

**CITY OF AMARILLO, TEXAS
CODE OF ORDINANCES**

CHAPTER 4-10 - ZONING



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REVIEW DRAFT | JANUARY 24, 2020
(FOR DISCUSSION ONLY)

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ARTICLE III. - USE REGULATIONS

Sec. 4-10-85. - Generally.

- (a) **Purpose.** This article addresses individual Uses or activities that have unique operational characteristics or impacts. These standards supplement the other requirements of this Chapter.
- (b) **Applicability.** This article establishes standards for particular Uses. These standards apply regardless of the Zoning District where the Use is located or whether the Use is permitted by right or requires a Specific Use Permit, unless otherwise indicated in this article.
- (c) **Other applicable regulations.** Uses subject to this article are also subject to all other applicable provisions of this Chapter, including the Zoning District dimensional standards (*Article II*), and the Amarillo Municipal Code.
- (d) **Conflicts.** If a requirement of this article conflicts with a requirement established elsewhere in this Chapter, the more restrictive requirement controls.

Sec. 4-10-86.- Accessory Dwelling Units

(a) Purpose.

- (1) This section is intended to encourage Accessory Dwelling Units as an alternative housing option.
- (2) This section implements Comprehensive Plan Chapter 6, Action Strategy 10 (Accessory Dwelling Units).

(b) All Accessory Dwelling Units. The following regulations are applicable to all Accessory Dwelling Units (ADUs):

- (1) Only one ADU is allowed per lot.
- (2) The property owner must occupy either the Main Building or the ADU as their permanent residence.
- (3) The ADU shall obtain a separate address to ensure rapid emergency response.

- (4) The ADU shall not cause Lot Coverage to exceed 75 percent, including the Main Building.
 - (5) The height of the ADU shall not exceed the height of the Main Building.
 - (6) The ADU shall provide one Off-Street Parking space with access to a public street from the existing driveway. Where an Alley access exists, ADUs may take vehicular access from the Alley.
 - (7) The ADU shall comply with all Building Code requirements for a Dwelling Unit, including but not limited to, heating and cooling, cooking, and bathroom facilities.
- (c) **Detached ADUs.** The following regulations are applicable to Accessory Dwelling Units that are detached from the Main Building:
- (1) Only one detached ADU is permitted on a Lot with a Detached One-Family Dwelling.
 - (2) Detached ADUs are not permitted on Lots with a Townhouse, Duplex, or Multiple-Family Dwelling.
 - (3) A Tiny Home may be used as an ADU, and must comply with all provisions of this section as well as the standards in Sec. 4-10-101 - Housing.
 - (4) A Manufactured Home, Mobile Home, Recreational Vehicle, Tiny Home on Wheels, travel trailer, or camper shall not be used as a detached ADU.
 - (5) Detached ADUs shall not exceed a gross floor area of 1,000 square feet or more than 50 percent of the Main Building's floor area, whichever is less.
 - (6) Detached ADUs shall have no more than 2 bedrooms.
 - (7) The Detached ADU shall be located:
 - a. Between the Main Building and the rear Lot Line and
 - b. At least 10 feet from the rear of the Main Building.

- (8) The Detached ADU shall conform to Side Yard setbacks as established in the underlying Zoning District.
 - (9) Utility lines separate from those servicing the Main Building shall be provided to each Detached ADU.
 - (10) The architectural style of the Detached ADU shall conform to the architectural style and materials of the Main Building.
- (d) **Attached ADUs.** The following regulations are applicable to Accessory Dwelling Units that are Attached to the Main Building:
- (1) The height of the Attached ADU shall not exceed the Height of the Main Building.
 - (2) A separate entrance shall be provided for the Attached ADU.
 - (3) Where exterior doors provide direct access to the integrated unit, such doors shall be designed, located, and configured in a manner that is typical for secondary access to a One-Family Dwelling (*e.g.*, side doors, French doors, etc.).
 - (4) Where a residential Main Building is expanded to accommodate an Attached ADU, the expansion shall be designed, clad, painted, and roofed in a manner that is comparable to the Main Building.
 - (5) Windows shall be similar to the Main Building in the:
 - a. Type of window;
 - b. Trim style; and
 - c. Proportions.
 - (6) Any exterior stairs to serve as the primary entrance to an Attached ADU shall be located on the side or rear of the Main Building.

Sec. 4-10-87.- Accessory Uses and Buildings.

- (a) **Purpose.** This section recognizes and accommodates Uses or Buildings that are customarily incidental to a Principal Use, and that are permitted with standards to further an important public purpose. Standards are applied to avoid unreasonable impacts on surrounding neighborhoods.

(b) Applicability.

- (1) This section generally applies to all Accessory Uses and Buildings.
- (2) Any Use allowed as a Principal Use in a Zoning District may be established as an Accessory Use if it meets all applicable requirements for the Use and all applicable requirements in this section.
- (3) Any Use prohibited in a Zoning District shall not be established as an Accessory Use, except as a Home Occupation in accordance with Sec. 4-10-99.
- (4) Certain Accessory Uses and Buildings have additional regulations specified in this article, including:
 - a. Accessory Dwelling Units (Sec. 4-10-86),
 - b. Carports (Sec. 4-10-95),
 - c. Private Stables (Sec. 4-10-111),
 - d. Outdoor Retail Displays (Sec. 4-10-104),
 - e. Outdoor Storage (Sec. 4-10-104), and
 - f. Private Swimming Pools (Sec. 4-10-112).

(c) Accessory Building Height and Setbacks.

- (1) Height and Setbacks for Residential, Non-Residential, and Farm Accessory Buildings are specified in Table 4-10-87.1.
- (2) **Residential Accessory Buildings.** A Residential Accessory Building may have a Side Yard and a Rear Yard less than that indicated in Table .1 if other Residential Accessory Buildings, within the same block or immediately adjacent blocks, legally observe a Side Yard or Rear Yard less than required.
 - a. The Side Yard with the least restrictive dimension shall establish the minimum Side Yard requirement.

- b. The Rear Yard with the least restrictive dimension shall establish the minimum Rear Yard requirement.

Table 4-10-87.1 – Accessory Building Height and Setbacks			
	Residential Accessory Building¹	Non-Residential Accessory Building	Farm Accessory Building
Height	18 ft or Height of Main Building, Whichever is less	Same as Main Building	Same as Main Building
Setbacks (min)			
Front	Same as Main Building	Not allowed in Front Yard	None
Side			
<i>Buildings greater than 200 sf in area</i>	3 ft	Same as Main Building	None
<i>Buildings 200 sf or less in area</i>	0 ft		
Rear Yard			
<i>Buildings greater than 200 sf in area</i>	10 ft, if Lot is not adjacent to an Alley; or 0 ft, if Lot is adjacent to an Alley	None	None
<i>Buildings 200 sf or less in area</i>	0 ft		

Key: min = minimum required | sf = square feet

¹Where one (1) or more walls of an Accessory Building are part of a wall or walls of the Main Residential Building or where an Accessory Building is attached to the Main Residential Building by a roof, the Accessory Building is considered as part of the Main Residential Building for purposes of applying Setback requirements.

(Code 1960, § 26-15(A); Ord. No. 6043, § 1(P), 11-9-93; Ord. No. 6268, § 1(GG), 12-24-96; Ord. No. 6733, § 1, 5-25-2004; Ord. No. 6741, § 3, 6-8-2004)

Sec. 4-10-88.- Adult Businesses.

(a) Purpose.

(1) It is the intent of these regulations to:

- a. Protect the health, safety, general welfare, and morals of the residents of Amarillo;
- b. Preserve the quality of family life;

- c. Preserve the rural, suburban, and urban characteristics of the City's neighborhoods; and
- d. Prevent adverse and deleterious effects contributing to the blight and downgrading of neighborhoods.

(2) In the development and adoption of this section, it is recognized that there are some Adult Businesses that, due to their very nature, have objectionable operational characteristics when located in close proximity to residential Uses and to certain civic Uses, thereby having a deleterious impact upon property values and the quality of life in such surrounding areas. It has been acknowledged by communities across the nation that state and local governmental entities have a special concern in regulating the operation of such businesses under their jurisdiction to ensure that these adverse secondary effects will not contribute to the blighting or downgrading of adjacent neighborhoods nor endanger the well-being of the youth in their communities.

(3) Being mindful of the effects of Adult Businesses upon minors and the criminal activity and disruption of public peace associated with adult establishments, while also giving due consideration to civil rights of persons partaking in Adult Businesses, it is the intent of this section to regulate the location of Adult Businesses.

(4) By the enacting this ordinance, the Amarillo City Council does not intend to give any explicit, implicit, or tacit approval or condone any activity relating to Adult Businesses. Nothing in this section shall be construed to authorize, permit, or legalize any activities otherwise prohibited by law or ordinance.

(b) **Applicability.** This section applies to any Adult Business. For purposes of this section, an "Adult Business" includes, but is not limited to, the following Uses as defined in *Article IX*:

- (1) Adult Arcade,
- (2) Adult Bookstore/Film Store,
- (3) Adult Cabaret,
- (4) Adult Lounge,
- (5) Adult Motel or Hotel,

- (6) Adult Retail Store,
- (7) Adult Theater, and
- (8) Topless Establishment.

(c) Location requirements for an Adult Business.

(1) Minimum separation distance from other Structures and Uses. A Structure housing an Adult Business shall be located at least 1,000 feet from:

- a. Any E, R-1, R-2, MD, MF, and MH Zoning District boundary line; and
- b. Any PD Zoning District boundary line, if the PD District contains residential Uses; and
- c. Any Structure used as a residence; and
- d. Civic Uses, limited to:
 - 1. Church;
 - 2. Public or Denominational School;
 - 3. Hospital;
 - 4. Licensed child care facility;
 - 5. Hotel or Motel;
 - 6. Park or Playground (public);
 - 7. Playfield or Stadium (Public); and
 - 8. Institution of Religious, Charitable, or Philanthropic Nature; and
- e. Any other Structure housing an Adult Business.

(2) Measurement of separation distance.

- a. Separation distance is measured in a straight line in all directions from the Structure housing the Adult Business to any Residentially-Zoned District boundary line; to any Structure used for a residence, church, school, or hospital; any Lot used for a park; and from Structure to Structure of those facilities housing Adult Businesses.
- b. The measurements to a Structure shall be taken from the farthest point that a Structure extends in the direction of the measurement, including overhanging roofs and all other projects or portions of said Structure.
- c. If an Adult Business is located in conjunction with other Buildings in a manner where the Adult Business is clearly separated from other portions of the Structure (for example, an Adult Business located in a shopping center), measurements are taken from the boundaries of the space occupied by the Adult Business.
- d. If an Adult Business is located in a manner where the Adult Business is situated above the ground level of a multiple-story Structure and is clearly separate from other activities within the Structure, the Adult Business measurements are taken from the boundaries of the space occupied by the Adult Business, thence to the nearest point of egress (elevator or stairs), thence to the nearest ground floor exit, thence in a straight line in all directions to any Residentially-Zoned District boundary line; to any Structure used for a residence, church, school, or hospital; any Lot used for a park; and from Structure to Structure of those facilities housing an Adult Business.
(Ord. No. 5862, § 1, 6-12-90; Ord. No. 6268, § 1(W), 12-24-96)

(d) Viewing Booth requirements for an Adult Business.

- (1) Viewing Booths in an Adult Business shall be configured in such a manner that there is an unobstructed and unobstructable view of the interior area of the Viewing Booth from outside the entrance to the Viewing Booth at all times.
- (2) Wall or partitions of Viewing Booths between 2 feet and 6 feet above floor level shall have no holes or voids in such walls or partitions.
- (3) A Viewing Booth shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination such that any patron may be observed from a manager's or employee's station . The illumination must be maintained at all times that any patron is present in or on the premises.

- (4) It shall be the duty of the person accepting payment from customers of an Adult Business to ensure that the Viewing Booth is in compliance at all times with the requirements of this section.
(Ord. No. 5862, § 1, 6-12-90)

Sec. 4-10-89. - Air Transportation Facilities.

- (a) **Applicability.** This section applies to all Air Transportation Facilities, including Airports, Airstrips and Landing Fields, Heliports, and Helistops.
- (b) **Compliance with Federal Aviation Administration regulations.** Prior to issuance of a Certificate of Occupancy and Compliance for the Use, an Air Transportation Facility owner shall demonstrate compliance with 14 CFR Part 157, Notice of Construction, Alteration, Activation, and Deactivation of Airports and 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace, as applicable.
- (c) **Airports, Airstrips, and Landing Fields.** All Airports, Airstrips, and Landing Fields shall be designed in accordance with Federal Aviation Administration Advisory Circular 150/5300-13A, dated February 26, 2014, as may be amended or supplemented from time to time. This Advisory Circular is available online at:
https://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.current/documentnumber/150_5300-13.
- (d) **Heliports and Helistops.** All Heliports and Helistops, whether ground-level or elevated, shall be designed in accordance with Federal Aviation Administration Advisory Circular 150/5390-2c, dated April 24, 2012, as may be amended or supplemented from time to time. This Advisory Circular is available online at:
https://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.current/documentnumber/150_5390-2.
- (e) **Emergency services helicopters.** Nothing in this section shall be construed to prohibit or limit the ability of an emergency services helicopter from landing or taking off as part of an emergency response.

Sec. 4-10-90. - Alcohol Production Facilities.

The following regulations apply to all Alcohol Production Facilities which may include craft brewing, distillery, and/or winery production on-site, along with facilities for on-premise consumption:

- (1) Except for loading, all activities must occur within a Building.

- (2) Areas used for production, bottling, packaging, storing, and other manufacturing related activities shall not exceed 10,000 square feet of gross floor area per Lot.
- (3) The storage of raw and/or spent materials shall be kept in a fully enclosed Structure, Building, or container.
- (4) The establishment shall operate in full compliance with all rules and regulations of the Texas Alcoholic Beverage Code which includes, but is not limited to, provisions for licensing, permits, civil liabilities for serving alcohol beverages, regulatory provisions, and penalties.
- (5) Drive-through facilities are prohibited.

Sec. 4-10-91. - Amusements, Commercial.

(a) **Indoor Commercial Amusement Facilities.** Indoor Commercial Amusement facilities are permitted if it is demonstrated that:

- (1) Primary access to the site is from a collector or arterial roadway; and
- (2) The use is:
 - a. Located at least 100 feet from any Residentially-Zoned or Residentially-Developed property; and
 - b. Constructed of sound-resistant materials.

(b) **Outdoor Commercial Amusement Facilities.** Outdoor Commercial Amusement facilities are permitted if it is demonstrated that:

- (1) The use is located at least 600 feet away from Residentially-Zoned or Residentially-Developed property;
- (2) The use is separated from all Residentially-Zoned or Residentially-Developed property by a Type C bufferyard; (See *Article IV, Division 4, Landscaping and Screening.*)

[NOTE: Revisit bufferyard requirements once Landscaping Standards are updated (Module 2).]

- (3) Events are limited such that noise levels attributable to the use at the closest residential property do not exceed:
 - a. 70 dBA between the hours of 9:00 a.m. and 9:00 p.m.;
 - b. 60 dBA between the hours of 9:00 p.m. and 11:00 p.m.; and
 - c. 40 dBA between the hours of 11:00 p.m. and 9:00 a.m.

Sec. 4-10-92.- Assisted Living Facilities

Assisted Living Facilities are permitted if it is demonstrated that:

- (1) Primary access to the site is from a Collector or Arterial Street;
- (2) The site has a minimum landscape surface area of 20 percent;
- (3) The Use is separated from Detached One-Family Dwellings by a Type B bufferyard (See *Article IV, Division 4, Landscaping and Screening*); and
[NOTE: Revisit bufferyard requirements once Landscaping Standards are updated (Module 2).]
- (4) All assisted living and congregate care facilities meet current Building and Fire Codes and the Americans with Disabilities Act (ADA) design requirements at the time the Use is established.

Sec. 4-10-93.- Bed & Breakfasts.

- (a) **Applicability.** This section applies to all Bed & Breakfasts.
- (b) **Primary residence of owner.** The owner/proprietor of the Bed & Breakfast must live in the Main Building. The Bed & Breakfast use shall be secondary to the Principal Use of the Dwelling for residential purposes, but is not considered an Accessory Use.
- (c) **Number of guest rooms.** A Bed & Breakfast may provide up to 5 guest rooms.
- (d) **Guests.**
 - (1) The owner shall maintain an accurate guest register showing the name, address, dates, and lengths of stay of guests. The guest register is subject to inspection by the Planning Director.

(2) The maximum length of stay for any guest is 14 days per calendar year.

(e) Meals.

(1) Meals may be served to overnight guests only.

(2) Guest rooms shall not contain cooking facilities.

(f) Events.

(1) Receptions or private parties held on the premises of a Bed & Breakfast –

a. Are not allowed in an MD or MF District, and

b. Are allowed in any other Zoning District.

(2) If events will be held at the Bed & Breakfast, the Applicant must submit a parking and access plan with the SUP Application. The Applicant shall consult the City Traffic Engineer prior to preparing the parking and access plan.

Sec. 4-10-94. - Care Facilities for Children.

(a) Commercial Day Care Facility.

(1) **Proof of licensing.** The Applicant shall provide proof of:

a. Application to the State of Texas for any licenses required by the State at the time of application for local approval; and

b. Issuance of any required licenses before commencing operations.

(2) **Pick-up/drop-off.** An off-street pick-up/drop-off area for at least one automobile shall be provided, which may be a driveway provided it is kept free of parked vehicles and other obstructions to leave sufficient space for direct access.

(b) Residential Child-Care Facility.

(1) **Proof of licensing.** The Applicant shall provide proof of:

- a. Application to the State of Texas for any licenses required by the State at the time of application for local approval; and
 - b. Issuance of any required licenses before commencing operations.
- (2) **Dwelling type.** The Use shall be located in a Detached One-Family Dwelling.
- (3) **Residential character.** The Use shall maintain the residential character and appearance of the Structure.
- (4) **Extent of the same Use in the area.** No more than one instance of the Use shall occur on the same block face or among all Lots on a Cul-de-sac.
- (5) **Resident operator.** The principal operator and care provider shall live in the Dwelling.
- (6) **Employees.** The facility may not employ non-resident employees with the exception of direct family members.
- (7) **Occupancy limit.** The Use shall provide care for not more than 6 children on the premises at any one time.
- (8) **Hours of Operation.** The Use shall not:
- a. Operate between the hours of 8:00 PM and 6:00 AM;
 - b. Provide for overnight stays by those receiving care; and
 - c. Permit any outdoor play activities to occur before 8:00 AM.
- (9) **Outside play area.** Residential Child-Care Facilities may have an outside play area, which shall be screened in accordance with *Article IV, Division 3, Landscaping and Screening*.
- (10) **Signs.** Signs are permitted in accordance with *Article IV, Division 8*.

Sec. 4-10-95.- Carports.

(a) Where Allowed.

- (1) A Carport is a Permitted Use in all Zoning Districts if the Carport:
 - a. Meets the Accessory Building Setback requirements specified in Sec. 4-10-87 and
 - b. Complies with all standards in subsection (b) below.
- (2) If a Carport does not meet the Accessory Building Setback requirements specified in Sec. 4-10-87, a Specific Use Permit is required. When a Specific Use Permit is required, a Carport shall comply with:
 - a. The minimum Setback requirements in Table 4-10-95.1,
 - b. All standards in subsection (b) below, and
 - c. All standards applicable to Specific Use Permits (see *Article V, Procedures*).

Table 4-10-95.1 –Minimum Setbacks for Carports that are Subject to Specific Use Permits	
Location	Setbacks (min)
Front	10 ft ^{1, 2}
Rear	0 ft (adjacent to an Alley), or 10 ft (not adjacent to an Alley)
Side (Interior)	3 ft ¹
Side (Street)	10 ft ^{1, 2}

Key: min = minimum required | ft = feet
¹Including the roof, eaves, and supporting members.
²Measured from the street curb line or, where no curb exists, the edge of paving, or the graded edge of an unimproved street.

(b) **Standards for all Carports.** All Carports, whether allowed as a Permitted Use or by a Special Use Permit, shall comply with the following standards:

- (1) **Use.**
 - a. A Carport shall be used solely for the parking of vehicles and not for any other purpose, including storage of any type.
 - b. There shall be no enclosed use located above or on top of a Carport.
- (2) **Access.** Vehicular access to the Carport shall not have attached an overhead, sliding, or swinging door or gate.

(3) **Dimensional Standards.** All Carports shall comply with the dimensional standards in Table 4-10-95.2.

Table 4-10-95.2 –Dimensional Standards for All Carports	
Number of Carports	1 per Lot
Floor Area (max)	440 sf
Height (max)	12 ft ¹
Key: max = maximum allowed sf = square feet ft = feet	
¹ Measured from floor to the peak of roof.	

(4) **Encroachment.** No part of the Carport (including the roof, eaves, and supporting members) shall:

- a. Extend beyond the property line;
- b. Overhang or intrude into any type of public easement; or
- c. Block or overhang an improved public sidewalk.

(5) **Openings.**

- a. No opening on any side shall be lower than 7 feet as measured from floor to bottom of Carport eave line.
- b. The perimeter of Carport must remain open on at least 3 sides. When located in the Front Yard, the perimeter of Carport is open on at least the 3 sides that are parallel to the Front and Side Yards.
- c. Openings must be unobstructed by walls, screens, lattice work, or similar features that would create an enclosed space or obstruct visibility.
- d. Supporting vertical members, such as columns, poles, and posts, must have a cross section no larger than a square that is 12 inches on each side.
- e. Supporting vertical members, other secondary structural members for lateral bracing, trim, fascia, and other vertical elements must not obscure more than 15% of the vertical plane of any open side.

(6) **Paving.**

- a. The area located beneath the roof of the Carport must be paved with asphalt or concrete to within at least 2 feet of the edge of roofline.
- b. The driveway leading from the Carport and connecting to a Street or Alley must be similarly paved and maintained in good condition.

(Ord. No. 6904, § 1, 2-21-2006)

Sec. 4-10-96. - Corner Stores.

(a) **Purpose.** The purpose of this section is to:

- (1) Maintain the character of residential Districts; and
- (2) Promote mixed-use neighborhoods in appropriate locations; and
- (3) Encourage entrepreneurship and remove barriers to the establishment of small businesses; and
- (4) Reduce vehicle trips and encourage walkable neighborhoods by making it convenient for neighbors to walk down the street to make quick, incidental purchases; and
- (5) Help build a sense of community amongst neighborhood residents.

(b) **Applicability.** This section applies to all Corner Stores.

(c) **Separation requirements.** A Corner Store shall not be located:

- (1) Within 500 feet of more than one other Lot with a Corner Store Use defined as an Eating Place;
- (2) Within 500 feet of more than 3 other Lots with a Corner Store Use defined as retail, Personal Service, or Art Gallery Uses;

(d) **Maximum Floor Area.** The maximum Floor Area of a Corner Store is 1,200 square feet.

Sec. 4-10-97. - Electrical Substations.

Electrical substations are permitted provided the following:

(a) **Noise.**

- (1) The maximum permissible sound level limit at the Property Line between the hours of 8:00 a.m. and 10:00 p.m. shall be 55 dBA.
- (2) The maximum permissible sound level limit at the Property Line between the hours of 10:00 p.m. and 8:00 a.m. shall be 50 dBA.
- (3) In locations where ambient sound levels are greater than the permissible levels referenced above, an electrical substation shall not increase the existing ambient noise level greater than 3 dBA.
- (4) Measurement of noise shall be made with an octave band analyzer meeting standards prescribed by the American National Standards Institute.

(b) **Vibration.** No electrical substation shall at any time create earthborne vibrations which, when measured at the property line of the source operation, exceed the limit of displacement set forth in Table 4-10-97.1 in the frequency ranges specified:

Table 4-10-97.1 – Limit of Displacement	
Frequency cycles per second	Displacement in inches
0 to 10	.0010
10 to 20	.0008
20 to 30	.0005
30 to 40	.0004
40 and over	.0003

(c) **Lighting.** No lighting installed in conjunction with the installation of an Electrical Substation shall be located so as to produce direct illumination across the Property Line of such intensity as to create a nuisance.

(d) **Electrical Disturbance.** No Electrical Substation shall be permitted to emit any electrical disturbance at any point that would adversely affect the operation of any equipment (radio, telephone, television, etc.) other than that of the creator of such disturbance.

(e) **Equipment Location.** Any equipment within an Electrical Substation site shall not be permitted nearer than 10 feet to any Property Line.

(f) **Screening.**

(1) **When Required.** When an Electrical Substation is located adjoining, contiguous to or within 150 feet of any Property Line, visual screening shall be required on property lines adjacent to Residentially-Zoned or Residentially-Developed property, or existing parks or recreation facilities.

(2) **Screening Requirements.** The screening shall consist of masonry or masonry and wood materials to 10 feet in Height, the total Height not to exceed 12 feet (including two-foot security fencing on top of the screening) with placement required on or inside the Property Lines, and in the case of Front Yards, at or behind the Front Yard Setback line.

(3) **Exception to Screening Requirements.** Exception to the screening requirements shall be allowed for two gates, each no more than 20 feet wide that allow for access to the Electrical Substation site when screening is required on all sides.

(4) **Required Maintenance.** The screening required shall be properly maintained in good condition at all times.

(g) **Notice to the General Public.**

(1) **Sign Required.** At the time of purchase or option to purchase any Lot, Parcel, or Tract, the purchaser or option holder shall place a Sign on such Lot, Parcel, or Tract stating the intention to locate, develop, and construct an Electrical Substation facility.

(2) **Specific Sign Requirements.** The Sign:

- a. Must be placed within 25 feet of the property line of the greatest dimension paralleling any established or proposed Street;
- b. Be no less than 12 square feet in size.
- c. Shall be properly maintained until the Lot is developed.

(h) **Property Line.** In this section "Property Line" shall be interpreted as the nearest Property Line of the nearest Residentially-Zoned or Residentially-Developed Tract, Parcel, or Lot adjacent to the proposed location of an Electrical Substation. If the property is across any Street, Alley, or other dedicated Open Space from the proposed location, then the far side of the open space farthest from the proposed location shall be interpreted as the Property Line.

Sec. 4-10-98.- Event Venues.

(a) **All Event Venues.** The following standards apply to all Event Venues:

- (1) **On-site manager required.** An on-site manager shall be present and available for the duration of all events occurring at the venue. Up-to-date contact information for the on-site manager shall be included on the venue's website, on marketing materials for the venue, and in the venue's operational plan (if required per subsection (b)). Updated contact information shall be provided to the Planning and Development Services Department any time the on-site manager's contact information changes.
- (2) **Maximum number of users.** The maximum number of users an Event Venue may accommodate at one time is limited to the maximum capacity of the venue, as determined by applicable Building Code, Fire Code, and/or parking requirements.
- (3) **Vehicular access.** Vehicular access to the site shall be adequate in terms of width, vertical clearance, and construction to support emergency vehicles, and shall meet all applicable provisions of the Fire Code.
- (4) **Outdoor areas.**
 - a. Outdoor areas include, but are not limited to, parking areas, decks, patios, gazebos, and fire pits.
 - b. All outdoor areas associated with an Event Venue shall be located at least 150 feet from all residential Structures not located on the same Lot as the Event Venue. This distance is measured in a straight line from the edge of the outdoor area nearest the residential Structure to the residential Structure.
 - c. With the exception of parking areas, outdoor areas associated with an Event Venue and located within 300 feet of a residential Structure not located on the same Lot as the Event Venue shall cease operation by 10 p.m. This distance is

measured in a straight line from the edge of the outdoor area nearest the residential Structure to the residential Structure.

(b) **Event Venues allowed by Specific Use Permit.** In Zoning Districts where Event Venues require a Specific Use Permit (SUP), the following standards apply in addition to those in subsection (a):

(1) **Operational plan.** An operational plan shall be submitted with the SUP application describing generally how the Event Venue will operate. Substantive changes to the operational plan, as determined by the Planning Director, require additional approval by the City Council. The operational plan shall include, at a minimum, the following items:

- a. Maximum capacity of the Event Venue, based on Building Code, Fire Code, and/or parking requirements;
- b. Contact information for the on-site venue manager;
- c. Whether the venue will operate seasonally or year-round;
- d. The venue's alcoholic beverage policy, specifically including whether BYOB events will be allowed;
- e. Type(s) of events anticipated/marketed;
- f. Anticipated annual number of events; and
- g. How solid waste will be disposed of (private vs. public collection).

(2) **Amplified music.** Amplified music or other sound is permitted in all outdoor areas, provided it ends no later than 10 p.m.

Sec. 4-10-99.- Home Occupations.

(a) **Purpose.** The purpose of these standards is to:

- (1) Maintain neighborhood integrity and preserves the residential character of neighborhoods by encouraging compatible land uses;

- (2) Provide City residents an option to use their residences as places to enhance or fulfill personal economic goals while protecting the residential rights of neighbors;
- (3) Establish reasonable criteria for operating Home Occupations in Dwelling Units within residential Districts;
- (4) Assure that public and private services such as streets, sewers, water, and utility systems are not burdened by Home Occupations to the extent that usage significantly exceeds that normally associated with a residence; and
- (5) Promote telecommuting to reduce peak hour demands on the transportation network.

(b) **Applicability.** This section applies to all Home Occupations.

(c) **Uses permitted.**

- (1) Automobile, vehicle, or heavy equipment repair occupations are not allowed.
- (2) Uses allowed as Home Occupations shall comply with the standards established in subsections (d) through (j) of this section.

(d) **Location of use on Lot.**

- (1) Home Occupations shall be entirely contained within the interior of a Dwelling Unit or in a garage or Accessory Structure on the Lot.
- (2) No visible evidence of the business shall be apparent from the Street or the surrounding area.
- (3) The Outdoor Storage of equipment and materials associated with the Home Occupation is prohibited.
- (4) The set-up, disassembly, or cleaning of equipment used for the Home Occupation is allowed in the Rear Yard. However, the materials and equipment must be moved to an indoor location when set up, disassembly, or cleaning is completed.

(e) **Changes to exterior.** The appearance of a Dwelling as a residence shall not be altered to the extent that attention is drawn to the Structure as a business operation.

- (f) **Signs.** No Sign or other form of advertising pertaining to the Home Occupation may be placed or painted onto the exterior of the Dwelling Unit or in the Yard of the Dwelling Unit, except as permitted by *Article IV, Division 8*.
- (g) **Employees.** Employees of a Home Occupation are restricted to Family members residing in the Dwelling Unit, with on-site assistance from no more than one other individual that is not a Family member.
- (h) **Sale of merchandise.**
- (1) Any merchandise sales in connection with a Home Occupation shall be clearly secondary to occupancy. Merchandise shall not be offered or displayed for sale to the general public on the premises.
 - (2) Sales incidental to a service are allowed.
 - (3) Orders previously made by telephone, internet, or at a sales party may be filled on the premises (sometimes referred to as “drop shipping” or “will call”).
[Proposed text to be added here pending Legal Dept. review: This includes sales of any items permitted under state and federal law, including alcohol and firearms, if the business owner obtains all necessary local, state, and federal licenses and permits.]
- (i) **Parking and traffic.** If parking for a Home Occupation occurs in a manner or frequency that causes disturbance to the normal traffic flow for the neighborhood, the occupation shall be considered a business best operated in a commercial District rather than as a Home Occupation, and will no longer be permitted as an Accessory Use.
- (j) **Nuisances.** A Home Occupation shall not create noise, dust or dirt, heat, smoke, odors, vibration, or glare or bright lighting that would be in excess of that created by a Dwelling Unit.

Sec. 4-10-100.- Horse Lots (Commercial and Private).

- (a) **Commercial Horse Lot.** Each Commercial Horse Lot shall contain one or more Stables that provide at least 100 square feet for each horse quartered.
- (b) **Private Horse Lot.**
- (1) Any area used for the keeping of horses on a Private Horse Lot shall:

- a. Be securely fenced and
 - b. Not be located within that portion of the Lot required as the minimum Front Yard (as specified in the applicable Zoning District).
- (2) Except in the A, HC, I-1, and I-2 Zoning Districts, each Private Horse Lot shall meet the Lot Area and Density standards in Table 4-10-100.1.

Table 4-10-100.1 – Private Horse Lot Area and Density Standards	
Number of Horses	Lot Area Required (min)
1 to 4	10,000 sf
5 to 8	10,000 sf plus 2,000 sf for each horse
Number of Horses (max)	8 horses per acre

Key: min = minimum required | max = maximum allowed | sf = square feet

Sec. 4-10-101.- Housing.

(a) **Applicability.** This section applies to the following housing types:

- (1) Industrialized Housing,
- (2) Live/Work Dwellings,
- (3) Manufactured Homes,
- (4) Multiple-Family Dwellings, and
- (5) Tiny Homes and Tiny Home Courts.

(b) The following housing types are regulated separately and are not subject to this section (except when a Tiny Home is used as an Accessory Dwelling Unit, in which case this section and Sec. 4-10-86 apply):

- (1) Accessory Dwelling Units (Sec. 4-10-86),
- (2) Manufactured Home Parks and Recreational Vehicle Parks (Sec. 4-10-103), and
- (3) One-Family Dwellings and Two-Family Dwellings (See, generally, *Article II, Zoning Districts*, and *Article IV, Development Standards*).

(c) **Industrialized Housing.**

(1) **Purpose.** The purpose of this section is to set forth standards for the placement and architectural appearance of Industrialized Housing within the City. The intent of this section is to ensure that Industrialized Housing is compatible with surrounding Dwellings and meets minimum placement and architectural standards, while still providing for an alternative means of affordable housing.

(2) **Applicable to all Industrialized Housing.**

- a. Industrialized Housing is a Permitted Use in all Districts where residential Dwellings are permitted, but the type of Dwelling (One-Family, Two-Family, Multiple-Family, Live/Work) is limited to the type(s) of Dwelling(s) allowed in the District in which the Industrialized Housing is proposed to be located.
- b. All Industrialized Housing shall bear an approved decal or insignia indicating inspection by the Texas Department of Licensing and Regulation.

(3) **Applicable to Industrialized One-Family and Two-Family Housing.**

- a. All Industrialized One-Family and Two-Family Housing shall:
 1. Have a value equal to or greater than the median taxable value for each One-Family Dwelling located within 500 feet of the Lot on which the Industrialized Housing is proposed to be located, as determined by the most recent certified tax appraisal roll for each county in which the properties are located;
 2. Have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with the One-Family Dwellings located within 500 feet of the Lot on which the Industrialized Housing is proposed to be located;
 3. Comply with Building Setbacks, side and rear yard offsets, subdivision control, square footage, and other site requirements applicable to One-Family and Two-Family Dwellings; and
 4. Be securely fixed to a permanent foundation.
(Ord. No. 6699, § 6, 11-25-2003)
- b. For the purposes of subparagraph a.1., "value" means the taxable value of the Industrialized Housing and the Lot after installation of the housing.

(d) Live/Work Dwellings.

(1) **Purpose.** The purpose of this section is to:

- a. Maintain the character of residential Districts,
- b. Promote mixed-use neighborhoods in appropriate locations, and
- c. Encourage entrepreneurship and remove barriers to the establishment of small businesses.

(2) **Location.** A Live/Work Dwelling may occupy a new Building or an existing Building originally designed for residential, commercial, or industrial occupancy.

(3) **Compliance with Building Code.** If an existing Building is converted into a Live/Work Dwelling, all applicable Building Code requirements must be met.

(4) **Uses.** A Live/Work Dwelling shall include one Dwelling Unit and any non-residential Use specified below:

- a. In the MD and MF Districts, non-residential Uses are limited to:
 1. General Business or Professional Offices;
 2. Personal Service Establishments;
 3. Art Galleries or studios; and
 4. Corner Stores, subject to the requirements of Sec. 4-10-96.
- b. In all other Districts, any non-residential Use allowed in the Zoning District in which the Live/Work Dwelling is located may be established, subject to all applicable approval requirements, use regulations, and development standards for that Use.

(e) Manufactured Homes.

- (1) **Purpose.** The purpose of this section is to ensure that Manufactured Homes are compatible with other Dwellings in residential neighborhoods, while providing an alternative means of affordable home ownership.
- (2) **Permanent foundation required.**
 - a. All Manufactured Homes shall be permanently attached or affixed to a permanent foundation system. All portions of the transportation system including wheels, axles, towing apparatus, lighting, or other such elements that are not an integral part of the Structure shall be removed before the Manufactured Home is permanently attached or affixed.
 - b. The permanent foundation system shall be constructed in accordance with Texas Occupations Code, Title 7, Chapter 1201, Manufactured Housing and all other applicable local, state, and federal standards.
- (3) **Height.** Maximum height is specified by the applicable Zoning District. Additionally, Manufactured Homes shall be no taller than the height intended by the original manufacturer's design.
- (4) **Garages and Carports.** The exterior covering and roof of a Garage or Carport on the same Building site as a Manufactured Home must be of the same material as that of the Manufactured Home.
- (5) **Additional requirements for Manufactured Homes (Types B and C).**
 - a. **Minimum living area.** A Manufactured Home (Types B and C) shall have a minimum living area of 900 square feet.
 - b. **Roof pitch and materials.** The main roof of a Manufactured Home (Type B and C) shall:
 1. Not be less than a 3:12 pitch and
 2. Be solid deck with shingle or metal roof.
 - c. **Stairs.** A Manufactured Home (Type B and C) shall have a stairway set at each exit.
- (f) **Multiple-Family Dwellings.**

(1) **Purpose.** The intent of this section is to:

- a. Establish regulations that enable Multiple-Family Dwellings to be consistent with the character of moderate density residential and mixed-use neighborhoods,
- b. Maintain the character of existing neighborhoods,
- c. Increase the diversity of allowable housing types, and
- d. Increase the availability of affordable housing.

(2) **Applicability.** The standards in this subsection apply to all Multiple-Family Dwellings located in the MD and NS Districts.

(3) **Building Types.** Multiple-Family Dwellings are limited to the following building types:

- a. Fourplex Dwellings,
- b. Small Apartment Dwellings, and
- c. Triplex Dwellings.

(4) **Exterior Appearance.**

- a. **Fourplex and Triplex Dwellings.** The exterior appearance of Fourplex and Triplex Dwellings shall be designed to resemble a Detached One-Family Dwelling.
- b. **Small Apartment Dwellings.** The bulk and scale of a Small Apartment Dwelling shall be appropriate to the bulk and scale of existing Buildings in the surrounding area. This can be accomplished through overall Building Footprint, as well as through design techniques such as wall plane offsets and façade articulation.

(5) **Typical Building Layout.**

- a. **Fourplex Dwellings.** A Fourplex Dwelling typically contains two Dwelling Units on the ground floor and two Dwelling Units on the second floor, with a shared front entry.
- b. **Triplex Dwellings.** A Triplex Dwelling typically contains two Dwelling Units side-by-side on the same floor and the third Dwelling Unit on a separate floor, with a shared front entry.

(6) **Parking.** Off-Street Parking shall be provided as specified in *Article IV, Division 5*, except that all Parking Spaces shall be located to the side or rear of the Dwelling.

(7) **Screening.** Landscaping and screening shall be provided as specified in *Article IV, Division 3*.

(g) Tiny Homes and Tiny Home Courts.

(1) **Purpose.** The purpose of these standards is to:

- a. Maintain the character of existing neighborhoods,
- b. Increase the diversity of allowable housing types,
- c. Increase the availability of affordable housing, and
- d. Promote housing safety by allowing Tiny Homes in accordance with Appendix Q of the International Residential Code for One- and Two-Family Dwellings.

(2) **Applicability.**

- a. These regulations apply to all Tiny Homes and Tiny Home Courts. A Tiny Home on Wheels (THOW) is considered a Recreational Vehicle and is subject to all regulations applicable to Recreational Vehicles.
- b. A Tiny Home is permitted as:
 - 1. The Principal Structure on Lots in the A, MD, and MF Districts; and
 - 2. An Accessory Dwelling Unit (see Sec. 4-10-86) on Lots in the A, E, R-1, R-2, MD, and MF Districts.

- c. A Tiny Home Court is permitted as the Principal Use of a Lot in the MD and MF Districts. Each Tiny Home in a Tiny Home Court is considered a Principal Structure.
- (3) **Permanent foundation required.** A Tiny Home must be permanently placed on a foundation that meets Building Code requirements.
 - (4) **Compliance with Building Codes.** All Tiny Homes must comply with:
 - a. All applicable requirements of the City of Amarillo Building Code and
 - b. The most recent edition of Appendix Q of the International Residential Code for One- and Two-Family Dwellings.
 - (5) **Front porch.** A Tiny Home shall have a covered front porch, located at entry level, that meets the following minimum dimensions:
 - a. Depth: 5 feet
 - b. Width: 55% of the width of the front Façade
 - (6) **Driveway.**
 - a. A Tiny Home shall have a driveway that accommodates the number of Off-Street Parking Spaces required by *Article IV, Division 5* for One-Family Dwellings, except as provided in subparagraph b.
 - b. Driveways and parking areas may be shared in a Tiny Home Court.
 - (7) **Garage.** A garage, if present, must be located at least 10 feet behind the front façade of the Tiny Home.

Sec. 4-10-102.- Landfills.

(a) Location.

- (1) The site shall be located no closer than 500 feet from any residential District or Use as measured along a straight line from the closest Lot lines.
- (2) The facility shall take access from an Arterial or Collector Street.

- (3) The minimum area of the parcel proposed for development shall be 5 acres.
- (4) The landfill shall be sited in accordance with Federal Aviation Administration Advisory Circular 150/5200-34A, dated January 26, 2006, as may be amended or supplemented from time to time. This Advisory Circular is available online at: https://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.current/documentNumber/150_5200-34.

(b) Design.

- (1) The Use shall be surrounded by a Type C bufferyard, except at points of ingress and egress. (See Article IV, Division 4, *Landscaping and Screening*.)
[NOTE: Revisit bufferyard requirements once Landscaping Standards are updated (Module 2).]
- (2) A truck routing plan shall show that the ingress and egress to the site does not use a Local Street.
- (3) The Landfill does not modify the flow of major natural drainage ways within the City and its Extraterritorial Jurisdiction.

(c) **Safety.** All Landfills must comply with all requirements of Subchapter R, *Use of Land Over Municipal Solid Waste Landfills*, of Chapter 361, Solid Waste Disposal Act, of the Texas Health and Safety Code.

Sec. 4-10-103.- Manufactured Home Parks and Recreational Vehicle Parks.

(a) Applicability.

- (1) This section applies to all Manufactured Home Parks and Recreational Vehicle Parks.
- (2) This section does not apply to Manufactured Home Subdivisions.

(b) Definitions. For the purposes of this section, the following terms, words, phrases, and their derivatives have the following meanings:

- (1) *Agent:* Any person authorized by the Licensee of a Manufactured Home Park or Recreational Vehicle Park to operate or maintain such a Park.

- (2) *Driveway*: A minor entranceway off an Internal Street within a Manufactured Home Park or Recreation Vehicle Park, into an off-street parking area serving one (1) or more Manufactured Homes or Recreational Vehicles.
- (3) *Front*: That part of the Manufactured Home Space which abuts Internal or Public Streets; if double, the owner shall elect which one is the Front and such election shall be stated/shown on the final plat.
- (4) *Internal Street*: A private way which affords principal means of access to individual Manufactured Home Spaces or Recreational Vehicle Spaces and to Accessory Buildings.
- (5) *License*: A written license issued by the Building Official permitting a person to operate and maintain a Manufactured Home Park or Recreational Vehicle Park under the provisions of this section.
- (6) *Licensee*: Any person licensed to operate and maintain a Manufactured Home Park or Recreational Vehicle Park under the provisions of this section.
- (7) *Park Occupant*: One who occupies a Manufactured Home or Recreational Vehicle within a licensed Park.
- (8) *Parking Space*: A minimum space nine (9) feet in width by eighteen feet-six inches (18.5) feet in length located within the boundary of the Manufactured Home Space or Recreational Vehicle Park for the purpose of automobile storage.
- (9) *Permit*: A written Permit or certification issued by the Building Official permitting the construction, alteration or extension of a Manufactured Home Park or Recreational Vehicle Park under the provisions of this section and regulations issued hereunder.
- (10) *Recreation Area*: A tract or parcel of land that is reserved and designed primarily for a children's play area and equipped with conventional playground facilities such as swings, slides, etc. in addition to other facilities such as a ballfield, adult recreation area, or other recreational facilities.
- (11) *Register*: A book or digital record that can be printed out, kept legibly, covering all pertinent information required by this section.
- (12) *Screening Device*: A solid masonry or wooden wall or fence, a woven wire or chain link fence with metal strips woven through the mesh to form a solid

screen, a woven wire or chain link fence with evergreen shrubs forming a sight screen, or a solid evergreen hedge forming a sight screen.

(13) *Service Building*: A Structure housing toilet, lavatory, shower, and such other facilities as may be required by this section.

(14) *Space*: An area within a Manufactured Home Park or Recreational Vehicle Park that has been improved for the placement of a single Manufactured Home or Recreational Vehicle as provided in this section.

(Ord. No. 6513, § 1, 2-6-2001; Ord. No. 6570, § 1, 11-27-2001)

(c) Park Permits.

(1) **Required.** It is unlawful for any person to construct, alter, or extend any Manufactured Home Park or Recreational Vehicle Park within the limits of the City without first submitting an application to the Planning Department and then obtaining a Permit issued by the Building Official.

(2) Application.

a. All applications to construct, alter, or extend any Park Permits shall be made upon standard forms provided by the Planning Department and shall contain the following:

1. Name and address of the Applicant and the owner;

2. Location and legal description of the Manufactured Home Park or Recreational Vehicle Park.

b. To this application shall be attached fifteen (15) copies of the Plot Plan for review and circulation by the Planning Department and two (2) sets of construction drawings and specifications as required by the Construction Codes. The Plot Plan, specifications and construction drawings shall be submitted to the Planning Department and they shall include all data required under this section. The Plot Plan does not replace or supersede any subdivision plat of the property required by state law to be recorded in Potter and Randall County plat records.

(3) Manufactured Home Park or Recreational Vehicle Park Site Plan.

- a. The Plot Plan shall be filed as required by subsection (b) and shall show the following:
 1. The area and dimensions of the proposed Park with identification of location and boundaries;
 2. The number, location, and size of all Manufactured Home Spaces or Recreational Vehicle Spaces;
 3. The location, width and specifications of Driveways, Internal Streets, roadways, and walkways;
 4. The location and specifications of electrical, gas, water and sewer lines, and their service connections at the Spaces;
 5. The location and size of streetlights;
 6. The location of all necessary utility easements not included on the original plat.
 7. The location and elevations of all buildings to be considered;
 8. Existing and proposed topography of the proposed Park;
 9. The locations and sizes of fire mains, hydrant locations, and other fire extinguisher equipment; and
 10. Such other reasonable information as may be required by the Building Official and Planning Department.
 - b. Copies of the Plot Plan shall be circulated by the Planning Department to appropriate City departments and utility companies for review and comment.
- (4) **Fees.** Fees for permits required by the Construction Codes shall be in accordance with the applicable Building Safety Department Fee Schedule.
- (5) **Issuance.** When, upon review of the application, the Building Official and Planning Department are satisfied that the proposed plan meets the requirements of this chapter and other applicable ordinances, and a complete

set of plans has been returned reflecting all changes requested by any City official, a Permit shall be issued.

(6) Appeal from denial.

- a. Any person whose application for a Permit under this section has been denied may request and shall be granted a hearing on the matter before the Planning and Zoning Commission, provided that such person shall file within ten (10) days after the day the notice was served, in the office of the Planning Department, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor.
- b. Upon receipt of such petition, the Planning Department shall set a time and place for such hearing and shall give the petitioner written notice thereof.
- c. At such hearing the petitioner shall be given an opportunity to be heard and to show why such Permit should be issued.
- d. If the application is denied by the Planning and Zoning Commission, the applicant may appeal the request to the City Council by written petition provided the appeal is made within fifteen (15) days after the hearing by the Planning and Zoning Commission. The decision by the City Council shall be final.
(Ord. No. 6513, § 1, 2-6-2001; Ord. No. 6570, § 1, 11-27-2001; Ord. No. 7658, § 2, 3-14-2017)

(d) Development standards. Any development, redevelopment, alteration or expansion of a Manufactured Home Park or Recreational Vehicle Park within the City limits shall be done in compliance with the following minimum requirements:

(1) Area and design criteria.

- a. **Location.** A Manufactured Home Park or Recreational Vehicle Park shall be located only where permitted by *Article II, Division 8*.
- b. **Screening.** A Manufactured Home Park or Recreational Vehicle Park shall be visually screened from any immediately adjacent A, E, R-1, R-2, or any residential PD zoning district. There shall be constructed and maintained a permanent Screening Device not less than 6 feet in height. Screening shall not be required when the adjacent residentially-zoned property is developed with a non-one-family attached/detached or non-two-family use.

- c. **Soil and ground cover.** Exposed ground surfaces in all parts of every Park shall be paved, covered with stone or other solid material, or protected with vegetation that is capable of preventing soil erosion and eliminating dust.
- d. **Drainage.** The ground surface in all parts of a Park shall be graded and equipped to drain all surface water in a safe, efficient manner. Each Space shall be graded to ensure the proper drainage of water from the Space. The adequacy of drainage facilities shall be certified by a Texas licensed professional engineer.
- e. Additional Manufactured Home Park and Recreational Vehicle Park development standards are specified in Table 4-10-103.1.

Table 4-10-103.1 - Manufactured Home Park and Recreational Vehicle Park Development Standards		
	Manufactured Home Parks	Recreational Vehicle Parks
Size (min)	3 MH Spaces	3 RV Spaces
Area per Space (min)	3,500 sf	500 sf
Setbacks (min)		
From a Public Street	15 ft	Per Setback requirements of the Zoning District in which the RV Park is located.
From another Space	10 ft	None
Minimum distance between MHs and/or RVs		
Side	20 ft	No closer than 10 ft to another RV or Structure
Rear	16 ft.	No closer than 10 ft to another RV or Structure
Storage Facilities (min)	200 cubic ft per Space or in compounds located within the MH Park	None
Off-Street Parking (min)		
MHs and RVs	2 Parking Spaces per Space	None
Park office and public facilities	As required by the Zoning Ordinance	As required by the Zoning Ordinance
Common area parking for boats or vehicles	50 sf per Space	None
Recreation Area (min)	8% of gross Park area (See Sec. 4-10-103 (d) (5) below)	None

Table 4-10-103.1 - Manufactured Home Park and Recreational Vehicle Park Development Standards

Public toilets, showers, and lavatories	None	Facilities for men: 2 public toilets, 1 lavatory, and 1 shower per 50 RV Spaces or portion thereof; and Facilities for women: 2 public toilets, 1 lavatory, and 1 shower per 50 RV Spaces or portion thereof
Laundry facilities	None	1 automatic clothes washer and 1 automatic clothes dryer per 30 Spaces or portion thereof
Wastewater holding tank disposal facility (i.e., dump station) (min)	None	1 dump station per RV Park
Source of potable water to fill fresh water holding tanks (min)	None	1 water source per RV Park

Key: MH = Manufactured Home | RV = Recreational Vehicle | min = minimum required | sf = square feet | ft = feet

(2) Access, traffic circulation, and parking.

- a. Streets shall be designed for safe and convenient access to all Spaces and to facilitate common use by Park residents.
- b. Emergency vehicles shall have access to all areas of the Manufactured Home Park or Recreational Vehicle Park.
- c. Internal Street, no-parking area signs, and Street name signs shall be privately owned, built, and maintained.
- d. On all sections of Internal Streets on which parking is prohibited under this section, the owner or Agent shall erect metal signs prohibiting parking. The sign type, size, height, and location shall conform to the Texas Manual on Uniform Traffic-Control Devices and be approved by the City Traffic Engineer prior to installation.
- e. The primary vehicle entrance to a Manufactured Home Park or Recreational Vehicle Park and the Off-Street Parking area required adjacent to the office building and public facilities shall be paved.

f. All other Internal Streets and Off-Street Parking Spaces at the Spaces shall be designed and maintained to support the imposed loads of emergency vehicles, Manufactured Homes plus their towing vehicles, and Recreational Vehicles, and shall be provided with a surface so as to provide all-weather driving capabilities. The Streets and Parking Spaces shall be maintained free of cracks, holes, and other hazards.

g. Internal Street dimensions and parking.

1. An Internal Street shall be provided to each Manufactured Home or Recreational Vehicle Space.
2. The Internal Streets shall be continuous and connect with other Internal Streets or with public Streets, or shall terminate with a Cul-de-sac.
3. The minimum required dimensions of an Internal Street are specified in Table 4-10-103.2.

Table 4-10-103.2 – Dimensional Standards for Internal Streets

Width (min)	
Without on-street parking	20 ft
With on-street parking on one side	28 ft
With on-street parking on both sides	37 ft
Cul-de-Sac radius (min)	38.5 ft
Length (max)	
Internal Street	None
Internal Street that ends in a Cul-de-sac	400 ft

Key: min = minimum required | max = maximum allowed | ft = feet

4. Internal Streets shall permit unobstructed access a minimum of 20 feet in width to within at least 150 feet of any portion of each Manufactured Home, Recreational Vehicle, building, and storage area.
5. Within each Manufactured Home Park, all Internal Streets shall be named, and Manufactured Home Spaces numbered to conform with block numbers on adjacent public Streets. All street name signs and house numbers shall be of reflective material. These street signs shall be of a color contrasting with those on public Streets so that there is no confusion regarding which are private and which are public Streets. These signs and

numbers shall be of standard size and placement to facilitate location by emergency vehicles.

6. Internal Streets shall intersect adjoining public Streets at approximately 90 degrees and at locations that will eliminate or minimize interference with traffic on those public Streets.
 7. Off-street Parking Spaces shall be located to eliminate interference with access to parking areas provided for other Manufactured Homes and for public parking in the Manufactured Home Park.
- (3) **Area lighting.** Adequate lighting shall be provided in a manner approved by the Traffic Engineer.
- (4) **Semipublic telephone.** A minimum of 1 semipublic telephone shall be provided in an easily accessible location 24 hours a day, 7 days a week.
- (5) **Recreation Area.** All Manufactured Home Parks shall have at least one (1) Recreation Area located as to be free of traffic hazards, easily accessible to all Manufactured Home Park residents and centrally located where topography permits.
- a. **Extent.** Recreation Areas and facilities, such as playgrounds, swimming pools, and community buildings, shall be provided in an amount that, in the judgment of the Manufactured Home Park Licensee, will meet the anticipated needs of the clientele the Manufactured Home Park is designed to serve.
 - b. **Size.** At least 8% of the gross Manufactured Home Park area shall be devoted to recreational facilities, generally in a central location. Recreation Areas include space for community buildings and community use facilities, such as adult recreation and child play areas and swimming pools, but not including vehicle parking, commercial, maintenance, and utilities areas.
 - c. **Playground location.** When Playground space is provided it shall be so designed as to be protected from traffic, thoroughfares, and parking areas. It should be reasonably accessible to all Spaces. Such playground space shall be maintained in a sanitary condition and free of dangerous conditions and hazards.
- (6) **Utility services and distribution.** Water, sewer, natural gas, and electric utility services to a Manufactured Home Park or Recreational Vehicle Park, the means

of distribution of those utilities within the Park, the utility service connections at each Space, and the provision of utilities to and within buildings and other Structures shall comply with the applicable State and City standards, regulations, and Construction Codes.

- (7) **Buildings and other Structures.** New and existing buildings and other Structures in a Manufactured Home Park or Recreational Vehicle Park shall comply with the Construction Codes.
- (8) **Recreational and cooking fires located outside of buildings.** Cooking shelters, barbecue pits, fireplaces, wood-burning stoves, and incinerators shall be located, constructed, maintained, and used in compliance with the Construction Codes to minimize fire hazards and smoke nuisance, both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities approved by the Fire Marshal. No open fire shall be left unattended. No fuel shall be used that emits dense smoke or objectionable odors.
- (9) **Storage and handling of liquified petroleum gases.** In Parks where liquified petroleum gases are stored or dispensed, their handling and storage shall comply with the requirements of the Fire Code and the Texas Railroad Commission regulations.
- (10) **Refuse and garbage handling.** All refuse and garbage handling shall conform to requirements as specified elsewhere in the Amarillo Municipal Code.
- (11) **Skirting Mobile and/or Manufactured Homes.** All Mobile and Manufactured Homes shall be skirted.
- (12) **Unoccupied, abandoned or unsafe Mobile or Manufactured Homes and Recreational Vehicles.** Unoccupied, abandoned, or unsafe Mobile or Manufactured Homes or Recreational Vehicles located in Manufactured Home or Recreational Vehicle Parks may be abated by the City as specified elsewhere in the Amarillo Municipal Code.
(Ord. No. 6513, § 1, 2-6-2001; Ord. No. 6570, § 1, 11-27-2001)

(e) **Licensing.**

- (1) **License required.** It shall be unlawful for any person to operate any Manufactured Home or Recreational Vehicle Park within the limits of the City unless he holds a valid License issued for the current year by the Building Official. All applications for Licensees shall be made in writing on forms

furnished by the Building Official, who shall issue a License when compliance with this chapter has been achieved.

- (2) **Application for original License.** Application for the original License shall be in writing signed by the Applicant, accompanied by an affidavit of the Applicant as to the truth of the application and by the deposit of the License fee hereinafter provided, and shall contain:
 - a. The name and address of the Applicant;
 - b. The location and legal description of the Park;
 - c. A Plot Plan of the Park showing all Manufactured Home Spaces or Recreational Vehicle Spaces, Structures, roads, walkways and other service facilities;
 - d. Before the original License or renewal License is issued, the Building Official shall inspect the Park for compliance with the provisions of this section.
- (3) **Application for License renewal.** Application for renewal of License shall be made in writing by the Licensee on forms furnished by the Building Official, on or before October 1 of each year. Such application shall contain any change in the information occurring after the original License was issued or the latest renewal granted.
- (4) **License fee.** All original License applications or renewals thereof shall be accompanied by a fee of \$100, plus \$20 for each Manufactured Home Space or Recreational Vehicle Space in the Manufactured Home Park or Recreational Vehicle Park. The original fee shall be prorated on the nearest quarterly basis between the date of the original License and October 1 of the fiscal year. All renewal fees shall be due on October 1, of each year. Failure or refusal to pay a renewal fee by October 1 shall result in assessment and collection of a late fee of \$1.00 per each Manufactured Home or Recreational Vehicle Stand or Park for each day or part thereof the renewal fee is not paid.
- (5) **Licenses not transferable.** Licenses issued under the provisions of this section shall not be transferred. A new License will be issued to any new owner upon compliance with the provisions hereof.
- (6) **Violations, notice; suspension of License.**

- a. Whenever, upon inspection of any Manufactured Home Park or Recreational Vehicle Park, the Building Official, finds that conditions or practices exist which are in violation of applicable provisions of this chapter, he shall give notice thereof to the Licensee. Such notice shall:
 1. be in writing;
 2. include a statement of the reasons for its issuance;
 3. allow a reasonable time for the performance of the act it requires;
 4. be served upon the Licensee of his Agent; provided, that such notice or order shall be deemed to have been properly served upon such Licensee or his Agent when a copy thereof has been sent by mail to his last known address, or when he has been served with such notice by any method authorized or required by the laws of this State; and
 5. contain an outline of remedial action which, if taken, will effect compliance with the provisions of this section.
 - b. Unless such conditions or practices are corrected within a reasonable period of time, the Building Official shall reinspect such Park, requesting assistance from other City departments as may be required. If such conditions or practices have not been corrected, the Building Official shall immediately suspend the License and give notice in writing of such suspension, the Licensee shall cease operation of such Park, except as provided in paragraph (7).
- (7) **Appeals.** Any person affected by any notice that has been issued in connection with the enforcement of any provision of this section by the Building Official may request and shall be granted a hearing on the matter before the City Council, provided that such person shall file within 15 days after the notice was served, in the office of the City Secretary, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. The filing of the request for a hearing shall operate as a stay of the notice and of the suspension. Upon receipt of such petition, the City Secretary shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. (Cary advises that we route the appeal through the Construction Adv. & Appeals Board first.)
- [NOTE: This parenthetical note is in the current code—an internal reference that*

was not deleted prior to codification. TBD whether changes are needed to this paragraph.]

(Ord. No. 6513, § 1, 2-6-2001; Ord. No. 6570, § 1, 11-27-2001; Ord. No. 7188, § 10, 9-15-2009; Ord. No. 7658, § 2, 3-14-2017)

(f) Inspections.

- (1) The Tax Assessor-Collector or City officials are hereby authorized and directed to make such inspections as are necessary to determine compliance with this chapter and other applicable ordinances. Such officials shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter and for the maintenance of utilities, provided that either permission of the owner or occupant has been obtained, or if such owner or occupant refuses or cannot be located after due diligence, that such official has probable cause to believe that a violation of this chapter has occurred and a Search Warrant has been obtained from the Judge of the Municipal Court, based upon an affidavit as to the facts of probable cause.
- (2) The City officials in paragraph (1) above shall have the power to inspect the Register containing a record of all residents of the Manufactured Home Park or Recreational Vehicle Park.
- (3) It shall be the duty of every occupant of a Manufactured Home or Recreational Vehicle in a Licensed Park to give the Licensee, his Agent, or authorized employee access to any part of such Park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this section.
(Ord. No. 6513, § 1, 2-6-2001; Ord. No. 6570, § 1, 11-27-2001)

(g) Responsibilities of park management and park occupants.

- (1) The responsibilities of the Manufactured Home Park and Recreational Vehicle Park management are as follows:
 - a. All responsibilities set out elsewhere in this section as apply to Licensee or his Agent.
 - b. The Licensee or his Agent shall operate the Park in compliance with this section and other applicable ordinances and shall provide adequate

- supervision to maintain the Park, its facilities and equipment in good repair and in a clean and sanitary condition.
- c. The Licensee or his Agent shall notify each and every Park Occupant of all applicable provisions of this section and inform them of their duties and responsibilities hereunder.
 - d. The Licensee or his Agent shall maintain a Register of the Park occupancy which shall contain the following information:
 1. Name and Space number of all Park residents;
 2. Make and model of all Recreational Vehicles and the vehicle license number.
 3. Location of each Mobile and Manufactured Home and Recreational Vehicle within the Park by Space number.
- (2) The Licensee or his Agent shall furnish to the Tax Assessor-Collector for the City within 10 days after January 1 of each year a list of all Mobile or Manufactured Homes in the Park on January 1. The list shall contain the owner's name and address; the make, length, width, year of manufacture and identification number of the Mobile or Manufactured Home; and the location of each Mobile or Manufactured Home within the Park. Such lists shall be prepared using forms provided by the Tax Assessor-Collector.
- (3) The responsibilities of Manufactured Home Park and Recreational Vehicle Park Occupants shall be as follows:
- a. All responsibilities set out elsewhere in this section.
 - b. The Park Occupants shall comply with all requirements of this section and shall maintain his Space and its facilities and equipment in good repair and in a clean, sanitary condition.
 - c. The Park Occupant shall be responsible for proper placement of his Manufactured Home or Recreational Vehicle on its Space and proper installation of all utility connections in accordance with the instructions of the Park management.

d. Skirting, porches, awnings and other additions, when installed, shall be maintained in good repair. The use of space immediately underneath a Mobile or Manufactured Home for storage shall be permitted only under the following conditions:

1. The storage area shall have a base of impervious material.
2. Stored items shall not interfere with the inspection of the Mobile or Manufactured Home nor constitute a fire hazard.
(Ord. No. 6513, § 1, 2-6-2001; Ord. No. 6570, § 1, 11-27-2001)

(h) Application of section.

(1) Except as hereinafter provided in paragraph (2) below, the provisions of this section shall apply to all Manufactured Home Parks and Recreational Vehicle Parks established or created subsequent to the effective date hereof (2/6/01). Any reconstruction, alteration, extension or expansion of any existing Manufactured Home Park, or Recreational Vehicle Park shall be in full conformity with all provisions of this section.

(2) Except as set forth in paragraph (1) above, the provisions of subsections (c) and (d) shall not apply to Manufactured Home Parks, and Recreational Vehicle Parks in existence upon the effective date hereof (2/6/01).
(Ord. No. 6513, § 1, 2-6-2001; Ord. No. 6570, § 1, 11-27-2001)

Sec. 4-10-104.- Mobile Food Units.

(a) **License Required.** All Mobile Food Units: must be licensed by the Environmental Health Officer or designated health authority and shall meet all of the requirements of Amarillo Municipal Code Sec. 8-5-21.c, *Mobile Food Units requirements*;

(b) **Lighting.** Exterior lighting must be hooded or shielded so that the light source is not directly visible to a residential use.

(c) **Signs.** A Mobile Food Unit is limited to signs attached to the exterior of the mobile unit. The signs must:

- (1) Be secured and mounted flat against the Mobile Food Unit; and
- (2) Not project more than 6 inches from the exterior of the Mobile Food Unit.

(d) **Trash.** During business hours, the permit holder shall provide a trash receptacle for use by customers and must keep the area around the Mobile Food Unit clear of litter and debris at all times.

Sec. 4-10-105.- Outdoor Retail Displays.

(a) **Applicability.** This section applies to all Outdoor Retail Display Uses. This section does not apply to Outdoor Storage Uses which are subject to the Use Regulations in Sec. 4-10-106.

(b) **Outdoor Retail Display areas designated on Site Plan.** The Outdoor Retail Display area shall be designated as such on the Site Plan. No Outdoor Retail Display is allowed in other areas.

(c) **Location.** Outdoor Retail Displays shall:

(1) Be located to the side or rear of the Main Building and

(2) Not be located within an ADA accessible route, landscaped area, right-of-way, or required parking space.

Sec. 4-10-106. - Outdoor Storage.

(a) **Applicability.** This section applies to all Principal and Accessory Outdoor Storage Uses. This section does not apply to Outdoor Retail Display Uses, which are subject to the Use Regulations in Sec. 4-10-104.

(b) **Unscreened Outdoor Storage.** Unscreened Outdoor Storage is permitted in the I-2 District, if the Outdoor Storage area does not:

(1) Intrude into a public right-of-way or

(2) Impair visibility at any intersection (see *Sec. 16-3-76, Prohibited Structures and Growth*).

(c) **Screened Outdoor Storage.** Outdoor Storage is permitted in the HC and I-1 Districts, if the Outdoor Storage area is enclosed by a fence, wall, or other visual barrier that complies with the specifications of *Article IV, Division 3, Landscaping and Screening*.

(d) **Outdoor Storage areas designated on Site Plan.** All Outdoor Storage areas shall be designated as such on the Site Plan. Outdoor Storage is not permitted in areas not designated for Outdoor Storage on the approved Site Plan.

Sec. 4-10-107. - Pet Care Services.

(a) **Types of Pet Care Services.** Pet Care Services include, but are not limited to, dog daycare, pet grooming, and pet training; For the purposes of this section, Pet Care Services does not include Veterinary Services or Kennels.

(b) **Regulations applicable to all types of Pet Care Services.**

(1) **Fully enclosed Building.**

- a. **Services.** All services shall be conducted from within a fully enclosed Building, with the exception of an outdoor fenced area [see paragraph (b)(2)].
- b. **Structural requirements.** The Structure for the Pet Care Service shall be subject to the following conditions:
 1. The Structure must be provided with appropriate mechanical ventilation with continual filtration of all exhaust air and sanitation mechanisms to prevent odor and unsanitary facilities for the animals.
 2. There may be no openings in the walls or roof of any portion of the Structures used for a Pet Care Service unless such openings are stationary windows or required means of egress.
 3. All Buildings where animals will be accommodated shall be soundproofed such that no animal noises will be audible from a Property Line.

(2) **Outdoor fenced area.** The outdoor fenced area, if provided, shall:

- a. Be surrounded by a sight-obscuring fence:
 1. With acoustic materials on the inside of the fence to help reduce noise;
 2. That does not exceed the height permitted by the underlying Zoning District; and
 3. Provides full containment for the dogs.

- b. Be deep enough and secured to the ground to prevent escape and high enough to prevent dogs from jumping or climbing over;
 - c. Be located no closer than 300 feet from any Structure that contains a Dwelling Unit and no closer than 100 feet from all other Structures;
 - d. Be cleaned daily and feces shall be properly disposed;
 - e. Have a concrete floor surface or other durable impervious material, which may be covered with turf grass, artificial turf, rubber safety surfaces, or other resilient materials; Be surrounded on the exterior of the fence by a landscaping strip consisting of pea gravel or other approved gravel material and shall be a minimum of three feet in width. The graveled area shall be surrounded by a landscaping strip consisting of grass and sight-obscuring trees and shall be a minimum of seven feet in width;
 - f. Be provided with proper surface drainage, subject to the City's Storm Water Management Criteria Manual; and
 - g. In the NS District, shall not exceed 300 square feet in area.
- (c) **Limited boarding permitted.** Limited indoor boarding of animals may be provided at a Pet Care Service.
- (d) **Additional pet grooming regulations.** Pet grooming is permitted subject to the following additional conditions:
- (1) No operations, including dog runs or recreation areas, are conducted outdoors;
 - (2) If the use is located less than 100 feet from any residential Zoning District, the Building is sound attenuated such that the sound is not audible at the residential Property Line; and
 - (3) If the Use is located in a multi-tenant Building, ventilation systems are installed to prevent odors and allergens from circulating to other parts of the Building.

Sec. 4-10-108.- Recycling Facilities.

- (a) **Applicability.** This section applies to all Recycling Collection Facilities and Receiving Centers for Recyclable Items.

(b) **Recycling Collection Facility.** The facility must be operated indoors with no outdoor storage or collection bins, except when located in an I-2 District.

(c) **Receiving Center for Recyclable Items.** A Receiving Center for Recyclable Items shall comply with the following requirements:

- (1) The facility shall not exceed 320 square feet in Floor Area.
- (2) All operations of the receiving center such as collection, weighing, and storage shall be contained within the facility by manned attendant during business hours or automated within a fully enclosed Structure.
- (3) No Outdoor Storage is allowed.
- (4) Centers utilizing trailers or other mobile equipment must provide solid brick veneer fencing of the undercarriage when it can be viewed from a street. Exterior lighting shall be provided to illuminate both sides of the required fencing.
- (5) Daily maintenance of the site and facility to remove trash and debris and spraying for pest control and odor on a weekly basis is required.
- (6) The location of the facility shall be limited to a paved Lot containing a permanent Structure(s) and shall meet all Yard Setback requirements for a Non-Residential Main Building. Placement of the facility on such a Lot must be located:
 - a. At the side of an existing Structure(s) that does not have Street frontage;
 - b. A site not allowing compliance with subsection subparagraph a., above, may be located between the side of an existing Structure(s) and a Street;
 - c. Should neither condition in subparagraph a. or b. exist, the facility may then be located between the front of an existing Structure(s) and a Street.
- (7) Any noise produced by the facility's operation shall not exceed 78 dB at any of the property lines.
- (8) When placed on an existing parking lot, it shall not create a deficit in minimum Off-Street Parking spaces.

Sec. 4-10-109. – Self-Storage Facilities.

- (a) **Maximum unit size.** The maximum area of a single storage unit is 300 square feet.
- (b) **Outdoor Storage and storage of hazardous materials prohibited.** Outdoor Storage or storage of explosives, flammable materials, or materials emitting noxious odors is prohibited.
- (c) **Self-Storage Facilities in the GR District.** A Self-Storage Facility located in the GR District shall be designed to more closely resemble an office or retail building than a warehouse. All individual storage units shall be accessed via internal hallways within a secured Building.

Sec. 4-10-110. Shooting Ranges.

- (a) The design, construction, and operation of a Shooting Range (Indoor or Outdoor) shall comply with the latest edition of the National Rifle Association Range Source Book.
- (b) No noise shall be perceptible beyond the Property Line of an Indoor Shooting Range.
- (c) An Outdoor Shooting Range at which only shotguns, air rifles or pistols, or BB guns are discharged shall be located:
 - (1) On a Lot with a minimum area of 10 acres;
 - (2) At least 150 feet from a Dwelling Unit or occupied Building located on another Lot. This measurement is taken from the nearest point of the firing line to the Dwelling Unit or Building to the Dwelling Unit or Building; and
 - (3) in a manner not reasonably expected to cause a projectile to cross the Lot Line.
- (d) An Outdoor Shooting Range at which center fire or rim fire rifles or pistols of any caliber may be discharged shall be located:
 - (1) On a Lot with a minimum area of 50 acres;
 - (2) At least 300 feet from a Dwelling Unit or occupied Building located on another Lot. This measurement is taken from the nearest point of the firing line to the Dwelling Unit or Building to the Dwelling Unit or Building; and
 - (3) in a manner not reasonably expected to cause a projectile to cross the Lot Line.

Sec. 4-10-111.- Stables (Private).

All Stables (Private) shall meet the minimum Setback and Area requirements specified in Table 4-10-111.1, in addition to any applicable requirements of Sec. 4-10-87, Accessory Uses and Buildings.

Table 4-10-111.1 - Setback and Area Requirements for Stables (Private)	
Setbacks (min)	
Front	50 ft
Side (Internal)	20 ft
Side (Street)	20 ft
Rear	20 ft
Stable Area (min)	100 sf for each horse stabled

Key: min = minimum required | ft = feet | sf = square feet

(Code 1960, § 26-15(B))

Sec. 4-10-112. - Swimming Pools (Private).

All Private Swimming Pools shall:

- (1) Meet the Setback requirements in Table 4-10-87.1 and
- (2) Be fenced in accordance with Building Code regulations.

Sec. 4-10-113. - Temporary Uses and Structures.

(a) **Purpose.** Temporary Uses and Structures are allowed in accordance with the provisions of this section, which are intended to:

- (1) Minimize or mitigate potential negative impacts of such Uses and Structures on the surrounding area and
- (2) Provide safe and convenient access to permitted Temporary Uses and Structures.

(b) **Exemptions.** The following uses are exempt from the requirements of this section:

- (1) Lawful picketing and demonstrations; and
- (2) Weddings, receptions, parties, and similar private, non-commercial events held on private property.

(c) Site Plan Approval Required.

- (1) Except as otherwise provided in this section, all Temporary Uses require approval of a Site Plan prior to establishment of the Use. In addition to the requirements in *Article V, Division 2*, the Site Plan shall depict the following items as applicable:
 - a. Location of the Temporary Use and associated Temporary Structures;
 - b. Location of permanent Structures;
 - c. Location and number of parking spaces;
 - d. Location of vehicular access(es) to the site;
 - e. Type, size, and location of all temporary signs associated with the Temporary Use or Structure;
 - f. Location and description of all temporary lighting;
 - g. Location of restroom facilities; and
 - h. Method of solid waste disposal.
- (2) For temporary Uses where the Applicant anticipates minimal or no resulting impact on surrounding properties, the Planning Director may waive any or all of the Site Plan submittal requirements. In making this determination, the Planning Director shall consider the factors listed below and shall provide a written notice of decision identifying the basis of the decision:
 - a. Nature of the proposed Temporary Use;
 - b. Location of the proposed site;
 - c. Use of surrounding properties;
 - d. Capacity of the transportation network to adequately serve the proposed Temporary Use; and
 - e. Public safety.

(d) Parking for Temporary Uses and Structures.

- (1) For all Temporary Uses and Structures requiring Site Plan approval, parking shall be provided in the amounts specified in *Article IV, Division 5*.
- (2) Based on the operational characteristics of the proposed Temporary Use or Structure, the Planning Director may require additional or fewer parking spaces as needed to adequately serve the Use or Structure.
- (3) Parking may be located on the same site as the Temporary Use or Structure, or may be located off-site if:
 - a. The off-site parking area provides safe pedestrian access to the site on which the Temporary Use or Structure is located, and
 - b. The property owner provides written permission.
- (4) All other Off-Street Parking requirements are not applicable to Temporary Uses and Structures.

(e) Lighting for Temporary Uses and Structures. Lighting associated with a Temporary Use or Structure shall be shielded or directed away from adjoining properties and streets in order to minimize light trespass and glare.

(f) Signs for Temporary Uses and Structures. Signs associated with a Temporary Use or Structure are subject to the provisions of *Article IV, Division 8*, as applicable.

(g) Temporary Structures. Temporary Structures shall meet all applicable Building and Fire Code requirements.

(h) Schedule of Temporary Uses and Structures. Temporary Uses and Structures are allowed for the length of time and in the locations specified in Table 4-10-113.1, provided the Use complies with all applicable Supplemental Regulations for Specific Temporary Uses and other provisions of this section.

Table 4-10-113.1 – Schedule of Temporary Uses and Structures

Temporary Use or Structure	Supplemental Regulations?	Site Plan Approval Required?	Maximum Duration of Use (per site)	Permitted Location(s)
Alcoholic beverages sales	Yes	Yes	4 days	All Districts
Asphalt or Concrete Batching Plant	Yes	Yes	1 year ¹	All Districts
Field or Construction Office	Yes	Yes	Until completion of associated construction project	All Districts
Off-Premises Sales (other than Seasonal Sales)	No	Yes	3 consecutive days per sale; up to 4 sales per calendar year	GR, LC, HC, I-1, I-2
Outdoor Promotional Event	Yes	Yes	3 consecutive days per event; up to 4 events per calendar year	All Districts, if the event is located on the same site as the promoting business(es)
Parking area	<i>See Article IV, Division 5, Parking and Loading</i>	Permit required for associated Temporary Use	Same as associated Temporary Use	All Districts, if the temporary parking area serves a permitted Temporary Use
Portable Storage Container	No	No	Up to 60 cumulative days per calendar year	All Districts
Seasonal Sales - roadside agricultural and produce stand	Yes	Yes	90 consecutive days or 6 cumulative months per calendar year	A, E, NS, GR, LC, CB, HC, I-1, and I-2 Districts
Seasonal Sales - Christmas trees or pumpkins	No	Yes	45 consecutive days per calendar year	All Districts
Special Event on private property	Yes	Yes	14 consecutive days; up to 10 events per calendar year	A, MF, O, NS, GR, CB, LC, HC, I-1, and I-2 Districts
Special Event on public property	Yes	Yes	3 consecutive days per event	Publicly-owned facilities in any District

Table 4-10-113.1 – Schedule of Temporary Uses and Structures

Special Event requiring closure of a public right-of-way	See <i>Amarillo Municipal Code Chapter 16-3, Article VI</i>			Public street, alley, or sidewalk
Topsoil, Earth or Stone Storage	Yes	Yes	1 year ¹	A, I-1, I-2
Weddings, receptions, parties, and similar events held on private property not owned by the event's host	No	Yes	2 consecutive days per event; up to 4 events per calendar year	All Districts
Yard Sale	No	No	2 days per sale; up to 4 sales per calendar year	All Districts, if the Lot contains an occupied Dwelling Unit

¹Prior to expiration of the original 1-year timeframe, the Applicant may request an extension of up to 12 additional months for the Use. The request must be made in writing, and the Applicant must demonstrate a continued need for the Use at the present location.

(i) Unlisted Temporary Uses and Structures.

(1) The Planning Director shall determine whether a proposed Temporary Use or Structure not otherwise listed in Table .1 is compatible with the particular Zoning District in which it is proposed, based on the following criteria:

- a. Whether the Temporary Use or Structure meets the purpose and intent of the Zoning District in which it is proposed to be located;
- b. Whether the Temporary Use or Structure is allowed as a Principal Use in the Zoning District in which it is proposed to be located;
- c. Whether the Temporary Use or Structure is prohibited by other City codes or ordinances (for example, the Fire Code prohibits fireworks sales in the City);
- d. Whether the Temporary Use or Structure is compatible with other Uses allowed in the Zoning District in which it is proposed to be located;

- e. Whether similar Temporary Uses or Structures are permitted in the same Zoning District; and
- f. Whether similar Temporary Uses or Structures have Supplemental Use Regulations that should be applied to the proposed Use.

(2) The Planning Director's determination shall be reduced to a memorandum maintained in the files of the Planning and Development Services Department and copies provided to the Applicant, Fire Marshall, Environmental Health Director, and City Building Official.

(j) Supplemental Regulations for Specific Temporary Uses.

(1) Alcoholic Beverages Sales.

- a. **License required.** In addition to the Site Plan approval required by this section, all Temporary Uses that involve Alcoholic Beverage Sales require issuance of a license by the Environmental Health Department.
- b. **Consumption of alcoholic beverages.** The alcoholic beverages may be sold for consumption on or off the premises.
- c. **Alcohol content.** The content of the alcoholic beverages offered for sale shall not exceed 17% alcohol by volume.
- d. **Fencing.** Areas where alcoholic beverages are sold shall be enclosed with temporary fencing to prevent access by underage persons.
- e. **Compliance with other regulations.** The Use must comply with:
 - 1. All applicable Texas Alcoholic Beverage Code regulations; and
 - 2. *Amarillo Municipal Code, Chapter 10-3, Article IV (Offenses Involving Public Peace and Order)*; and
 - 3. *Chapter 16-3, Article VI (Special Street Uses)*, if applicable.

(2) Asphalt or Concrete Batching Plant.

- a. Temporary Asphalt or Concrete Batching Plants are allowed in all Districts.

- b. In all Districts other than I-2, the establishment of a temporary Asphalt or Concrete Batching Plant requires approval of a Specific Use Permit by City Council in accordance with Sec. 4-10-221.

(3) Field or Construction Office.

- a. **Occupancy.** A Temporary Field or Construction Office may be established on the site of a construction project, provided the office is occupied only by representatives of the construction company or companies conducting work on the construction site.
- b. **Compliance with other regulations.** Temporary Field or Construction Offices must comply with all applicable Building Code regulations; *Chapter 4-8, Flood Damage Mitigation*; and all federal, state and local laws.
- c. **Removal.** A temporary Field or Construction Office must be removed:
 - 1. Upon completion of the construction project, or
 - 2. Upon issuance of an order by the Building Official.

(4) Outdoor Promotional Event. Activities associated with an Outdoor Promotional Event shall not be located within an ADA accessible route, landscaped area, right-of-way, or required parking space.

(5) Seasonal Sales – roadside agricultural and produce stand.

- a. **Size.** The stand's total covered area shall not exceed 1,500 square feet.
- b. **Parking.** The stand and all associated parking shall be located completely outside the public right-of-way.
- c. **Time extension.** An additional 3-month period for the sale of seasonal items can be requested no later than 20 business days prior to the expiration of the original 6-month permitted timeframe for staff to review and consider the extension request.
- d. **Exemption.** Individuals who grow and sell their produce and home-processed goods on property in their ownership are exempt from the timeframe provisions of this section.

- e. **Compliance with other regulations.** These regulations are cumulative and in addition to other codes and regulations that may be applicable to the Lot and the facilities associated with the seasonal operations of the vendor.

(6) Special Events located on public or private property.

a. Special Event plan required.

1. All Special Events require the Applicant to submit a Special Event plan in conjunction with a Site Plan Application.
2. The Special Event plan shall include, at a minimum, the following items as applicable:
 - i. Description of the proposed event and associated activities;
 - ii. Anticipated number of attendees/participants;
 - iii. Emergency access and public safety plan;
 - iv. Letter(s) of coordination from other departments or agencies, as applicable, including, but not limited to: Police Department, Fire Marshal, Environmental Health Department, private sanitation or solid waste collection company, and/or as requested by the Planning Director.

b. Special Events that are open to the public.

1. All Special Events, whether located on public or private property, require approval by the Environmental Health Department if they are open to the general public (whether or not an entrance fee is required).
2. Applicants may submit the Environmental Health Department's required Special Community Events Planning Application online:
<https://www.amarillo.gov/departments/community-services/environmental-health/special-events-information/special-events-application>

c. Special Events that require temporary closure of a public right-of-way.

Any Special Event that requires the temporary closure of a public street, alley,

or sidewalk must comply with *Amarillo Municipal Code Chapter 16-3, Article VI*, in addition to all applicable provisions of this section.

- (7) **Topsoil, Earth, or Stone Storage.** In addition to the Site Plan approval required by this section, the temporary storage of topsoil, earth, masonry, or stone requires issuance of a permit by the City Director of Public Works. The permit shall:
- a. Provide requirements for location, duration, fencing and leveling of material, and maintenance of the site; and
 - b. Require immediate removal of the stored materials for violation of any provisions of the permit.

Sec. 4-10-114.- Urban Agriculture.

(a) **Applicable to All Types of Urban Agriculture.** The following standards apply to all Urban Agriculture land uses including Community Gardens, Market Gardens, and Urban Farms.

- (1) The land shall be served by a water supply sufficient, as determined by the City, to support the cultivation practices used on the site.
- (2) All site drainage must be retained on-site and be in accordance with the Storm Water Management Criteria Manual.
- (3) Accessory Structures such as Farm Stands, Greenhouses, storage sheds, and hydroponic and aquaponics system enclosures may collectively occupy up to a maximum of one-third of the total available garden or farm area.
- (4) Gates, Fences, and Walls shall be provided in accordance with *Section 4-10-146, Fences and Walls*.
- (5) Signs are permitted in accordance with *Article 4, Division 8, Signs*.
- (6) The Planning Director shall require Off-Street Parking if there is not adequate on-street parking available. Parking areas and access drives shall be surfaced with durable materials (such as concrete, asphalt, compacted crushed stone) and shall be treated to control dust as necessary.
- (7) Hours of operation shall be between 6:00 AM – 10:00 PM.

(8) Composting facilities are allowed, provided that they:

- a. Are of a type that minimizes odors and fire risks;
- b. Are used to compost only organic wastes that are generated by the urban agricultural land use;
- c. Are in accordance with the Setback regulations for Accessory Structures (See *Section 4-10-87, Accessory Uses and Structures*)
- d. Are surrounded with a fence or other appropriate enclosure to prevent migration of compost materials due to wind, slope, or water-based erosion;
- e. Do not exceed 5 feet in height if they are to be located less than 50 feet from a public right-of-way; and
- f. Do not exceed 3.5 feet in height within 3 feet of any building entry;
- g. Do not exceed 20 cubic yards of composting materials on site at any given time.

(9) Community Gardens, Market Gardens, and Urban Farms may be located on otherwise vacant properties, and shall be deemed the Principal Use until such time that the parcel is developed in accordance with this Chapter. At that time, the subject Community Garden, Urban Farm, or Market Garden shall be deemed an Accessory Use.

(b) Community Gardens.

(1) **General regulations.** Community Gardens shall:

- a. Be made accessible to the general public;
- b. Be operated so as not to create a nuisance condition for adjacent properties due to vibration or odor; and
- c. Be kept free of debris at all times;

(2) **Setbacks.** All garden plots shall be in accordance with the setback standards of *Sec. 4-10-87- Accessory Uses and Buildings.*

- (3) **Design and use.** If garden plots are assigned to individuals, the plots shall be bounded in a manner that provides for separation and identification of individual plots.
- (4) **Maintenance plan.** The Applicant shall provide a maintenance plan to the City that includes:
 - a. Contact information for a person or entity that is ultimately responsible for the management and maintenance of the garden; and
 - b. A description of how necessary operation and maintenance activities will be provided and funded (e.g., irrigation system upkeep, trash removal, maintenance of composting systems, payment of water and insurance bills, maintenance of landscaped areas outside of garden plots, etc.).

(c) **Market Gardens.**

- (1) **Site Area.** The site area for a Market Garden shall be not more than 1 acre.
- (2) **Dwelling Units.** The number of Dwelling Units allowed on a site may not exceed the number of Dwelling Units allowed under the base Zoning District regulations.
- (3) **Character.** The residential character of the Lot and Dwelling must be maintained. This is to be accomplished by providing no amenities that easily identify the property as having a commercial business on the premise.
- (4) **Livestock.** Raising of fowl, rabbits, and aquatic foods using aquaponic systems is permitted in accordance with Chapter 8-2, *Animals and Fowl*, of the Amarillo Municipal Code. On-site slaughtering, processing, or composting of animals is strictly prohibited.
- (5) **Sale of products produced on-site.** Agricultural products produced on-site may be sold or donated from the site or distributed off-site to buyers or donation recipients. On-site Farm Stands are not permitted. Sales must be conducted out of sight of the general public on the property. No more than three customer-related trips per day are permitted.
- (6) **Employees.** In Residential Districts, employees are permitted in accordance with *Sec. 4-10-99- Home Occupations.*

- (7) **Water conservation.** Water conservation practices must be followed, and aquaponics and hydroponic operations are permitted in accordance with Section 4-5-30, *Water Conservation*, of the Amarillo Municipal Code.

(d) **Urban Farms.**

- (1) **Site Area.** The site area for an Urban Farm shall be not less than one acre and not more than 5 acres.
- (2) **Dwelling Units.** The number of Dwelling Units allowed on a site may not exceed the number of Dwelling Units allowed under the base Zoning District regulations.
- (3) **Character.** The residential character of the Lot and Dwelling must be maintained. This is to be accomplished by providing no amenities that easily identify the property as having a commercial business on the premise.
- (4) **Livestock prohibited.** Raising livestock is prohibited notwithstanding Chapter 8-2, *Animals and Fowl*, of the Amarillo Municipal Code.
- (5) **Sale of products produced on- and off-site.** Agricultural and value-added agricultural products raised by the local farmer or produced within the State of Texas may be sold or donated from the site or distributed off-site to buyers or donation recipients. Agricultural products and value-added agricultural products produced off-site by someone other than the local farmer cannot exceed 20 percent of the retail space by area.
- (6) **Employees.** In Residential Districts, employees are permitted in accordance with *Sec. 4-10-99- Home Occupations*.
- (7) **Water Conservation.** Water conservation practices must be followed, and aquaponics and hydroponic operations are permitted in accordance with Section 4-5-30, *Water Conservation*, of the Amarillo Municipal Code.

Sec. 4-10-115. - Reserved.

Sec. 4-10-116. - Reserved.

Sec. 4-10-117. - Reserved.

Sec. 4-10-118. - Reserved.

Sec. 4-10-119. - Reserved.

Sec. 4-10-120. - Reserved.

Sec. 4-10-121. - Reserved.

Sec. 4-10-122. - Reserved.

Sec. 4-10-123. - Reserved.

Sec. 4-10-124. - Reserved.

Sec. 4-10-125. - Reserved.

Sec. 4-10-126. - Reserved.

Sec. 4-10-127. - Reserved.

Sec. 4-10-128.- Reserved.

Sec. 4-10-129.- Reserved.