

ORDINANCE NO. 68-2019

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE AND CONCERNING PD-70, A PLANNED DEVELOPMENT DISTRICT, AS WELL AS ORDINANCE NUMBERS 54-1999 AND 44-2017; 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 I: That the Land Development Code of the City of Abilene is hereby amended by repealing Ordinance Numbers 54-1999 and 44-2017 concerning PD 70 (a Planned Development District) and replacing them with terms and conditions set out in accompanying Exhibit "A" concerning the same said PD 70, 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 the 17th day of October, A.D. 2019.

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 14<sup>th</sup> day of September, 2019, 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 7th day of November, 2019, 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 7th day of November, A.D. 2019.

ATTEST:




Shawna Atkinson  
City Secretary



Anthony Williams,  
Mayor



APPROVED:

  
Stanley Smith,  
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 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 use and development within this Planned Development District must be undertaken in compliance with the Land Development Code of the City of Abilene, except as otherwise specifically provided herein.

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

PART 4: Zoning. That the Land Development Code of the City of Abilene is hereby further amended by changing the zoning district boundaries, as hereinafter set forth, from: Agricultural Open Space (AO) District, to Planned Development (PD) District Number 70.

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.

PART 5: Legal Description. The legal description of this Planned Development (PD) District Number 70 includes all 108+ acres encompassed within the National Golf Addition to the City of Abilene, Taylor County, Texas.

PART 6: Purpose. The purpose of this Planned Development District is to encourage appropriate development of a golf course and related uses ordinarily considered accessory and incidental thereto, as well as adjacent construction of patio homes.

PART 7: Specific Modifications: The following regulations shall govern the use and development of this Planned Development District Number 70:

- A. Use and development of land encompassed by Lot 20 in Block "B" of the National Golf Addition shall generally be governed by terms and conditions pertinent to the Agricultural Open Space (AO) zoning classification, except that the following additional uses shall be allowed therein:

golf course and golf driving range;  
maintenance facilities associated with golf course;  
restaurant;  
retail sale of recreational equipment and clothing; and  
liquor store for on-premise consumption of alcoholic beverages.

- B. Use and development of land encompassed by the following properties:

EXHIBIT "A"  
PAGE 3

- Lots 101 and 102 as well as Lots 4 thru 19 in Block "B" of the National Golf Addition
- all of Block "A" of the National Golf Addition

shall generally be governed by terms and conditions pertinent to the Residential Patio Home (PH) zoning classification, except as otherwise specified below:

1. The minimum width required of patio home lots shall be 50 feet.
2. The minimum depth required of patio home lots shall be 85 feet measured from the outside edge of an access and utility easement for private street and sidewalk, to the rear boundary of each lot planned for patio home construction.
3. Streets furnishing direct access to patio home lots may be private streets perpetually maintained by a Homeowners Association, but constructed according to ordinary design and construction standards of the Public Works Department for the City of Abilene.
4. Entrances to private street segments shall be allowed to be "gated" in compliance with applicable standards, policies and codes enforced by the Abilene Fire Department.
5. Sidewalks required in front of and/or beside patio home lots may be installed directly at the back of street curb, but otherwise in accordance with applicable design and construction standards of the Public Works Department for the City of Abilene.
6. Minimum building setback required from street segments providing direct access to patio home lots shall be 15 feet, measured from outside edge of access and utility easement intended for private street and sidewalk.
7. Minimum building setback required from the north line of right-of-way for Industrial Boulevard shall be 20 feet.
8. Minimum building setback required from rear lot boundary shall be 10 feet.

C. Signage

1. For the golf course and related use(s) located within this Planned Development District, one (1) freestanding sign shall be allowed for display onto Industrial Boulevard, and such sign shall not exceed thirty-five feet in height and two hundred (200) square feet in area.
2. On land encompassed by Lot 20 in Block "B" of the National Golf Addition, where the golf course and related use(s) are specifically located, internal wall signs shall be permitted as needed.

D. Subdivision and Resubdivision

Except as may be indicated in Item B above, the subdivision and resubdivision of land in this Planned Development District shall be undertaken in conformance with Subdivision Regulations applicable at the time of subdivision or resubdivision. Amendment of this ordinance shall not be necessary for resubdivision; however, all above-described regulations regarding the use of land identified therein shall remain applicable to that land, unless such regulations are modified by amendment to this ordinance.