

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-152 A PLANNED DEVELOPMENT; 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 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 28th day of April A.D. 2016.

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 18th day of March, 2016, 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 p.m., on the 26th day of May, 2016, 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 26th day of May, A.D. 2016.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO. 23-2016

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 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, which are hereby incorporated by reference and included as part of this ordinance. All use and development within the Planned Development 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 shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That Chapter 23, Abilene Municipal Code, part known as the Land Development Code of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From HC (Heavy Commercial) & GC (General Commercial) to PD (Planned Development) zoning.

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.

ORDINANCE NO. 23-2016

EXHIBIT "A"

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

A0087 SUR 27 P GUERRO, ACRES 4.77

A0087 SUR 27 P GUERRO, ACRES 5.68



Location:
2549 & 2657 Shirley Rd

PART 6: Purpose. The purpose of the Planned Development (PD) request is to allow for Manufactured Housing development (maximum of 6 units), repair & maintenance uses, & the keeping of livestock.

PART 7: Specific Modifications. This Planned Development shall be subject to the requirements of the MH (Manufactured/Mobile Home) zoning district, except as modified below:

1) PERMITTED USES:

- a. The 'Repair and Maintenance Services - Automobile/Small Truck (major)' & 'Repair and Maintenance Services - Truck and Other Large Vehicles' uses shall be permitted on the southern tract (2549 Shirley Rd) within the PD boundary.
- b. The 'Animal Lot' use shall be permitted on the northern tract (2657 Shirley Rd) within the PD boundary.

2) DEVELOPMENT REGULATIONS:

- a. No more than 6 manufactured housing units may be permitted within the PD boundary.
- b. With exception of the drive approach & apron within the public right-of-way, all surfaces intended for regular vehicular use shall have a durable surface, such as compacted base material.
- c. When used for 'Repair and Maintenance Services' as permitted above, the HC (Heavy Commercial) district standards shall apply.

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