

ORDINANCE NO. 44-1996

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; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING; 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 August A.D. 19 96.

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 August, 19 96, 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 August, 19 96, 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 August  
\_\_\_\_\_, A.D. 19 96.

ATTEST:

  
\_\_\_\_\_  
CITY SECRETARY

  
\_\_\_\_\_  
MAYOR

APPROVED:

  
\_\_\_\_\_  
CITY ATTORNEY

ORDINANCE NO. 44-1996

EXHIBIT "A"

3rd Amendment to Ordinance No. 99-1984

AMEND: Part 7: Specific Modifications

DELETE: A.1.B. Buildings shall be limited in height to one (1) story or twenty-two (22) feet, excluding architectural exceptions as generally allowed by Zoning Ordinance.

ADD: A.1.B. Buildings shall be limited in height to two (2) story or forty (40) feet, excluding architectural exceptions as generally allowed by Zoning Ordinance.

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, Office, and Medical Use zoning classifications and retirement centers. In addition, accessory storage and warehouse uses may be allowed. Outside storage is not permitted. The following modifications will apply:

DELETE: A.3.a. Height of buildings shall be limited to two (2) stories or thirty (30) feet.

ADD: A.3.a. Height of buildings shall be limited to two (2) stories or fifty (50) feet.

DELETE: A.3.d. Surgical centers shall be permitted as a right-of-use, rather than by special exception only.

ADD: A.3.d. Surgical centers and retirement centers shall be permitted as a right-of-use, rather than by special exception only.

DELETE: 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.a. Nursing homes shall be permitted as a right-of-use, rather than by special exception only.
- ADD: A.4.a. Nursing homes and retirement centers shall be permitted as a right-of-use, rather than by special exception only.
- DELETE: A.4.b. Building height shall be limited to no more than three (3) stories or forty (40) feet.
- ADD: A.4.b. Building height shall be limited to no more than three (3) stories or fifty (50) feet.
- DELETE: A.4.e. If this tract of land (or any portion thereof) is developed for residential use, then it shall not thereafter be used for commercial activity.
- 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  
The use of land shall be restricted to activities permitted in the Residential Multi-Family (RM-2), Office (O), and Medical Use (MU) 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:
- 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 (O), and Medical Use (MU) zoning classifications. In addition, accessory storage and warehouse uses may be allowed. Outside storage is not permitted. The following modifications will apply:
- DELETE: A.5.a. The maximum rating of Land Use Intensity (LUI) shall be 4.7 instead of 5.5.
- ADD: A.5.a. The maximum rating of Land Use Intensity (LUI) shall be 5.5 instead of 4.7.

- DELETE: A.5.b. The maximum height of buildings shall be two (2) stories or thirty (30) feet.
- ADD: A.5.b. The maximum height of buildings shall be two (2) stories or fifty (50) feet.
- DELETE: A.5.f. Surgical centers and nursing homes shall be permitted as a right-of-use, rather than by special exception only.
- ADD: A.5.f. Surgical centers, nursing homes and retirement centers shall be permitted as a right-of-use, rather than by special exception only.
- DELETE: A.6.a. Height of buildings shall be limited to two (2) stories or thirty (30) feet.
- ADD: A.6.a. Height of buildings shall be limited to two (2) stories or fifty (50) feet.
- DELETE: A.6.d. Surgical centers and nursing homes shall be permitted as a right-of-use, rather than by special exception only.
- ADD: A.6.d. Surgical centers, nursing homes and retirement centers shall be permitted as a right-of-use, rather than by special exception only.