ORDINANCE NO. 24-2015

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-74(a), (b), & (c) AND ORDINANCE NO. 35-2001, 36-2001 & 27-2002 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, part known as the Land Development Code of the City of Abilene, is hereby amended by changing Ordinance No. 35-2001, 36-2001 & 27-2002, 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 23rd day of April A.D. 2015.

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 20th day of March, 2015, 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 14th day of May, 2015, 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 14th day of May, A.D. 2015.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

TTY ATTORNE

marchelale

ORDINANCE NO. <u>24–2015</u> EXHIBIT "B" PAGE 2

Exhibit "A"

1st Amendment to Ordinance No. 35-2001, 36-2001 & 27-2002

AMEND: Part 5: Legal Description.

ADD: The legal description of this Planned Development (PD) district shall be the combination of property described in PD ordinances PDD-74(a), PDD-74(b), and PDD-74(c) thus creating one (1) PD ordinance.

AMEND: Part 6: Specific Regulations.

REVISE: Combine the previous ordinances and modify the maximum number of multi-family dwellings and the maximum height allowed for multi-family structures.

A. This PDD is to be developed as set forth in this Part, and any variation therefrom shall require an amendment to this ordinance.

B. Regulations pertaining to all areas

- 1. All development of non-single-family residential uses shall meet such requirements for setbacks, height limitations, circulation, floor-area ratios, buffers and berms, lot dimensions, performance standards, screening, landscaping, lighting, open space and other design amenities in accordance with a site plan to be approved by the Site Pian Review Committee or its successor entity. These requirements shall be negotiated between the developer and the City of Abilene. If the parties are unable to agree on the requirements or any part thereof, the developer may apply for one or more amendments to this PDD ordinance as provided in Section 23-3322.3.4.5 Planned Development (PD) District, et seq. of the City of Abilene Zoning Ordinancel and Development Code (LDC).
- A maximum of 400432 multi-family dwelling units (apartments) may be placed in the PDD (a and b). This is not intended to restrict duples units in allowable areas as listed in the PD. The maximum height allowed for multi-family residential buildings shall be 45 leet. The multi-family dwelling units shall be allowed in areas 6 & 7 in the attached exhibits.
- Att developed properties (excluding duplexes and single-family residences) shall provide a minimum 20° wide landscape buffer along the public right-of-way. Driveways and sidewalks may pass through the said buffer.
- Driveway along FM 707 and along Buffalo Gap Road shall be in compliance with Section 23-3452.3.4.1(f) Corridor Overlay (COR) District: Driveway Access of the Zoning Ordinance! DC.
- No single-family residences or duplexes shall front on or have direct access to FM 707 or Buffalo Gap Road.

ORDINANCE NO. <u>24-2015</u> EXHIBIT "B" PAGE 3

- 6. Parking Requirement: As stated in the City of Abilene Zoning Ordinancel DC.
- Setback for single-family residential development shall meet the following setbacks:

From property lines adjacent to arterial streets = 30 feet.

From property lines adjacent to all other streets = 20 feet.

Rear: 20 feet Interior Side: 6 feet

- Setbacks for primary structures from property lines adjacent to a park shall be a minimum of 25 feet.
- C. Area I: Use and development of this area shall be in accordance with the provisions of Section 23-3452,3.4.1 Corridor Overlay (COR) District of the City of Abilene Zoning Ordinancel DC, including the following:

Permitted Uses:

Residential

Duplexes

Motel/hotel

Multi-family dwellings

Patio Homes

Townhomes

Accessory & Incidental

Accessory Buildings

Fences, walls, hedges

Field Office/Construction Office (Temporary)

Recreation Building (for common use by multiple residences)

Recreation Equipment. Mobile (Storage and parking)

Satellite Dish Antenna

Swimming Pools

Tennis Courts

Cultural & Recreational Uses

Arcade

Art Gallery

Ballfields and Ballparks

Boat Rental

Bowling Lanes

Civic, Social and Fraternal Organizations

Golf Driving Range

Golf Course (including miniature golf and pitch & putt)

Library

Museum

Park

Planetarium

Pool/Billiard Hall

ORDINANCE NO. 24–2015 EXHIBIT "B" PAGE 4

Skating Rink

Theater/Playhouse (excluding no drive-in)

Government, Health, Safety & Welfare

Ambulance Service

Blood Bank

Fire Station

Government Administrative Office

Hospital

Medical/Dental Office or Lab

Optical Shop

Police Station

Post Office

Social Service Organization (facilities and offices)

Special Education/Rehabilitation Center

Surgical Center

Educational & Religious

Art, Music and Dancing Schools

Business/Trade Schools

Church or Place of Worship

Driving School

Educational/Scientific Research

Kindergarten/Child Care

University/College

Youth Organizations/Centers

Office

All types of office uses

Service

Auction

Automobile Glass, Muffler, Seat Cover & Upholstery

Automobile and Small Truck Repair and Servicing

Automobile Wash

Banking/Financial

Beauty and Barber

Printing/Blueprinting/Photocopying

Building Construction (General Contracting Services)

Cabinet Making

Catering

Clairvoyant/Soothsayer/Pronostication

Delivery

TV/Radio/Electrical Appliance Repair

Employment

Food Locker

Funeral Home

Furniture Repair

ORDINANCE NO. 24-2015 EXHIBIT "B" PAGE 5

Fur Repair/Storage & Taxidermy

Health/Physical Fitness

Interior Decoration

Key & Lock Repair

Labor Union

Landscaping

Laundering/Dry Cleaning

Office Equipment/Business Machine Rental

Painting/Paperhanging

Photoengraving

Photographic

Shoe Repair/Shining

Self-Storage Units

Tailoring

Tool & Equipment Rental

Trading Stamps

Travel Arranging

Typesetting

Upholstering

Veterinarian (small animal)

Watch/Clock/Jewelry Repair

Retail Trade

Antiques

Appliances

Automobile Parts/Supplies

Bakery

Bicycles

Book/Stationary

Camera/Photographic Supplies

China/Glassware/Metalware

Christmas Trees

Clothing

Coins/Stamps

Dairy Products

Department Store

Pharmacy

Electrical/Electronic Supplies

Farm/Garden Supplies

Floor Covering

Furniture/Home Furnishings

Gasoline

Gifts/Novelties/Souvenirs

Grocery Store (Supermarket & convenience)

Hardware

Hobby/Craft Supplies

Jewelry

Keys/Locks

ORDINANCE NO. _____24=2015 EXHIBIT "B" PAGE 6

Marine Craft/Accessories

Meat/Fish

Military Surplus

Monuments

Music Supplies/Records

Periodicals

Office Supplies/Equipment

Paint/Glass/Wallpaper

Plant Material (flowers & household plants)

Plumbing Equipment

Restaurant (standard/drive-in/fast-food)

Shoes

Sporting Goods

Tobacco Products

Variety Store

Wholesale

Medical/Dental Supplies

Tobacco Products

Vending Machine/Merchandise

Transportation, Communication & Utilities

Automobile Parking Lot or Structure

Gas Line Regulating or Compression Station

Petroleum Pressure Control Station

Radio/Television Studio (without Broadcast Tower)

Sewage Pressure Control and Lift Station

Taxi Terminal

Telegraph Office

Water Pressure Control Station

Water Storage

Resource Production & Extraction

Petroleum/Gas Well

Manufacturing

Books/Periodical (publishing & printing)

Bookbinding

Signs: Shall comply with the provisions of Section 23-3452.3.4.1 Corridor Overlay (COR) District of the Zoning Ordinancel DC. Portable signs and Off-site advertising signs shall be prohibited.

D. Areas 2 & 5: Use and development of this area shall be in accordance with the following:

Permitted Uses:

Duplexes

ORDINANCE NO. 24-2015 EXHIBIT "B" PAGE 7

Multi-Family Dwellings (maximum density of 24-units per acres)

Patio Homes

Townhomes

Single-Family Detached Dwellings

Accessory and Incidental Uses as permitted in Section 23-306.42.4.4 Accessory

<u>Uses and Structures of the City of Abilene Zoning Ordinance</u>(LDC

Fire Stations

Church and Place of Worship

Kindergarten and Child Care Center

School: Public or Private (elementary, junior, and high school)

Signs: As stated in City of Abilene Sign Regulations under the RM District.

Exceptions:

No motion allowed

No portable signs

E. Area 3: Use and development of this area shall be in accordance with the following:

Permitted Uses:

Single-Family Detached Dwellings

Accessory and Incidental Uses as permitted in Section 23-306.42.4.4 Accessory

Uses and Structures of the City of Abilene Zoning Ordinancel.DC

Park and/or Playground

Play Lots or Tot Lots

Church or Place of Worship

School: Public or Private (elementary, junior, and high school)

Signs: As stated in City of Abilene Sign Regulations under the RS District.

Exceptions:

No portable signs

F. Area 4: Use and development of this area shall be in accordance with the following:

Permitted Uses:

Duplexes

Multi-Family Dwellings (maximum density of 8 units per acres)

Patio Homes

Single-Family Detached Dwellings

Accessory and Incidental Uses as permitted in Section 23-306.42.4.4 Accessory

Lises and Structures of the City of Abilene Zoning Ordinance LDC

Church and Place of Worship

Kindergarten and Child Care Center

School: Public or Private (elementary, junior, and high school)

Signs: As stated in City of Abilene Sign Regulations under the MF District.

Exceptions:

No illumination allowed

No motion allowed

ORDINANCE NO. 24–2015 EXHIBIT "B" PAGE 8

No portable signs

G. Area 6: Use and development of this area shall be in accordance with the provisions of Section 23-3452.3.4.1 Corridor Overlay (COR) District of the City of Abilene Zoning OrdinanceLDC, including the following:

Permitted Uses:

Residential

Duplexes

Motel/hotel

Multi-Family Dwellings

Patio Homes

Townhomes

Accessory & Incidental

Accessory Buildings

Fences, walls, hedges

Field Office/Construction Office (Temporary)

Recreation Building (for common use by multiple residences)

Recreation Equipment, Mobile (Storage and parking)

Satellite Dish Antenna

Swimming Pools

Tennis Courts

Cultural & Recreational Uses

Arcade

Art Gallery

Ballfields and Ballparks

Boat Rental

Bowling Lanes

Civic, Social and Fraternal Organizations

Golf Driving Range

Golf Course (including miniature golf and pitch & putt)

Library

Museum

Park

Planetarium

Pool/Billiard Hall

Skating Rink

Theater/Playhouse (excluding no drive-in)

Government, Health, Safety & Welfare

Ambulance Service

Blood Bank

Fire Station

Government Administrative Office

Hospital

Medical/Dental Office or Lab

ORDINANCE NO. <u>24–2015</u> EXHIBIT "B" PAGE 9

Optical Shop Police Station

Post Office

Social Service Organization (facilities and offices)

Special Education/Rehabilitation Center

Surgical Center

Educational & Religious

Art, Music and Dancing Schools

Business/Trade Schools

Church or Place of Worship

Driving School

Educational/Scientific Research

Kindergarten/Child Care

University/College

Youth Organizations/Centers

Office

All types of office uses

Service

Auction

Automobile Glass, Muffler, Seat Cover & Upholstery

Automobile and Small Truck Repair and Servicing

Automobile Wash

Banking/Financial

Beauty and Barber

Printing/Blueprinting/Photocopying

Building Construction (General Contracting Services)

Cabinet Making

Catering

Clairvoyant/Soothsayer/Pronostication

Delivery

TV/Radio/Electrical Appliance Repair

Employment

Food Locker

Funeral Home

Furniture Repair

Fur Repair/Storage & Taxidermy

Health/Physical Fitness

Interior Decoration

Key & Lock Repair

Labor Union

Landscaping

Laundering/Dry Cleaning

Office Equipment/Business Machine Rental

Painting/Paperhanging

Photoengraving

ORDINANCE NO. 24–2015 EXHIBIT "B" PAGE 10

Photographic

Shoe Repair/Shining

Self-Storage Units

Tailoring

Tool & Equipment Rental

Trading Stamps

Travel Arranging

Typesetting

Upholstering

Veterinarian (small animal)

Watch/Clock/Jewelry Repair

Retail Trade

Antiques

Appliances

Automobile Parts/Supplies

Bakery

Bicycles

Book/Stationary

Camera/Photographic Supplies

China/Glassware/Metalware

Christmas Trees

Clothing

Coins/Stamps

Dairy Products

Department Store

Pharmacy

Electrical/Electronic Supplies

Farm/Garden Supplies

Floor Covering

Furniture/Home Furnishings

Gasoline

Gifts/Novelties/Souvenirs

Grocery Store (Supermarket & convenience)

Hardware

Hobby/Craft Supplies

Jewelry

Keys/Locks

Marine Craft/Accessories

Meat/Fish

Military Surplus

Monuments

Music Supplies/Records

Periodicals

Office Supplies/Equipment

Paint/Glass/Wallpaper

Plant Material (flowers & household plants)

Plumbing Equipment

ORDINANCE NO. 24-2015 EXHIBIT "B" PAGE 11

Restaurant (standard/drive-in/fast-food)

Shoes

Sporting Goods

Tobacco Products

Variety Store

Wholesale

Medical/Dental Supplies

Tobacco Products

Vending Machine/Merchandise

Transportation, Communication & Utilities

Automobile Parking Lot or Structure

Gas Line Regulating or Compression Station

Petroleum Pressure Control Station

Radio/Television Studio (without Broadcast Tower)

Sewage Pressure Control and Lift Station

Taxi Terminal

Telegraph Office

Water Pressure Control Station

Water Storage

Resource Production & Extraction

Petroleum/Gas Well

Manufacturing

Books/Periodical (publishing & printing)

Bookbinding

Signs: Shall comply with the provisions of Section 23-3452.3.4.1 Corridor Overlay (COR) District of the Zoning Ordinancel DC. Portable signs and Off-site advertising signs shall be prohibited.

H. Area 7: Use and development of this area shall be in accordance with the following:

Permitted Uses:

Duplex

Multi-Family Dwellings (meximum density of 24-units per acre)

Patio Homes

Townhomes

Single-Family Detached Dwellings

Accessory and Incidental Uses as permitted in Section 23-306.42.4.4 Accessory

Uses and Structures of the City of Abilene Zoning Ordinance LDC

Fire Stations

Church and Place of Worship

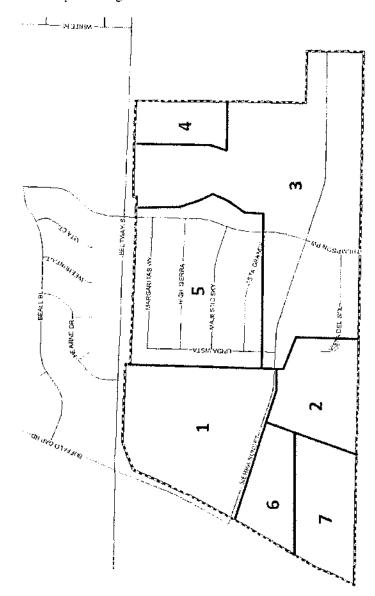
Kindergarten and Child Care Center

School: Public or Private (elementary, junior, and high school)

Water Storage

Signs: As stated in City of Abilene Sign Regulations under the MF District. Exceptions:

No motion allowed No portable signs



PROPOSED SITE EXHIBIT אל אינסט אי אינישוואי דיים 1