

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART B, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-77 AND ORDINANCE NO. 38-2002 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 B, known as the Land Development Code of the City of Abilene, is hereby amended by changing Ordinance No. 38-2002, 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 24<sup>th</sup> day of February, A.D. 2011.

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 20<sup>th</sup> day of January, 2011, 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 10<sup>th</sup> day of March, 2011, 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 10<sup>th</sup> day of March, A.D. 2011.

ATTEST:

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

  
\_\_\_\_\_  
MAYOR

APPROVED:

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

Exhibit 'A'

2nd Amendment to Ordinance No. 38-2002:

PART 7: Specific Modifications

DELETE: e. Access Control:

- Two scenarios have been developed for driveway appearance and function:

Scenario 1:

If parking is located in the rear of the development, three driveways will be allowed. All driveways shall have a curbed landscaped island. The island shall be at least 20 feet long, and 8 to 14 feet wide. Plantings within the island shall consist of drought-tolerant flowering plants or shrubs. Examples of regional plants may be found in the City of Abilene Zoning Ordinance. These plants shall not exceed a mature height of 30 inches.

Scenario 2:

If parking is located in the front of the development, two driveways will be allowed. Curbed landscaped islands shall not be located within the driveways.

ADD: e. Access Control:

- A total of six driveways will be allowed within the entire PD boundary. Driveways may or may not have a curbed landscaped island. If a landscaped island is provided, the island shall be at least 20 feet long, and 8 to 14 feet wide. Plantings within the island shall consist of drought-tolerant flowering plants or shrubs. Examples of regional plants may be found in the City of Abilene Zoning Ordinance. These plants shall not exceed a mature height of 30 inches.
- In no case shall there be more driveways than allowed by the City of Abilene Driveways and Access Management standards.

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