

ORDINANCE NO. 25-2023

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE" OF THE ABILENE CITY 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 2 (Zoning Regulations) of 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 Two Thousand Dollars (\$2,000.00). 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 27th day of April, 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 17th day of March, 2023, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 11th day of May 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 11th day of May, 2023.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:


CITY ATTORNEY

EXHIBIT A

Request: Change the zoning classification of the following described land, from the Agricultural Open Space (AO) district to the Planned Development District (PDD-181). The property shaded blue in the below map comprises the extent of PDD-181. The property shaded green on the map is not a part of PDD-181 and will continue to be zoned Agricultural Open (AO).

Location: 5502 Spinks Road, as legally described as:

285.90 acres out of Section 53 and 54, Block 16, T.&P. RR. Company Surveys, Taylor County, Texas; and 191.18 acres of Section 55, Block 16, T & P RR. Company Surveys, Taylor County, Texas; and 305.95 Acres of Section 24, W. W. Sills Survey, Taylor County, Texas.

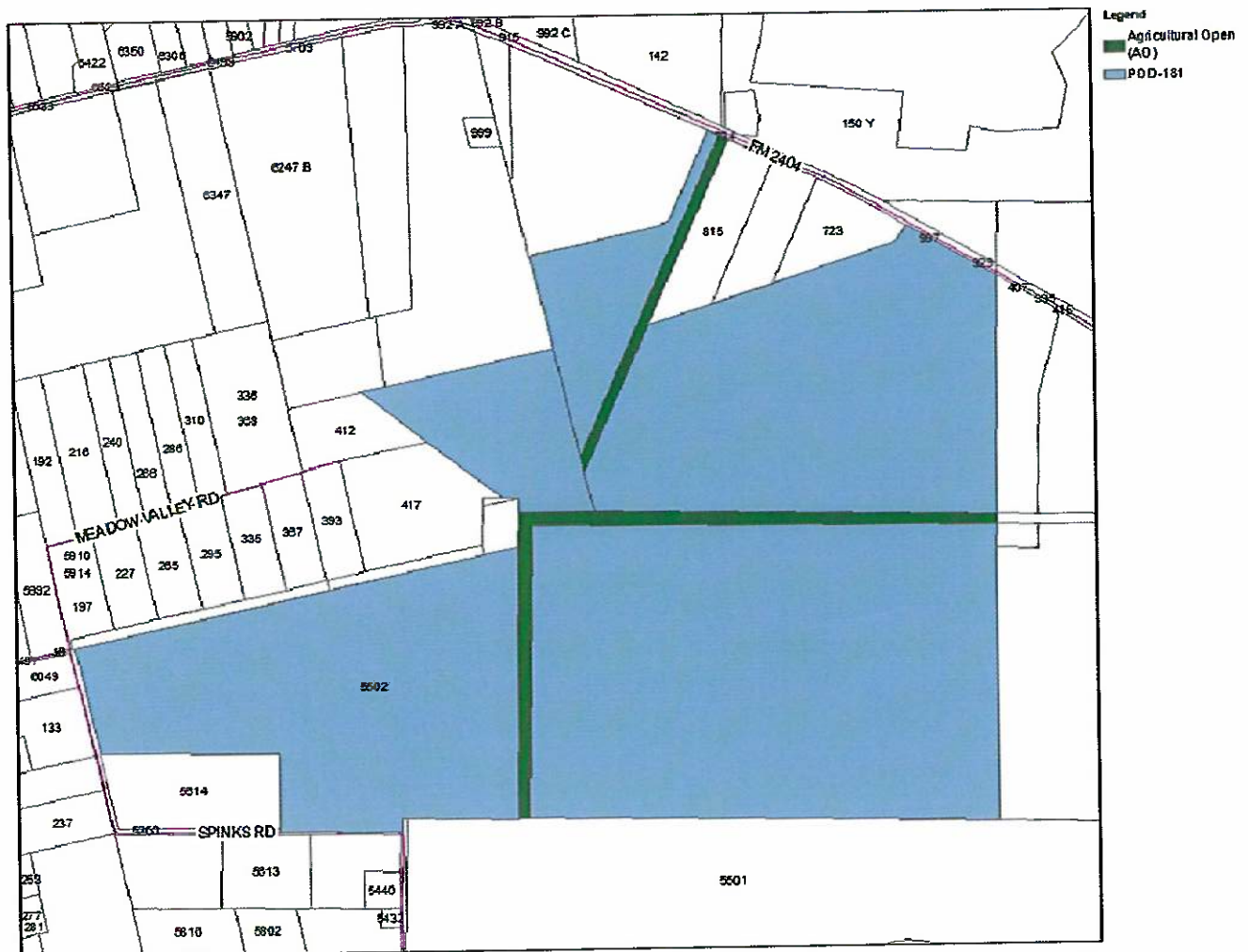


EXHIBIT B CONCEPT PLAN

- Legend**
- Z-2023-09
 - Heavy Industrial Use
 - Not included in PDD-181, to remain AO
 - Substation
 - 200 MW
 - Future 1000 MW



EXHIBIT C

Proposed Base Zoning District, Land Uses, and Development Standards

1. PDD-181 shall be developed in accordance with the Concept Plan (**Exhibit B**).
2. The base zoning district of PDD-181 shall be Light Industrial (LI).
3. The following Light Industrial uses shall be permitted by right at any location in PDD-181:
 - a. Data Center: High Performance Computing;
 - b. Data Center: Bitcoin Mining;
 - c. Operation and Maintenance Facilities;
 - d. Electric Vehicle Charging Station;
 - e. Solar Panel Array (green energy production);
 - f. Corporate Park (light industrial/office);
 - g. Warehousing;
 - h. Cold Storage;
 - i. Light Manufacturing;
 - j. Electric Substation; and
 - k. Corporate Headquarters (office).
4. The following Heavy Industrial (HI) uses shall be permitted by right on Lot 1:
 - a. Green Ammonia Production, Storage, and Loading Terminal;
 - b. Direct Air Capture (CO², carbon dioxide); and
 - c. Hydrogen Production, Storage, Loading Terminal.
5. The land area that comprises Lot 1 shall be the area highlighted in grey as shown in **Exhibit B**.
6. The 200-foot buffer designated on **Exhibit D** shall be maintained as open space, with all existing vegetation being maintained. Additional landscaping may also be installed as necessary.
7. The land area that comprises the 200-foot buffer area shall be the area as shown in **Exhibit D**.
8. PDD-181 shall be subject to all of the development standards that pertain to the LI zoning district.

