

ORDINANCE NO. 17-2021

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE," OF THE ABILENE CITY CODE, CONCERNING PD-170 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 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: 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 22<sup>nd</sup> day of April, 2021.

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 March, 2021, 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 13<sup>th</sup> day of May, 2021, 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 13<sup>th</sup> day of May, 2021.

ATTEST:



Shawna Atkinson, City Secretary



Anthony Williams, Mayor



APPROVED:



Stanley Smith, City Attorney

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.

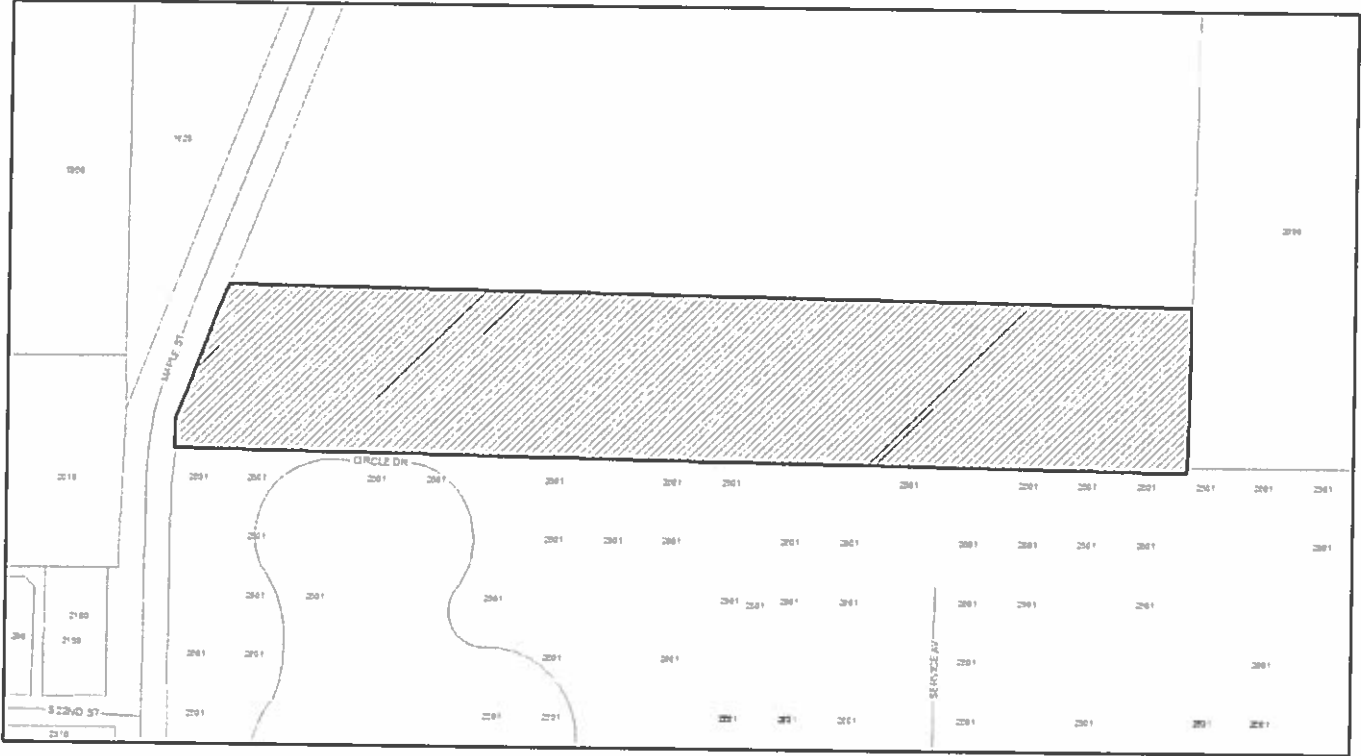
PART 2: Development Specifications. All development in the Planned Development shall be in accordance with any maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development, which 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 the Land Development Code of the City of Abilene is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: from Medium Density (MD) District to Planned Development (PD) District.

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 PDD is as follows: The south 320-feet of Lot 102, Block A of the Parkview Addition to Abilene, Taylor County, TX.



**Location:** Approximately 14 acres located in the 2000 block (east side) of Maple Street and directly north from the Abilene State-Supported Living Center in southeast Abilene.

PART 6: Purpose. The purpose of the Planned Development District (PDD) request is to allow for development of townhomes with only two units instead of the usual three or more; as well as traditional duplex developments.

PART 7: Specific Modifications. This Planned Development District shall be subject to the requirements of the Residential Town Home (TH) zoning district, except as modified below:

A. Permitted uses and Specific Regulations

1. All residential uses ordinarily permitted within Residential Town Home (TH) Zoning in addition to the following modifications:
  - a. DWELLING – TOWNHOME
    - i. The definition of DWELLING – TOWNHOME amended to be “one of a group of no less than two (2) nor more than two (2) attached dwelling units, separated by a fire-rated wall.” NOTE: Ordinarily, no less than three (3) attached dwelling units are required.
  - b. DWELLING – DUPLEX
2. Site Layout and Building Requirements:
  - a. DWELLING – TOWNHOME
    - i. All site layout and building requirements ordinarily applicable within Residential Townhome (TH) Districts, except as otherwise specified within this section.
    - ii. A contiguous row of attached townhome dwellings shall have a minimum length of two (2) dwelling units and a maximum length of two (2) dwelling units. NOTE: Ordinarily, a contiguous row of attached townhome dwellings must have a minimum length of three (3) dwelling units.
    - iii. Townhome developments of no more than two units shall be exempt from the requirement of major Site Plan review by Abilene’s Development Review Committee.
    - iv. Setbacks:
      - Minor Street: 10-feet
      - Collector Street: 20-feet
      - Arterial Street: 30-feet
      - Side Yard: 6-feet
      - Rear Yard: 20-feet
  - b. DWELLING – DUPLEX
    - i. All site layout and building requirements ordinarily applicable within Medium Density (MD) Districts shall apply.

Except as otherwise specified in and allowed by this ordinance, the use and development of this subject property shall be governed by regulations applicable to the Town Home (TH) zoning classification.

