

ORDINANCE NO. 30-2006

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-110 A 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 the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

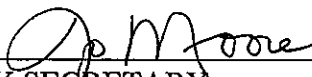
PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 22<sup>nd</sup> day of June A.D. 2006.

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 17<sup>th</sup> day of May, 2006, 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 8:30 a.m., on the 13<sup>th</sup> day of July, 2006, 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.

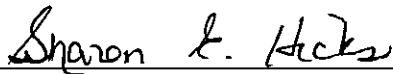
PASSED ON SECOND AND FINAL READING THIS 13<sup>th</sup> day of July, A.D. 2006.

ATTEST:

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

  
\_\_\_\_\_  
MAYOR

APPROVED:

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

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Exhibit "A"

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 District 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 District and are hereby incorporated by reference and included as part of this ordinance.

All use and development within the Planned Development District must be in compliance with the general Comprehensive Zoning Ordinance of the City of Abilene except as otherwise specifically provided herein.

PART 3: Building Specifications. All structures in the herein said Planned Development District shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That Chapter 23, Subpart E, Abilene Municipal Code, known as the Zoning Ordinance of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From O (Office) and HC (Heavy Commercial) District to PDD (Planned Development District).

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.

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EXHIBIT "A"

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PART 5: Legal Description. The legal description of this PDD is as follows:

Lot 201 and the north 39 feet of Lot 102, Block C, Section 3, Judge Ely North Addition, Abilene, Taylor County, Texas.

Location:

301 Goliad Drive

PART 6: Purpose. The purpose of the Planned Development District (PDD) request is to allow for commercial development and related activities of a tract, which generally has not developed within compliance under present zoning and development procedures.

PART 7: Specific Modifications. The following regulations shall govern the use and development of this Planned Development District.

**A. PERMITTED USES:**

All uses permitted in the Office Zoning District, including the current Portable Restroom Rental Office.

**B. SITE DEVELOPMENT**

1. **Site Plan:** The site must remain in conformance with the approved site plan attached to this ordinance as Exhibit "B".

2. **Building Setbacks**

All setbacks shall be consistent with the requirements of the Office Zoning District.

3. **Maximum Structure Height:** 20'

4. **Off-street parking:**

- a. All parking areas shall comply with the provisions specified in the Zoning Ordinance.
- b. Truck loading areas shall be screened from residential zoning districts and uses. Such screening areas shall extend the full length of the loading areas, exclusive of maneuvering areas for trucks.

5. **Signage**

Signs shall comply with the City of Abilene Sign Regulations pertaining to the Office Zoning District.

6. **Screening**

- a. A continuous opaque wall or fence no less than six (6) feet in height shall be constructed and maintained along the full length of the rear boundary of the PDD. The screening must be constructed completely from wood or masonry materials or materials that replicate a masonry appearance and utilize a consistent design for the full length. Openings for pedestrian access are allowable.
- b. Any additional opaque fencing on site must be constructed from wood and/or masonry materials.
- c. The finished side of wood fencing must face outward from the PDD.
- d. Facilities for power, air conditioning, mechanical equipment, and solid waste handling shall be screened from view outside the tract in question by an opaque wall or fence at least six (6) feet in height.

**7. Outdoor Storage**

- a. Outdoor storage shall be permitted only for the current Portable Restroom Rental use. Outdoor storage shall be prohibited if a different use occupies the structure or if the current use ceases for more than 6 months.
- b. Outdoor storage located within 40 feet of the east property line shall not exceed a height of 7 feet and 6 inches. All other outdoor storage must not exceed a height of 10 feet.
- c. Outdoor storage must be located completely to the sides or rear of the existing structure, which is a minimum of 42 feet from the front property line.

**8. Freight Containers** are prohibited.

**9. Lighting:** All site lighting shall comply with the performance standards governing exterior illumination in the City of Abilene Zoning Ordinance. Additionally, all lighting shall be fully shielded and directed away from residential areas.

**PART 8: Development Schedule.** If a Certificate of Occupancy is not issued within 90 days of the date of this ordinance, the Planning Director may initiate rezoning of the PDD to the previous zoning designations.

-END-

9' opaque screening fence

Outdoor Storage no taller than 7 feet and 6 inches\*

Outdoor Storage no taller than 10 feet\*

No Outdoor Storage

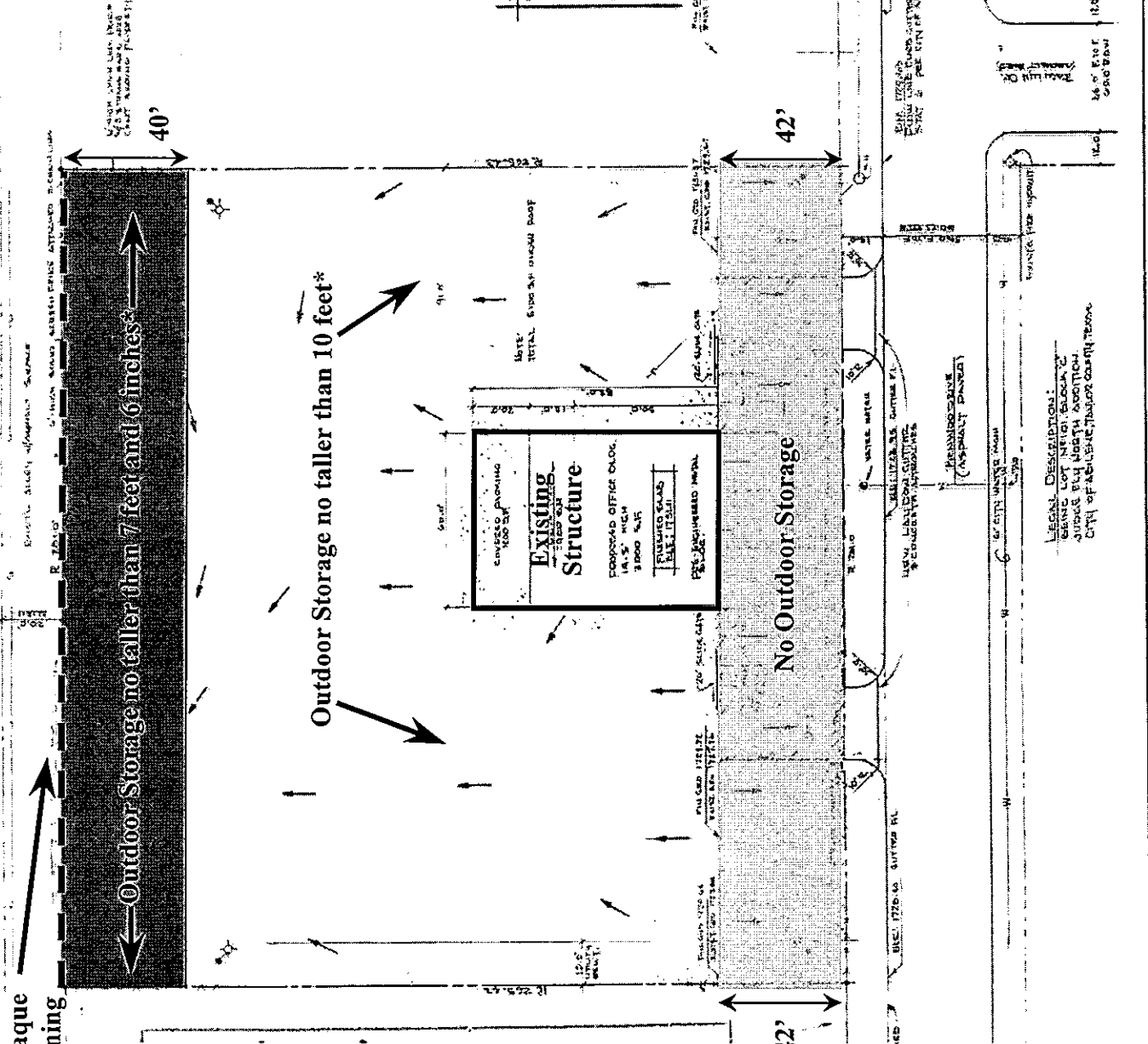
\*Outdoor storage areas shown on this site plan shall be subject to all other regulations stated in the text of this ordinance

GENERAL NOTES:

- 1. PROPOSED USE - SEE OFFICE FOR ALL CITY, COUNTY, STATE AND FEDERAL PERMITS.
- 2. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
- 3. DIMENSIONS INDICATED BY DASHED LINES ARE APPROXIMATE.
- 4. DIMENSIONS INDICATED BY SOLID LINES ARE EXACT.
- 5. DIMENSIONS INDICATED BY DOTTED LINES ARE APPROXIMATE.
- 6. DIMENSIONS INDICATED BY DASHED LINES WITH ARROWS ARE APPROXIMATE.
- 7. DIMENSIONS INDICATED BY SOLID LINES WITH ARROWS ARE EXACT.
- 8. DIMENSIONS INDICATED BY DOTTED LINES WITH ARROWS ARE APPROXIMATE.
- 9. DIMENSIONS INDICATED BY DASHED LINES WITH ARROWS AND A STAR ARE APPROXIMATE.
- 10. DIMENSIONS INDICATED BY SOLID LINES WITH ARROWS AND A STAR ARE EXACT.
- 11. DIMENSIONS INDICATED BY DOTTED LINES WITH ARROWS AND A STAR ARE APPROXIMATE.
- 12. DIMENSIONS INDICATED BY DASHED LINES WITH ARROWS AND A STAR ARE APPROXIMATE.
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- 15. DIMENSIONS INDICATED BY DASHED LINES WITH ARROWS AND A STAR ARE APPROXIMATE.

SITE PLAN 1/2006

OFFICE FACILITIES	
DATE PLOTTED	PROJECT NO.
DATE 1-15-06	DAVID P. LONGSHINE
DLS CONTRACTORS INC. P-1	



LEGAL DESCRIPTION:  
 BEING LOT 10, BLOCK 2,  
 SUBDIVISION OF LOT 10, BLOCK 2,  
 CITY OF BIRMINGHAM, ALABAMA.