

ORDINANCE NO. 54-2020

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE "LAND DEVELOPMENT CODE," CHAPTER 2, "ZONING REGULATIONS;" ARTICLE 3, "ZONING DISTRICTS," DIVISION 3, "TABLE 2-4: SITE LAYOUT AND BUILDING REQUIREMENTS FOR NONRESIDENTIAL ZONING DISTRICTS;" AND ARTICLE 4, "USE REGULATIONS," DIVISION 3, "REQUIREMENTS APPLICABLE TO SPECIFIC LAND USES," SECTION 2.4.3.3, "ALL OTHER USES WITH SPECIFIC REQUIREMENTS," TO CLARIFY MULTIPLE FAMILY DWELLINGS BY CONDITIONAL USE PERMIT IN CERTAIN NON-RESIDENTIAL DISTRICTS; CALLING A PUBLIC HEARING; PROVIDING A PENALTY.

WHEREAS, the Planning and Zoning Commission recommends that, to clarify Multiple-Family Use in certain non-residential districts, additional ordinance changes are needed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 2 (Zoning Regulations) in the Land Development Code of the Abilene City Code is hereby amended 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 these chapters 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 if any provision or any section of this Ordinance shall be held to be illegal, invalid, void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this Ordinance, which shall remain in full force and effect.


PASSED ON FIRST READING this 19th day of November, 2020.

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 17th day of October, 2020, 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 3rd day of December, 2020 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 FINAL READING this 3rd day of December, 2020.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY



EXHIBIT "A"

AMEND: TABLE 2-4 SITE LAYOUT AND BUILDING REQUIREMENTS FOR NONRESIDENTIAL ZONING DISTRICTS, at the end of Division 3 – Nonresidential Zoning Districts

REVISE: For the entry pertaining to Applicable Multiple-Family Standards in MX Zoning Districts, change the text from "MD or MF District Standards" to "MD District Standards."

TABLE 2-4: SITE LAYOUT AND BUILDING REQUIREMENTS FOR NONRESIDENTIAL ZONING DISTRICTS (Continued)

Zoning District	Minimum Lot Size	Minimum Building Line Setbacks			Max. Height (ft)	Max. Floor Area Ratio (FAR)	Applicable Single-Family Standards	Applicable Multiple-Family Standards
		Width (ft) ¹	Depth (ft)	Street Setback (ft)				
MX	10			Subcollector or Minor Street*	10			
				Collector, Arterial, or Expressway With Frontage Rd*				

GC	60	100	25	30	40		10; abutting AO Residential, 25	0; abutting AO or Residential, 25	none	2:1	none	none
HC	60	100	25	30	40		25; abutting AO Residential, 50	0; abutting AO or Residential, 30	none	2:1		
LI	60	100	25	30	40			0; abutting AO or Residential, 50	none	2:1		none
HI	60	100	25	30	40		25; abutting AO Residential, 75	0; abutting AO or Residential District, 100	none	2:1		none

AMEND: Section 2.4.3.3 All Other Uses With Specific Requirements

REVISE: Add and delete the following entries in alphabetical order and renumber accordingly:

(a) Specific Requirements

~~RESIDENTIAL-MULTIPLE-FAMILY-(MF)-DISTRICT~~

~~Allow for Residential Multiple-Family-(MF)-within other non-residential-zoning-districts with a Conditional-Use Permit-(C)-per Section 2.4.2.1~~

DWELLING MULTIPLE-FAMILY

a. In MX and NR zoning districts where approval of a Conditional Use Permit, multiple-family dwellings shall be subject to limitations on overall residential density, building height and lot coverage, as well as standards for minimum lot size and building setback.

the same as if such dwellings were located in a Residential Medium Density (MD) District. The maximum number of dwelling units allowed on any one (1) individual lot in an MX zoning district shall be four (4).

b. In CU and CB zoning districts, and in NO, O, GR and MU zoning districts where allowed with approval of a Conditional Use Permit, multiple-family dwellings shall be subject to limitations on overall residential density, and building setback, the same as if such dwellings were located in a Residential Multiple-Family (MF) District.

-END-