

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL 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 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.

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 this 18th day of December A.D. 2008.

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 November, 2008, 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 8th day of January, 2009 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 8th day of January, A.D. 2009.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

SECTION 23-346

PINE STREET CORRIDOR OVERLAY

23-346 PINE STREET CORRIDOR (PINE-COR) OVERLAY ZONE

Activities within this overlay district shall be governed by all regulations of the underlying zoning district, including regulations for site development, landscaping, signs, performance standards, etc., except where modified by the provisions of this Section.

1. Purpose

The primary purpose of this overlay district is to encourage high-quality redevelopment within the district that meets the goals of the Pine Street Corridor Plan. In general, this district is intended to cover the areas approximately 1 block on either side of Pine Street from North 6th Street to Interstate 20.

In general, development and redevelopment within this district should serve as a connection between the downtown to the south, the hospital/medical uses and university along the corridor, and on the Interstate Corridor on the north. Uses are intended to include retail, restaurants, services, medical, office, research, educational, and related uses. Development in the area should be of high-quality with well-designed buildings and attractive landscaping in a pedestrian-friendly setting.

2. Land Use

Allowable uses within the overlay district shall be per the underlying zoning district, except as modified below.

a.

Auto-related businesses (auto sales, auto repair, truck repair, etc.) are allowed only with a Special Exception, which shall only be granted for such uses that are compatible with the development goals of the corridor, including incorporating appropriate conditions to address elements such as building design, landscaping, screening, limitations or prohibitions on outdoor activities, and the like.

3. Buildings & Architectural Standards

Standards for building design and materials shall be per the underlying zoning district, in addition to the following:

- a. Building materials: Building walls visible from Pine Street shall be constructed of masonry material, such as stone or brick, stucco or stucco-like materials, such as EIFS, textured concrete, split-face block, or similar materials. Standard concrete block or metal siding is not permitted.
- b. Building articulation: In order to break up the apparent size of large facades, one or more of the following design elements shall be incorporated into the building design:
 - (1) Vertical elements of different materials or colors every 50 feet
 - (2) Changes in building materials, design, and/or color to avoid large blank walls.

4. SETBACKS

- a. Front Building Setback: No setback required
The intent of this setback is to ensure that urban style buildings are allowed to be built at or near the property line for a consistent urban streetscape for those buildings similar to downtown development and consistent with the historic development pattern along Pine Street.
- b. Side Setbacks: per underlying zoning
- c. Rear Setback: per underlying zoning, but may be reduced to zero if there are no windows, or doors, other than required emergency doors, facing the rear property line.

5. LANDSCAPING REQUIREMENTS

Landscaping and screening shall be provided, consistent with the City's landscaping standards, except as modified by this section.

Landscaping along Pine Street Frontage

Required landscaping may occur in the public right-of-way either through a landscaped parkway with street trees, per the City's landscaping standards, or through an urban-style wide sidewalk from building to curb with street trees in planters and/or tree wells.

6. SIGNAGE REQUIREMENTS

The City of Abilene Sign Regulations shall apply within this overlay district, except as modified below:

- a. Freestanding signs are limited to one per street frontage and shall be a monument style sign with a maximum height of 8 feet and a maximum area of 100 square feet.
- b. Portable signs are prohibited.

7. DRIVEWAY ACCESS

Driveways shall conform to applicable access management regulations of the Texas Department of Transportation, the City of Abilene, or this section, whichever is most restrictive.

- a. Driveway access requirements shall pertain to all land uses except for single-family and two-family residential.
- b. Measurements shall be made from the edge of the driveway and from the edge of the pavement or curb of public or private streets.
- c. Driveways shall be separated from adjacent driveways by a minimum of 50 feet for driveways on different parcels.
- d. Driveways shall be located from interior side and rear property lines by a minimum of 25 feet. The minimum separation requirement from the adjacent property lines does not apply to a shared drive.
- e. Driveways shall be separated from adjacent street intersections as follows:
 - (1) 75 feet separation from intersecting streets classified as arterial, freeway, frontage road, or collector.
 - (2) 50 feet separation from local streets.
- f. The City Engineer may grant exceptions to these location requirements if site limitations preclude compliance.