers of the City Hall at 555 Walnut St. in Abilene, Texas, at 8:30 a.m. on the 12th day of January, 2023, 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 FINAL READING THIS 26th day of January, 2023.

ATTEST:




DEPUTY CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

EXHIBIT A

Change the zoning classification of the following described land, from Light Industrial (LI) to Planned Development District 178 (PD-178) subject to compliance with the "Base Zoning District, Land Uses, and Development Standards" attached hereto as Exhibit B and the Concept Plan attached hereto as Exhibit C:

Elmwood West, Section N, Lot 2, Abilene, Taylor County, Texas

EXHIBIT B

Proposed Base Zoning District, Land Uses, and Development Standards

Base Zoning - General Retail (GR) Base zoning subject to all GR district Standards

Permitted Uses – All uses permitted by right in the Light Industrial District, the General Retail district, and Multi-Family district shall be a permitted.

Setbacks – Building setbacks shall follow the General Retail zoning districts with the following modification:

1. Building setbacks abutting residential shall be 25 feet minimum for buildings up to 35 feet in height. Each additional foot in height above 35 feet shall add one foot of minimum setback.

Parking Standards – Parking standards shall follow the Land Development code with the following modifications:

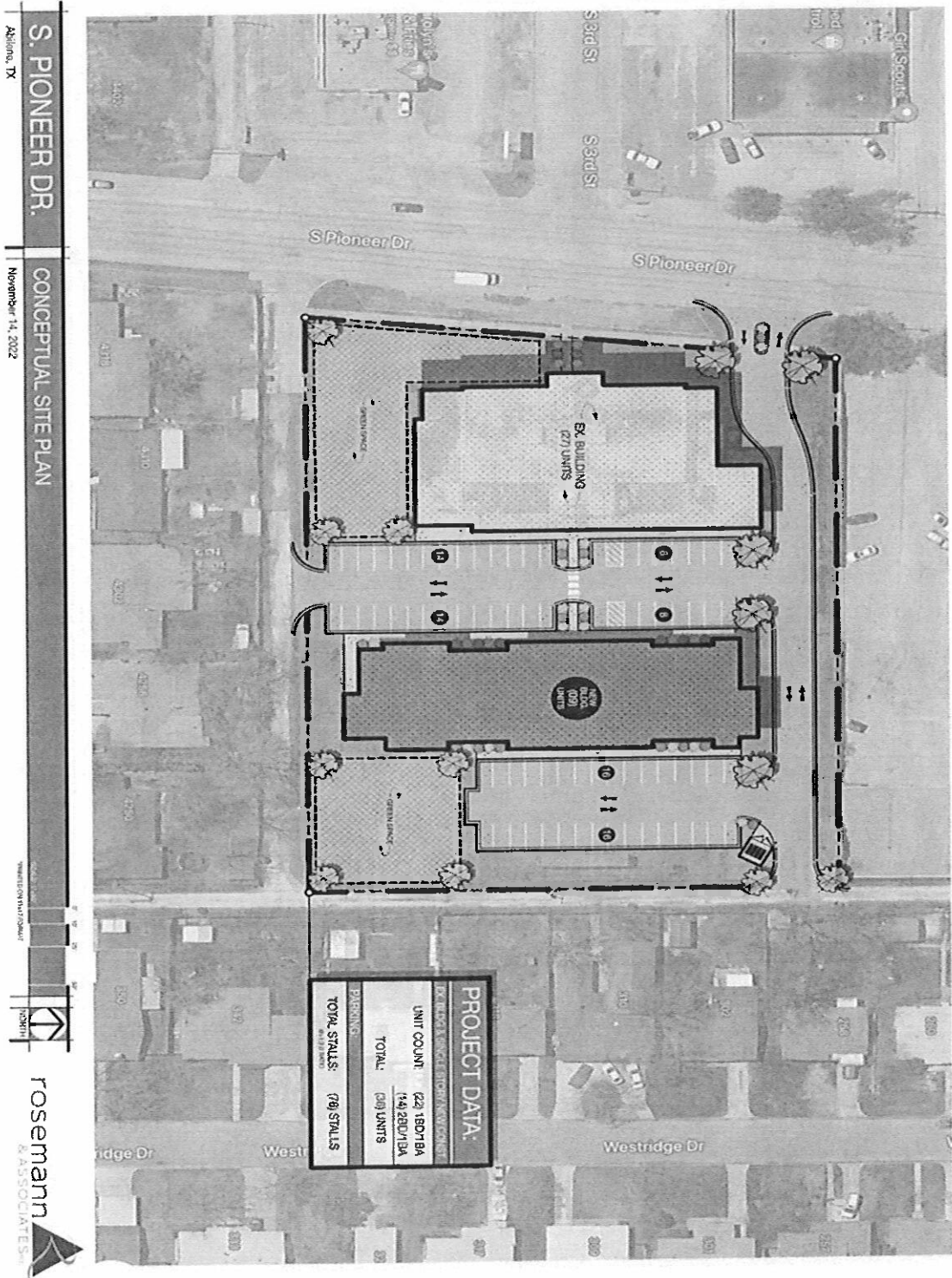
1. The minimum parking ratio for multi-family dwellings shall be 5 spaces for every 4 dwelling units.
2. For all other uses, the standard parking requirements of the LDC shall be applicable.

Additional Standards –

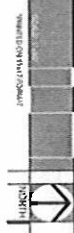
1. Multi-family development shall be generally consistent with the attached concept plan and plan of operation, except where the Plan of Operation is not consistent with the requirements listed herein.
2. The maximum density for multi-family dwellings shall be 24 units per acre.
3. When developed as multi-family residential, the landscape standard will be a minimum of 15% of the area between the front building façade and adjacent street right-of-way shall be landscaped area.
4. A type B buffer shall be required along both adjacent alleys for any new development.
5. If the site is completely redeveloped, all standard landscaping, buffering, and screening requirements shall be applicable. If only a portion of the site is redeveloped, all standard landscaping, buffering, and screening requirements shall be applicable to that portion of the site to be redeveloped.
6. If the use of the site remains as Light Industrial (LI) and all existing site improvements remain “as is” and are not expanded, the requirements listed above shall not be applicable.
7. The height of proposed new apartment building, shaded dark gray on the proposed Concept Plan, shall be limited to one-story.

EXHIBIT C

Concept Plan



S. PIONEER DR.
CONCEPTUAL SITE PLAN
November 14, 2022



rosemann
& ASSOCIATES, INC.