

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, AND ORDINANCE NO. 99-1984 CONCERNING THE CENTRAL PARK 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 1: That Chapter 23, Subpart E, known as the Zoning Ordinance of the City of Abilene, is hereby amended by changing Ordinance No. 99-1984, 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.

PASSED ON FIRST READING this 8 day of April A.D. 1993.

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 4 day of April, 1993, 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 9:00 a.m., on the 22 day of April, 1993, 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 22 day of April, A.D. 1993.

ATTEST:

[Signature]
CITY SECRETARY

[Signature]
MAYOR

APPROVED:

[Signature] **00086**
CITY ATTORNEY

ORDINANCE NO. 21-1993

EXHIBIT "A"

2nd Amendment to Ordinance No. 99-1984

AMEND: Part 7: Specific Modifications.

Delete: A.1.k. Truck loading areas shall be screened from streetside lot boundaries by an opaque wall or barrier at least 14 feet high and constructed of solid materials compatible with the exterior face of the building. Such screening walls shall extend along the full length of loading areas, exclusive of maneuvering area for trucks.

Add: A.1.k. Truck loading areas shall be screened from streetside lot boundaries by an opaque wall or barrier at least 10 feet high and constructed of solid materials compatible with the exterior face of the building. Such screening walls shall extend along the full length of loading areas, exclusive of maneuvering area for trucks.

Delete: A.2.a. The use of land shall be restricted to activities permitted in the Shopping Center (SC) zoning, plus hotel and motel facilities.

Add: A.2.a. The use of land shall be restricted to activities permitted in the Shopping Center zoning classification, plus hotel and motel facilities. In addition, accessory storage and warehouse uses may be allowed. Outside storage is not permitted.

Add: A.2.o. Facilities for power, air conditioning and solid waste handling, as well as off-street loading and open storage shall be screened from view outside the tract in question, by an opaque wall or fence at least six (6) feet in height. Off-street parking and maneuvering areas shall be screened from adjacent residential tracts by an opaque wall or fence at least six (6) feet in height.

○ Add: A.2.p. For accessory storage and warehousing facilities exterior of all structures shall be either 95 percent brick veneer, stucco, or of high quality tilt concrete aggregate construction.

Delete: A.3. Lot 2, Block A
Permitted use and development of the lot shall be in conformance with provisions of the Office (O) zoning classification, except for the following modifications:

Add: A.3. Lot 2, Block A
The use of land shall be restricted to activities permitted in the Shopping Center and Office zoning classifications. In addition, accessory storage and warehouse uses may be allowed. Outside storage is not permitted. The following modifications will apply:

Add: A.3.e. Facilities for power, air conditioning and solid waste handling, as well as off-street loading and open storage shall be screened from view outside the tract in question, by an opaque wall or fence at least six (6) feet in height. Off-street parking and maneuvering areas shall be screened from adjacent residential tracts by an opaque wall or fence at least six (6) feet in height.

Add: A.3.f. For accessory storage and warehousing facilities exterior of all structures shall be either 95 percent brick veneer, stucco, or of high quality tilt concrete aggregate construction.

○ Delete: A.4. Lot 3, Block A
Permitted use and development of the lot shall be in conformance with provisions of the Medical Use (MU) and the Office (O) zoning classifications, except for the following modifications:

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- Add: A.4. Lot 3, Block A
The use of land shall be restricted to activities permitted in Office and Medical Use zoning classifications. In addition, accessory storage and warehousing uses may be allowed. Outside storage is not permitted. The following modifications will apply:
- Add: A.4.f. For accessory storage and warehousing facilities exterior of all structures shall be either 95 percent brick veneer, stucco, or of high quality tilt concrete aggregate construction.
- Delete: A.5. Lot 4, Block A
Permitted use and development of the lot shall be in conformance with provisions of the RM-2 zoning classification, except for the following:
- Add: A.5. Lot 4, Block A
The use of land shall be restricted to activities permitted in the Residential Multi-Family (RM-2), Office, and Medical Use zoning classifications. In addition, accessory storage and warehouse uses may be allowed. Outside storage is not permitted. If residential uses are constructed first, no commercial uses will be allowed. The following modifications will apply:
- c. Height of buildings shall be limited to two (2) stories or thirty (30) feet.
 - d. Exterior face of all structures shall be composed of at least 60 percent masonry materials.
 - e. Facilities for power, air conditioning and solid waste handling, as well as off-street loading spaces and open storage shall be screened from view outside the tract in question, by an opaque wall or fence at least six (6) feet in height.
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- f. Surgical centers and nursing homes shall be permitted as a right-of-use, rather than by special exception only.
- g. For warehousing and storage facilities exterior of all structures shall be either 95 percent brick veneer, stucco, or of high quality tilt concrete aggregate construction.

Delete. A.6. Lot 2, Block B
Permitted use and development of the lot shall be in conformance with provisions of the RM-2 zoning classification, except that the maximum height of buildings shall be two (2) stories or thirty (30) feet.

Add: A.6 Lot 2, Block B
The use of land shall be restricted to activities permitted in the Residential Multi-Family (RM-2), Office, and Medical Use zoning classifications. No accessory storage and warehouse uses may be allowed. Outside storage is not permitted. If residential uses are constructed first, no commercial uses will be allowed. The following modifications will apply:

- a. Height of buildings shall be limited to two (2) stories or thirty (30) feet.
- b. Exterior face of all structures shall be composed of at least 60 percent masonry materials.
- c. Facilities for power, air conditioning and solid waste handling, as well as off-street loading spaces and open storage shall be screened from view outside the tract in question, by an opaque wall or fence at least six (6) feet in height.
- d. Surgical centers and nursing homes shall be permitted as a right-of-use, rather than by special exception only.