

ORDINANCE NO. 51-2024

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 17th day of October 2024.

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 13th day of September 2024, 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 7th day of November 2024, 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 7th day of November, 2024.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:


CITY ATTORNEY



Exhibit A

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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 possession of 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.

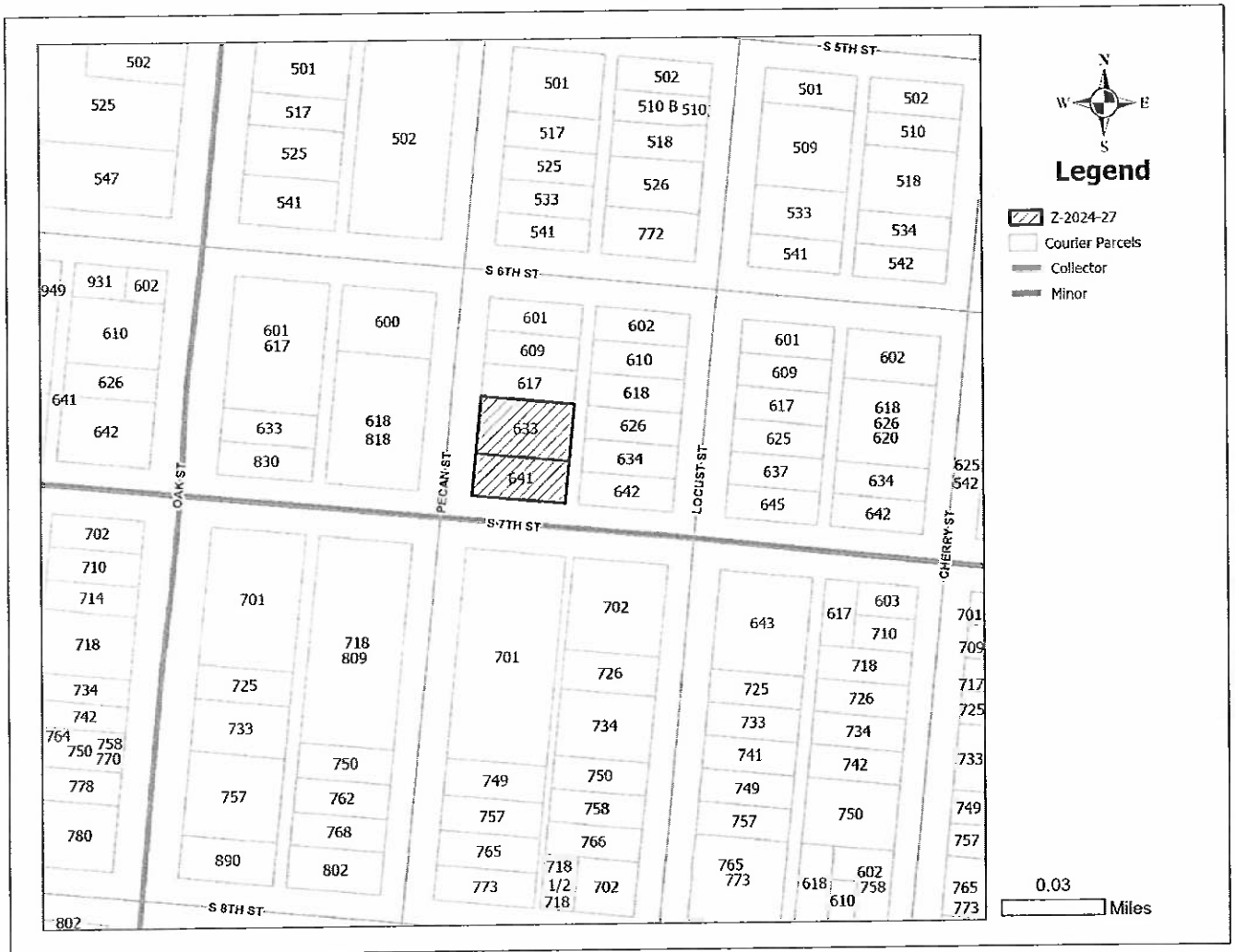
PART 2: Development Specifications. All development in the Planned Development shall be in accordance with any maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development, which are hereby incorporated by reference and included as part of this ordinance. All use and development within the Planned Development must be in compliance with the Land Development Code of the City of Abilene except as otherwise specifically provided herein.

PART 3: Building Specifications. All structures in the herein said Planned Development 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 from Central Business (CB) to Planned Development (PDD-189) District, subject to the specific modifications set out in Part 7 below.

Exhibit A

PART 5: Legal Description. The legal description of this Planned Development District is as follows: Lots 7-9, Block 131, Original Town Abilene, Abilene, Taylor County, Texas.



Location: 633 and 641 Pecan Street

EXHIBIT A

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PART 6: Purpose. The purpose of this Planned Development District is to allow freight containers as a principal use.

PART 7. Specific Modifications. The use and development of land and buildings in this Planned Development District shall generally be subject to requirements of the Central Business (CB) zoning classification, except as modified below:

A. Permitted Uses:

In addition to uses ordinarily allowed within Central Business (CB) District, Freight Containers shall be permitted as a principal use:

1. For the purpose of this ordinance, the term "Freight Container" shall be construed to mean "Any structure or storage receptacle designed or built and generally intended for the shipment or transportation of products or goods, which shall not include trucks, trailers, or rail cars."

B. Screening Requirements:

1. Freight containers shall be screened on all street frontages, including the adjoining alley, and the north property line by an opaque fence with a minimum height of seven feet (7').

C. Freight Container Limitations:

1. The number and locations of permitted freight containers on this site shall be limited to the locations shown on the Planned Development Concept Plan.
2. Freight containers shall not be stacked or have any other materials stacked on top of any container.
3. Freight containers shall set "at grade" and may not be elevated.

D. Planned Development Concept Plan.

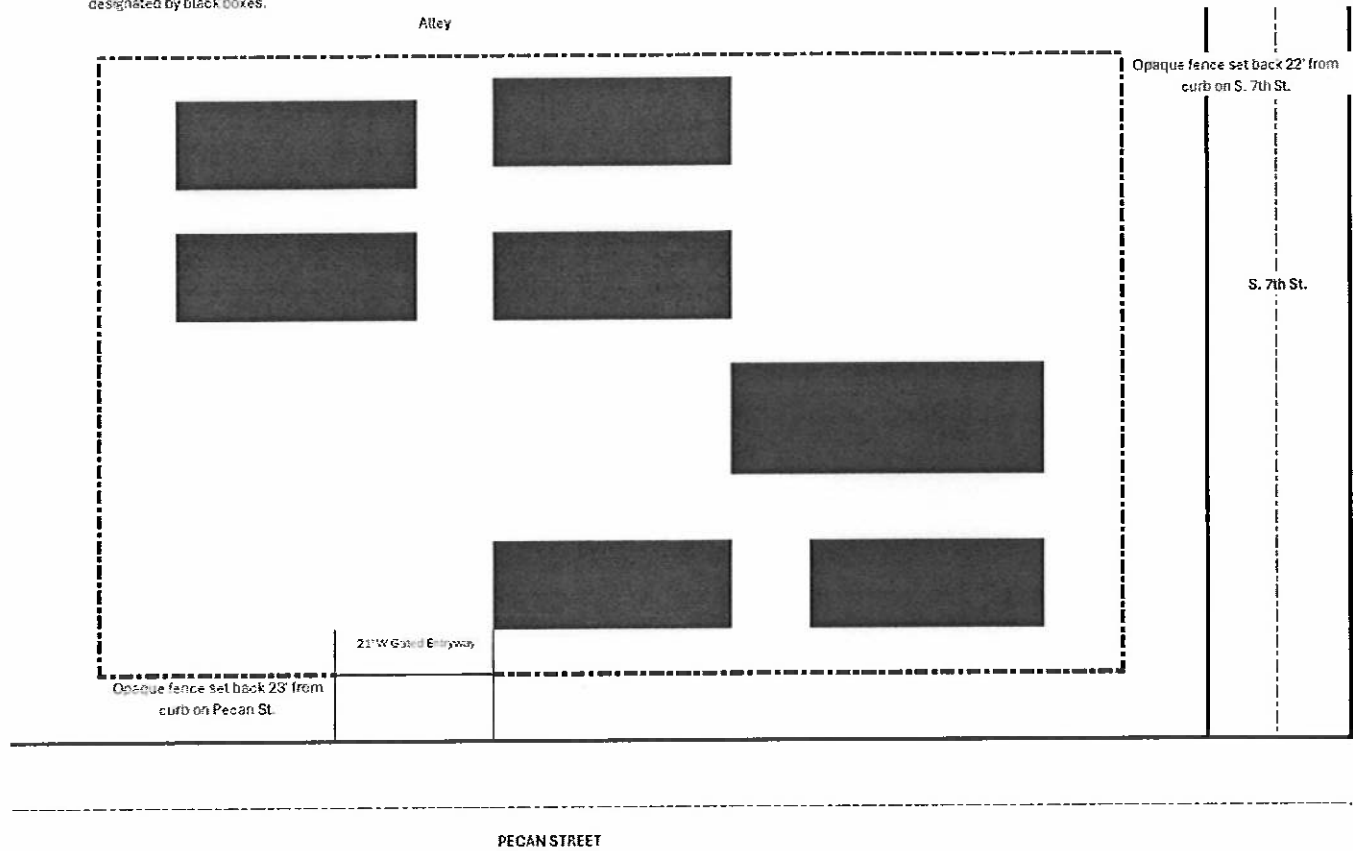
The use and development of the subject property shall be governed by the following Planned Development Concept Plan:

Exhibit A

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Planned Development Concept Plan

Approximate locations of shipping containers designated by black boxes.



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