

ARTICLE IV. DISTRICT REGULATIONS*

***State law references:** District regulations authorized, V.T.C.A., Local Government Code § 211.005.

DIVISION 1. GENERALLY

Sec. 4-10-81. Compliance required.

All land and Structures thereon shall be used in compliance with the Zoning Regulations prescribed for the Zoning District in which such land is located.
(Code 1960, § 26-7)

Sec. 4-10-82. Use of land and buildings.

No land shall hereafter be used and no Structure or appurtenance shall hereafter be erected, altered, converted or modified for other than those uses specified for the District in which it is located as set forth by the following Schedule of Uses:

A Legend for Interpreting Schedule of Use

A – LEGEND FOR INTERPRETING SCHEDULE OF USE	
	Designates use permitted in district indicated
	Designates use prohibited in district indicated
S	Indicates use may be approved as Specific Use Permit

CHAPTER 4-10, ZONING

Type Use	SIC Code	A	R-1	R-2	R-3	MD	MF-1	MF-2	MH	O-1	O-2	NS	GR	LC	CB	HC	I-1	I-2	PD
		Agricultural District	Residential District 1	Residential District 2	Residential District 3	Moderate Density District	Multiple Family District 1	Multiple Family District 2	Manufactured Home District	Office District 1	Office District 2	Neighborhood Service District	General Retail District	Light Commercial District	Central Business District	Heavy Commercial District	Light Industrial District 1	Heavy Industrial District 2	Planned Development District
B – PRIMARY RESIDENTIAL USES																			
One-Family Housing Unit (Detached) (1)	9999																		
One-Family Housing Unit (Attached) (2)	9999																		
Two-Family Housing Unit (3)	9999																		
Multiple-Family Housing (4)	6513																		
Group Living Quarters (5)	7021 7041																		
Bed and Breakfast Inn (5a)	7011																		
Hotel or Motel (6)	7011																		
Hotel or Motel With Associated Uses (7)	7011																		
Manufactured Home (Type A) (8a)	9999	S	S				S												
Manufactured Home (Type B) (8b)	9999	S	S	S	S	S	S												
Manufactured Home (Type C) (8c)	9999																		
Industrialized Housing (8d)	9999																		
Manufactured Home Park (9)	6515																		
Manufactured Home Subdivision (10)	9999																		
Recreational Vehicle Park (11)	7033																		

CHAPTER 4-10, ZONING

Type Use	SIC Code	A	R-1	R-2	R-3	MD	MF-1	MF-2	MH	O-1	O-2	NS	GR	LC	CB	HC	I-1	I-2	PD
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C - ACCESSORY AND INCIDENTAL USES																			
Accessory Building (12a & 12b)	9999																		
Carport (12c)	3448	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Farm Accessory Building (13)	9999																		
Home Occupation (14)	9999																		
Off-Street Parking Incidental to Main Use (15)	9999																		
Servants or Caretakers Quarters (16)	9999																		
Swimming Pool (Private) (17)	9999																		
Temporary Field Office or Construction Office (18)	1500																		

CHAPTER 4-10, ZONING

Type Use	SIC Code	A Agricultural District	R-1 Residential District 1	R-2 Residential District 2	R-3 Residential District 3	MD Moderate Density District	MF-1 Multiple Family District 1	MF-2 Multiple Family District 2	MH Manufactured Home District	O-1 Office District 1	O-2 Office District 2	NS Neighborhood Service District	GR General Retail District	LC Light Commercial District	CB Central Business District	HC Heavy Commercial District	I-1 Light Industrial District 1	I-2 Heavy Industrial District 2	PD Planned Development District
D - UTILITY AND SERVICE USES																			
Electrical Substation (19)	4911		S	S	S	S	S	S	S										
Electrical Energy Generating Plant or Wind Generator	4911	S											S						
Electrical Transmission Line	4911																		
Fire Station	9224																		
Gas Line and Regulating Station	4923																		
Local Utility Line (20)	4939																		
Public Building Shop or Yard of Local, State, or Federal Agency (21)	9199	S	S	S	S	S	S	S	S	S	S	S	S						
Public Building, Office of Local, State, or Federal Agency (22)	9100	S	S	S	S	S	S	S	S	S									
Radio, Television or Microwave Station	4832 4833	S	S	S	S	S	S	S	S	S	S	S							
Radio or Television Transmitting Station	4832 4833	S																	
Sewage Pumping Station	4952																		
Sewage Treatment Plant	4952	S											S		S				
Communication and Broadcast Towers (24)	4812																		
Utility Shops or Storage Yards or Buildings (Private)	4900	S											S						
Water Standpipe or Elevated Water Storage	4941																		
Water Reservoir, Well, or Pumping Station	4941																		
Water Treatment Plant	4941	S											S						

CHAPTER 4-10, ZONING

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E - RECREATIONAL AND ENTERTAINMENT USES																			
Adult Business (24a)	8999																		
Topless Establishment (24b)																			
Amusement, Commercial (Indoor) (25)	7900	S																	
Amusement, Commercial (Outdoor) (26)	7900	S																	
Carnival or Circus (Temporary)	7999																		
Country Club (Private) (27)	7997		S	S	S	S	S	S	S										
Dance Hall or Night Club (28)	7911												S						
Day Camp For Children (29)	7999																		
Drag Strip or Commercial Racing	7948	S																	
Go-Cart Track	7999	S														S			
Golf Course (Commercial) (30)	7992	S											S						
Park or Playground (Public) (31)	7992 7999																		
Playfield or Stadium (Public) (32)	7941 7999																		
Riding Club (33)	7997	S																	
Rodeo Grounds	7999	S												S					
Roller or Ice Skating Rink	7999	S											S						
Sports Club Other Than Listed	7997	S						S		S	S								
Swim or Tennis Club	7997	S	S	S	S	S	S	S	S	S	S								
Swimming Pool (Commercial) (34)	7999	S										S							
Theater or Playhouse in Building	7832 7922	S								S	S								
Theater (Drive-In)	7833	S																	
Zoo (Private) (35)	8422	S												S					
Zoo (Public) (36)	8422	S												S					

CHAPTER 4-10, ZONING

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F – EDUCATIONAL AND INSTITUTIONAL USES																			
Art Gallery or Museum (37)	8412																		
Cemetery or Mausoleum	6553	S								S	S	S	S	S	S	S	S	S	
Church or Rectory (38)	8661																		
College or University (39)	8221		S	S	S	S	S		S										
Community Center (Public) (40)	8322																		
Criminal Justice Halfway House (40a)	8361															S	S	S	
Day Care Center (41)	8322 8351				S														
Family Day Care Home (42)	8322 8351																		
Public or Denominational Day Care (43)	8322 8351																		
Family Care Facility for Children (44)	8361	S	S	S	S	S													
Group Care Facility for Children (45)	8361					S	S	S											
Fairgrounds or Exhibition Area	7999	S																	
Fraternity, Sorority, or Membership Association (46)	8641					S	S			S									
Institution of Religious, Charitable, or Philanthropic Nature	8641	S	S	S	S	S	S	S	S	S	S								
Halfway House (48)	8361																		
Hospital (49)	8060																		
Library (Public)	8231	S	S	S	S														
School, Business (53)	8244										S								
School, Commercial Trade (54)	8249																		
School, Private, Elementary, or Secondary (55)	8211		S	S															
School, Public or Denominational (56)	8211																		
Shelter (56a)	8361																		

CHAPTER 4-10, ZONING

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		Agricultural District	Residential District 1	Residential District 2	Residential District 3	Moderate Density District	Multiple Family District 1	Multiple Family District 2	Manufactured Home District	Office District 1	Office District 2	Neighborhood Service District	General Retail District	Light Commercial District	Central Business District	Heavy Commercial District	Light Industrial District 1	Heavy Industrial District 2	Planned Development District
G – TRANSPORTATION RELATED USES																			
Airport or Landing Field (57)	4581												S						
Bus Station or Terminal	4173																		
Hauling or Storage Company	4214																		
Helicopter Base (58)	4581																		
Heliport (59)	4581	S									S								
Helistop (60)	4581	S									S	S							
Motor Freight Terminal	4231																		
Railroad Freight Terminal	4013																		
Railroad Passenger Station	4013																		
Railroad Track or Right of Way (61)	4010																		
Railroad Team Track (62)	4010																		
Railroad Yard or Roundhouse	4013																		
Parking Lot or Structure (Commercial Auto) (63)	7521									S	S								
Parking Lot, Truck/Truck Stop (64)	5541 7521																		

CHAPTER 4-10, ZONING

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		Agricultural District	Residential District 1	Residential District 2	Residential District 3	Moderate Density District	Multiple Family District 1	Multiple Family District 2	Manufactured Home District	Office District 1	Office District 2	Neighborhood Service District	General Retail District	Light Commercial District	Central Business District	Heavy Commercial District	Light Industrial District 1	Heavy Industrial District 2	Planned Development District	
H – AUTOMOBILE SERVICE USES																				
Auto Glass, Muffler, or Seat Cover Shop	7533 7536												S							
Auto Laundry	7542																			
Auto Parts and Accessory Sales (Indoors)	5531																			
Auto Parts and Accessory Sales (Outdoor Display)	5531																			
Auto Painting or Body Rebuilding Shop	7532																			
Automobile Repair Garage	7538																			
Auto Storage or Auto Auction	4226 5012																			
Service Station or Auto Tune-up Shop (65)	5541 7549																			
Limited Self-Service Gasoline or Fuel Service Station (66)	5541																			
New or Used Auto Sales & Rental, In Structure	5511 5521																			
New or Used Auto Sales & Rental, Outdoor Lot	5511 5521																			
New or Used Heavy Machinery Sales with Associated Storage or Repair	5080																			
Motorcycle or Scooter Sales and Repair	5571 7699																			
Steam Cleaning of Vehicles or Machinery	7542																			
Tire Retreading or Capping	7534																			

CHAPTER 4-10, ZONING

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I – RETAIL AND RELATED SERVICE USES																				
Antique Shop (67)	5932																			
Art Supply Store	5999																			
Bakery or Confectionery Shop (Retail)	5441 5461																			
Bank or Savings and Loan Association	6020 6030																			
Barber or Beauty Shop	7231 7241										S									
Book, Video, or Stationery Shop	5942 7841																			
Camera Shop	5946																			
Catering Service	5812																			
Cleaning Shop or Laundry (Limited Area) (68)	7211 7212																			
Cleaning or Laundry Self Service Shop (69)	7215																			
Clinic, Medical or Dental	8011 8021																			
Custom Personal Service Shop (70)	5699										S									
Department Store or Discount Store	5311																			
Drug Store or Pharmacy	5912										S									
Florist Shop	5992										S									
Food and Beverage Sale Store	5411 5499																			
Furniture, Carpet or Appliance Store	5712 5722																			
Garden Shop and Plant Sales	5261	S																		
Handcraft and Art Objects, Sales	5999																			
Hardware Store or Hobby Shop	5251 5945																			
Instant Printing or Photocopy Shop (71)	7334																			
Key Shop	7699																			
Laboratory, Medical or Dental	8071 8072									S	S									
Liquor Store (72)	5921																			
Medical Appliances-Fitting, Sales, or Rentals	7352										S									
Morgue, Mortuary, or Ambulance Service	4119 7261										S									

CHAPTER 4-10, ZONING

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J - AGRICULTURAL TYPE USES																			
Animal Clinic or Hospital (No Outside Pens)	0742												S						
Animal Clinic, Hospital (Outside Pens), or Kennel (75)	0741 0752																		
Animal Feeding Lot	0211	S																	
Animal Pound (Public or Private)	0752													S					
Farm or Ranch (76)	0191 0291																		
Greenhouse or Plant Nursery	0181 5261																		
Livestock Auction (77)	5154	S																S	
Hatchery, Poultry	0254													S					
Horse Lot (Commercial) (78)	0272																		
Horse Lot (Private) (79)	0272																		
Stable (Private) (80)	0752 7999																		
Veterinarian Office Only (No Hospital) (81)	0742																		

CHAPTER 4-10, ZONING

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K - COMMERCIAL TYPE USES																				
Bakery, Wholesale	5149																			
Cabinet and Upholstery Shop	5712 5714																			
Cleaning, Dyeing or Laundry Plant	7218																			
Contractor Storage or Equipment Yard	1521 1799																			
Flea Market (Screened) (82)	5932																			
Flea Market (Unscreened) (82)	5932																			
Laboratory Manufacturing (83)	8731																			
Laboratory, Scientific or Research	8731 8734									S	S									
Light Fabrication and Assembly Processes (84)	2311 2399																			
Lithographic or Print Shop	2752 2759												S							
Maintenance and Repair Service for Buildings	1542 7349																			
Milk Depot, Dairy or Ice Cream Plant	2020 5143																			
Mini-Storage Warehouse (85)	4225																			
Mobile Home/Manufactured Home Sales or Rental	5271																			
New Building Material Sales and/or Storage (86)	5031 5211																			
Outdoor Storage (Screened) (87)	4226 5093																			
Outdoor Storage (Unscreened) (88)	4226 5093																			
Paint Shop	7532																			
Pest Control Service	7342																			
Petroleum Products Storage and Wholesale	5171 5172																			
Plumbing Shop	1711																			
Portable Building Sales	5211																			
Secondhand Merchandise Dealers or Storage (Screened) (89)	5932																			
Secondhand Merchandise Dealers or Storage (Unscreened)	5932																			
Sign Manufacturing Shop	3993																			
Storage Warehouse	4225																			

CHAPTER 4-10, ZONING

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M - SPECIAL INDUSTRIAL PROCESSES																				
Asphalt or Concrete Batching Plant	2951 3531	Temporary Batching Plants Permitted By Resolution Of City Commission In The "A" Through "I-1" Districts														S	S			
Brick Kiln or Tile Plant	3251 3253																	S		
Cement or Hydrated Lime Plant	3273 3274																	S		
Dump or Sanitary Fill Area	4953																	S		
Hazardous Waste Collection, Processing or Disposal (91a)	4953																			
Junk or Salvage Yard (92)	5093 7389																			
Recycling Collection Facility (93)	5093												S	S	S					
Receiving Center for Recyclable Items (93a)	5093																			
Slaughter House or Meat Packing Plant	2011																	S		
Smelter or Refinery	2911 3330																			

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N - GENERAL MANUFACTURING AND INDUSTRIAL USES																				
Landfill (Nonputrescible Material) (94)	4953	S																S		
Sanitary Landfill (95)	4953																	S	S	
Light Manufacturing or Industrial Use*	Div.D																			
Heavy Manufacturing or Industrial Uses**	Div.D																			

* as defined by Section 4-10-292, Performance Standards for Light Industrial Uses

** as defined by Section 4-10-293, Performance Standards For Heavy Industrial Uses

(Code 1960, § 26-8; Ord. No. 5687, § 1, 6-23-87; Ord. No. 5697, § 1, 8-4-87; Ord. No. 5713, § 1, 9-29-87; Ord. No. 5723, § 1, 11-24-87; Ord. No. 5813, § 1, 7-11-89; Ord. No. 5828, § 1, 9-26-89; Ord. No. 5862, § 1, 6-12-90; Ord. No. 5986, § 1, 12-1-92; Ord. No. 6214, § 1, 2-6-96; Ord. No. 6268, § 1(H)-(J), 12-24-96; Ord. No. 6350, § 1, 6-23-98; Ord. No. 6405, 3-23-99; Ord. No. 6513, § 1, 2-6-2001; Ord. No. 6514, §§ 2, 3, 2-6-2001; Ord. No. 6568, § 3, 11-27-2001; Ord. No. 6600 § 5, 6-11-2002; Ord. No. 6681, § 1, 9-30-2003; Ord. No. 6699, § 4, 11-25-2003; Ord. No. 6708, § 1, 1-27-2004; Ord. No. 6712, § 1, 2-24-2004; Ord. No. 6892, § 2, 1-24-2006; Ord. No. 6904, § 1, 2-21-2006; Ord. No. 7201, § 4, 12-15-2009)

CHAPTER 4-10, ZONING

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O - ALCOHOL SALE RELATED USES																				
On-Premise Primary Use Sales and Service: (23a)													S							
On-Premise Incidental Use Sales and Service by Restaurant: (23b)																				
On-Premise Incidental Use Sales and Service by Non-Restaurant: (23c)		S																		
Off-Premise Alcoholic Beverage Sales (23d)																				
Temporary Sales: On or Off Premise (23e)																				

CHAPTER 4-10, ZONING

Sec. 4-10-83. Special definitions and explanations noted in use regulations.

- (a) The following definitions and explanatory notes supplement, restrict and define the meaning and intent of the use regulations as set forth in the Schedule of Uses in the preceding section:
- (1) **One-Family Housing Unit, Detached:** A Housing Unit designed and constructed for Occupancy by only one (1) Family and located on a separate building Tract or Platted Lot and having no physical connection to a Building located on any other Lot or Tract.
 - (2) **One-Family Housing Unit, Attached (Townhouse):** A One-Family Housing Unit which is joined to another One-Family Housing Unit at one (1) or more sides and is located on an individually Platted Lot.
 - (3) **Two-Family Housing Unit:** A single Structure containing two (2) connected Housing Units.
 - (4) **Multiple-Family Housing Unit (Apartment):** Any Building or portion thereof, which is designed, built, rented, leased or let to be occupied as three (3) or more Housing Units or Apartments or which is occupied as a home or place of Residence by three (3) or more Families living in independent Housing Units.
 - (5) **Group Living Quarters:** A housing facility that provides residence to five (5) or more individuals unrelated by blood, marriage, or adoption. Group living quarters include such land uses as boarding or rooming house, dormitory, convent or monastery (without a Church on-site), a nursing home, hospice, or residence for the aged, residential facilities for Fraternities, Sororities or Membership Associations, and any other residential facility where the number of occupants per housing unit exceeds the Amarillo zoning ordinance definition of Family.
 - (5a) **Bed and Breakfast Inn:** A Housing Unit with fewer than six (6) individual guest rooms where short-term lodging and meals are provided for compensation.
 - (6) **Hotel or Motel:** A Building or group of Buildings designed and occupied as a temporary habitation for individuals. To be classified as a Hotel or Motel, an establishment shall contain a minimum of six (6) individual guest-rooms or units and shall furnish customary Hotel services such as linen, maid service, telephone, use and upkeep of furniture.
 - (7) **Hotel or Motel with Associated Uses:** A Hotel or Motel as defined in paragraph (a)(6) and including a dance hall, Nightclub, tavern, lounge and/or private club as associated uses on the same Premises.
 - (8) **Mobile Home:** A Structure that was constructed before June 15, 1976, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width, forty (40) body feet or more in length, or when erected on site is three hundred twenty (320) or more square feet in area and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes plumbing, heating, air conditioning, and electrical systems. Mobile Homes shall be skirted. This definition does not include a Recreational Vehicle.
 - (8a) **Manufactured Home (Type A):** A Structure constructed on or after June 15, 1976, according to the rules of the U. S. Department of Housing and Urban Development (HUD), transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. Manufactured Homes shall be Skirted. This definition does not include a Recreational Vehicle.
 - (8b) **Manufactured Home (Type B):** A Manufactured Home meeting the definition of "Manufactured Home (Type A)" in (8a) above which was manufactured six (6) years or less prior to the year of installation and shall meet the site requirements set forth in Section 4-10-87 for Manufactured Home (Type B).
 - (8c) **Manufactured Home (Type C):** A new Manufactured Home meeting the definition of "Manufactured Home (Type A)" in (8a) above which shall meet the site requirements set forth in Section 4-10-87 for Manufactured Home (Type C). For the purposes of this section, a new Manufactured Home is defined as having never been occupied for any reason including as a sales office, temporary Residence or for commercial use, having never been involved in an accident, having never received weather-related damage that at any time has affected its structural integrity, and having no visible signs of damage.

(8d) **Industrialized Housing:** A residential structure that is:

- a. Designed for the occupancy of one (1) or more families;
- b. Constructed in one (1) or more modules or constructed using one (1) or more modular components built at a location other than the permanent site; and
- c. Designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system.

Industrialized housing includes the structure's plumbing, heating, air conditioning, and electrical systems. Industrialized housing does not include:

- a. A residential structure that exceeds three (3) stories in height or forty-nine (49) feet as measured from the finished grade elevation at the building entrance to the peak of the roof;
- b. Housing constructed of a sectional or panelized system that does not use a modular component; or
- c. A ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving the home to another location.

(9) **Manufactured Home Park:** A unified development of three (3) or more Manufactured Home spaces arranged on a Tract of land under private ownership.

(10) **Manufactured Home Subdivision:** A unified Development of Manufactured Home sites or Platted Lots which have been divided for the purpose of individual ownership, and which is governed by the provisions of the Subdivision regulations of the City.

(11) **Recreational Vehicle Park:** A unified Development under private ownership designed primarily for transient service on which Recreational Vehicles are parked, situated or used for the purpose of supplying to the public a temporary parking space for such vehicles meeting all the requirements of chapter 4-7 of the Amarillo Code of Ordinances.

(12) **Accessory Building**

a. **Residential Accessory Building:** A Detached Building subordinate to the Main Residential Building on a Lot which is used for a purpose customarily incidental to the Main Residential Building such as a Private Garage, toolhouse, greenhouse, storehouse or garden shelter. (Where 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 shall be considered as part of the Main Residential Building.)

b. **Nonresidential Accessory Building:** A detached Building subordinate to the Main Building on the Lot which is used for a purpose customarily incidental to the Main Building. In no instance shall the use of the detached subordinate Building be contrary to the land uses permitted in the Zoning District in which the Building is located.

c. **Carport:** A roofed structure that may be enclosed on not more than three (3) sides and is allowed in all zoning districts when able to meet appropriate Setback requirements for a Main Building or Accessory Building. A specific use permit may be granted if not able to meet setbacks for Main Building or Accessory Building and will be subject to special regulations as set forth in Section 4-10-193 for Carports. Vehicular access to a Carport may not have attached an overhead, sliding or swinging, door or gate.

(13) **Farm Accessory Building:** A Structure, other than a Housing Unit, on a farm as herein defined, for the housing, protection or storage of the usual farm equipment, animals and crops.

(14) **Home Occupation:** A Home Occupation is an occupation carried on in the home by a member of the occupant's Family, without the employment of additional persons and without offering any commodity for sale to the general public on the Premises, and without the keeping of stock for trade, and without the storage of supplies and

equipment, and with only the use of a nameplate to identify the occupation. The occupation must not create unreasonable noise or other unreasonable conditions to abutting residential property, such as emission of odors, increased traffic, parking or generation of light or smoke.

- (15) **Off-street Parking Incidental to Main Use:** Off-Street Parking spaces provided in accordance with requirements specified by this chapter and located on the Lot or Tract occupied by the main use, on an immediately adjacent Lot or Tract, or on an immediately adjacent Lot or Tract across an Alley or a Street and located within the same Zoning District as the main use or a Zoning District which would permit the establishment of the main use or a Commercial Parking Lot or Structure.
- (16) **Servant's or Caretaker's Quarters:** A detached secondary Housing Unit located on a Lot with a Main Residential Structure and used as living quarters for persons employed on the Premises only and not for rent or use as a separate Housing Unit by persons other than those employed on the Premises, or their immediate Family.
- (17) **Swimming Pool (Private):** A swimming pool constructed for the exclusive private use of the residents of a one-family, two-family or multiple-family Housing Unit and fenced in accordance with the regulations of the City.
- (18) **Temporary Field or Construction Office:** A Structure or shelter, subject to removal by order of the Building Official, used in connection with a Development or building project for housing on the site of temporary administrative and supervisory functions and for sheltering employees and equipment
- (19) **Electrical Substation:** An electrical facility consisting of transformers and associated equipment having a primary purpose of reducing the transmission voltage of a bulk electrical power source greater than thirty-three thousand (33,000) volts (33 KV) for distribution to specific areas within the City. Where applicable, an electrical substation shall meet the requirements set forth in section 4-10-294 of this chapter.
- (20) **Local Utility Line:** The facilities provided by a municipality or a franchised utility company for the distribution or collection of gas, water, surface drainage water, sewage, electric power or telephone service.
- (21) **Public Building, Shop or Yard of Local, State or Federal Agency:** Facilities such as maintenance yards or shops required by branches of local, State or federal government for service to an area such as Highway Department yard, City service center or experiment station.
- (22) **Public Building, Office of Local, State or Federal Agency:** Office facilities required by branches of local, State or federal government.
- (23a) **On-Premise Primary Use Sales and Service:** Sales of alcoholic beverages, and establishments holding permits under the Texas Alcoholic Beverage Code, as a primary use for consumption on the premises where sold or served. The term "primary use" being defined as having alcohol sales that are in excess of fifty (50) percent of the gross sales receipts of the establishment.
- (23b) **On-Premise Incidental Use Sales and Service by Restaurant:** Sales of alcoholic beverages, and service of alcoholic beverages in restaurants holding permits under the Texas Alcoholic Beverage Code, as an incidental use for consumption on the premises where sold or served. The term "incidental use" being defined as having alcohol sales that are no more than fifty (50) percent of the gross sales receipts of the establishment.
- (23c) **On-Premise Incidental Use Sales and Service by Non-Restaurant:** Sales of alcoholic beverages, and service of alcoholic beverages in establishments other than restaurants holding permits under the Texas Alcoholic Beverage Code, as an incidental use for consumption on the premises where sold or served. The term "incidental use" being defined as having alcohol sales that are no more than fifty (50) percent of the gross sales receipts of the establishment.
- (23d) **Off-Premise Alcoholic Beverage Sales:** Sales of alcoholic beverages in lawful containers for off-premise consumption.
- (23e) **Temporary Sales of Alcoholic Beverages:** Sales of alcoholic beverages not exceeding seventeen (17) percent alcohol by volume for consumption on or off the premises, subject to all applicable Texas Alcoholic Beverage Code regulations. License may be issued for a period of not more than four (4)

days as approved by the City Secretary and Chief of Police, and must comply with the Amarillo Municipal Code of Ordinances, Chapter 10-3, Article IV and Chapter 16-3, Article VI, if applicable.

- (24) **Communication and Broadcast Towers:** Structures supporting antennas for transmitting or receiving any portion of the radio spectrum, but excluding noncommercial antenna installations for home use of radio or television.
- (24a) **Adult Business:** Any business activity which offers the opportunity to view Specified Sexual Activity or view, or touch, for entertainment, Specified Anatomical Areas. Such definition further includes but is not limited to Adult Arcade, Adult Bookstore/Film Store, Adult Cabaret, Adult Lounge, Adult Motel or Hotel, Adult Retail Store, and an Adult Theater.
- (24b) **Topless Establishments:** Any business activity which offers the opportunity (whether as a single activity or in conjunction with any other business activity) to view male or female naked breasts or breasts that are partially clothed in a manner that leaves uncovered or visible through less than opaque clothing any portion of the breast below the areola, and where the genital areas and anus are covered by a g-string or other opaque covering.

Note: Ord. No. 6681, § 3, adopted Sept. 30, 2003 states "Any premises that is already used as a Topless Establishment on the date of first reading of this ordinance, and which does not comply with the location requirement of this ordinance, may continue in operation as a non-conforming use until any of the following events occurs:"

- (a) Cessation of doing business as a Topless Establishment for a continuous period of 180 days or more; or,
- (b) A change in (i) the ownership of the real estate upon which the Topless Establishment is located or (ii) the tenant which operates a Topless Establishment on the premises, either or both of which occurs after September 30, 2007, or
- (c) Destruction of the Topless Establishment by fire, the elements, or other causes that exceeds fifty (50) percent of the Structure's value as shown of the current tax rolls.

- (25) **Amusement, Commercial (Indoors):** An amusement enterprise wholly enclosed in a Building which is treated acoustically so that noise generated by the enterprise is not audible at the Bounding Property Line and including, but not limited to, a bowling alley or billiard parlor. In industrial areas, commercial amusements shall be subject to the same sound Performance Standards as industrial uses.
- (26) **Amusement, Commercial (Outdoors):** Any amusement enterprise offering entertainment or games of skill to the general public for a fee or charge wherein any portion of the activity takes place in the open, including but not limited to, a golf driving range, archery range and miniature golf course.
- (27) **Country Club (Private):** An area of twenty (20) acres or more containing a golf course, a clubhouse and associated uses available only to private specific membership.
- (28) **Dance Hall or Nightclub:** An establishment offering to the general public facilities for dancing and entertainment for a fee and subject to licensing and regulation by the City.
- (29) **Day Camp:** A facility arranged and conducted for the organized recreation and instruction including outdoor activities on a daytime basis.
- (30) **Golf Course (Commercial):** A golf course, privately owned but open to the public for a fee and operated as a commercial venture.
- (31) **Park or Playground (Public):** A recreation facility or park owned or operated by a public agency such as the Municipal Park Department or school board and available to the general public; or the temporary or seasonal use of open land as a play area or recreation area which is authorized or approved by the City.
- (32) **Playfield or Stadium (Public):** An athletic field or Stadium owned or operated by a public agency for the general public, including a baseball field, golf course, football field or Stadium.
- (33) **Riding Club:** A paddock, clubhouse and stable for quartering, training and riding horses; the facilities of which are restricted to a specific membership and not available to the general public.

- (34) **Swimming Pool (Commercial):** A swimming pool with accessory facilities, not part of the municipal or public recreational system and not a private swim club, but where the facilities are available to the general public for a fee.
- (35) **Zoo (Private):** A facility housing and displaying live animals, reptiles or birds, privately owned and operated for a fee or for the promotion of some other enterprises.
- (36) **Zoo (Public):** A zoo or similar facility owned and operated by a governmental unit or a nonprofit zoological society where live animals, birds and reptiles are housed and displayed.
- (37) **Art Gallery or Museum:** An institution for the collection, display and distribution of objects of art or science, and which is sponsored by a public or quasi-public agency and which facility is open to the general public.
- (38) **Church or Rectory:** A place of worship and religious training of recognized religions including the on-site housing of ministers, rabbis, priests, nuns and similar staff personnel.
- (39) **College or University:** An academic institution of higher learning accredited or recognized by the State, and offering a program or series of programs of academic study.
- (40) **Community Center (Public):** A Building and grounds owned and operated by a governmental body for the social or recreational uses, health or welfare of the community served.
- (40a) **Criminal Justice Halfway House:** A Residential facility operated to house individuals who have been in confinement for a criminal conviction or are placed in a regulated living environment as part of the disposition of a criminal allegation on the condition that the individuals must live within such facility for a specified period of time as a requirement of parole or probation from a county, State or federal judicial system.
- (41) **Day Care Center:** An establishment where more than six (6) people are housed for care or training during the day or portion thereof.
- (42) **Family Day Care Home:** A Housing Unit operated by a person (caregiver), where such caregiver houses people not to exceed six (6) in number, excluding the caregiver's own dependents, for care or training or both during ten (10) hours or less per day. The caregiver may house up to three (3) additional people for not more than three (3) hours per day.
- (43) **Public or Denominational Day Care Center:** A nonprofit public or religious agency, including but not limited to churches, schools and colleges, where people are housed for care or training during the day or a portion thereof.
- (44) **Family Care Facility for Children:** A facility which provides room, board, care and supervision to four (4) through six (6) children, exclusive of a Family unit of individuals related by blood, marriage or adoption, on a twenty-four-hour-a-day basis. Such Family Care Facility for Children must be licensed or supervised by the State of Texas and shall be limited to foster homes and homes for the temporary placement of children for evaluation.
- (45) **Group Care Facility for Children:** A facility which provides room, board, care and supervision to seven (7) or more children, exclusive of a Family unit of individuals related by blood, marriage or adoption, on a twenty-four-hour-a-day basis. Such Group Care Facility for Children must be licensed or supervised by the State of Texas and shall be limited to foster homes and homes for the temporary placement of children for evaluation.
- (46) **Fraternity, Sorority or Membership Association:** Meeting places for social organizations or associations to which entrance is permitted to members only and their invited guests and specifically excluding private clubs licensed by the Texas Alcohol Beverage Commission.
- (47) **Reserved.**
- (48) **Halfway House:** A residential facility for persons who are receiving therapy and counseling from support staff who are present at all times the residents are present, for one (1) or more of the following purposes:
- a. To help residents recuperate from the effects of drugs or alcohol addiction;

- b. To help homeless persons or families achieve independence and obtain permanent housing;
 - c. To help persons with family or school adjustment problems that require specialized attention and care in order to achieve personal independence; or
 - d. To provide temporary shelter for persons who are victims of domestic abuse.
- (49) **Hospital:** A medical facility or institution for diagnosing, treating, caring for persons or for medical and surgical treatment to persons, including acute medical care, chronic medical care on a prolonged or permanent basis, mental health center, and resident or outpatient treatment to alcoholic, narcotic or psychiatric patients.
- (50)--(52) **Reserved.**
- (53) **School, Business:** A business organized to operate for a profit and offering instruction and training in a service or art such as secretarial school, barber college, beauty school or commercial art school, but not including manual trade schools.
- (54) **School, Commercial Trade:** A business organized to operate for a profit and offering instruction and training in a trade such as welding, brick laying, machinery operation and similar trades.
- (55) **School, Private Elementary or Secondary:** A school having a curriculum generally equivalent to public elementary or secondary schools, but not including trade or commercial schools.
- (56) **School, Public or Denominational:** A school under the sponsorship of a public or religious agency having a curriculum generally equivalent to public elementary or secondary schools, but not including trade or commercial schools.
- (56a) **Shelter:** An organization providing temporary (three (3) days or less) boarding or lodging or both on its premises primarily to indigent, needy, homeless or transient persons.
- (57) **Airport or Landing Field:** A landing facility for aircraft which must contain a minimum of one hundred sixty (160) acres and be approved by the City as an aircraft landing facility.
- (58) **Helicopter Base:** A landing and terminal facility for rotary wing aircraft, including facilities for fueling, servicing and maintaining such craft and subject to approval by the City.
- (59) **Heliport:** A landing facility for rotary wing aircraft not exceeding a gross weight of twelve thousand five hundred (12,500) pounds subject to regularly scheduled use; but not including fueling or servicing facilities for such craft and subject to approval by the City.
- (60) **Helistop:** A landing pad for occasional and infrequent use by rotary wing aircraft not exceeding a gross weight of six thousand (6,000) pounds and not for regularly scheduled stops and subject to approval by the City.
- (61) **Railroad Track and Right-of-Way:** Not including railroad stations, sidings, team tracks, loading facilities, docks, yards or maintenance areas.
- (62) **Railroad Team Track:** A spur for sporting and unloading or loading box cars or other railroad cars.
- (63) **Parking Lot or Structure, Commercial (Auto):** An area or Structure devoted to the parking or storage of automobiles for a fee. Such definition may include, in the case of a Parking Structure only, a facility for servicing of automobiles provided such facility is primarily an internal function for use only by automobiles occupying the Structure and creates no special problems of ingress and egress.
- (64) **Parking Lot, Truck:** Facility for parking or storage of currently licensed trucks.
- (65) **Service Station or Automobile Tune-Up Shop:** An establishment for the retail sale of petroleum products, automobile accessories and/or minor automobile tune-up, muffler installation incidental to the primary use, oil change or other lubricative services in which all services provided and all storage, supplies, parts, equipment and accessories are indoors. This definition shall not include any major automotive repairs or service (engine and transmission exchange or overhauls, etc.) or other uses designated in section 4-10-82(H), Automobile Service Uses, of this chapter.

- (66) **Limited Self-Service Gasoline or Fuel Service Station:** An establishment for the retail sale of petroleum products only (not including automobile accessories, service or repair) on a customer self-service basis and limited to a maximum of three (3) individual dispensing outlets at any separate station or on any Lot or Tract.
- (67) **Antique Shop:** An establishment offering for sale within a Building articles such as glass, china, furniture or similar furnishings and decorations which have value and significance as a result of age, design or sentiment.
- (68) **Cleaning Shop or Laundry (Limited Area):** A custom cleaning shop not exceeding six thousand (6,000) square feet of Floor Area.
- (69) **Cleaning or Laundry Self-Service Shop:** To be of the customer self-service type and not a commercial laundry or cleaning plant.
- (70) **Custom Personal Service:** Tailor, dressmaker, shoe shop or similar shop offering personalized apparel service.
- (71) **Instant Printing or Photocopy Shop:** A facility for the retail sale of reproduction copies, provided the copies are processed directly from an original document. This definition shall not include any plant or facility for commercial reproduction of materials or drawings on a job order or bulk basis utilizing a lithographic printing process.
- (72) **Liquor Store:** A facility whose primary purpose is for the sale of beer, wine or liquor not for on-premises consumption. It may also sell soft drinks and some food items.
- (73) **Restaurant:** Any eating or drinking establishment where the preparation and serving of food is the primary business of such establishment. The term "primary Business" means that the gross receipts from the sale of food are equal to or exceed fifty (50) percent of the entire gross receipts of such establishment.
- (74) **Tavern, Lounge or Private Club:** A Tavern or Lounge shall mean an establishment, the primary activity of which is the sale and consumption on the Premises of beer, wine or other liquors and where food service, if any, is secondary to the sale of beer, wine and other liquors. Private Club shall mean any organization or association of persons including fraternal and veteran organizations and all organizations required to be licensed by the Texas Alcohol Beverage Commission.
- (75) **Kennel:** Any place where five (5) or more dogs, cats or any combination thereof, over the age of four (4) months, are raised, trained, boarded, harbored or kept. Veterinary clinics, animal hospitals and governmental animal shelters are specifically excluded.
- (76) **Farm, Ranch, Garden or Orchard:** An area of five (5) acres or more which is used for growing of usual farm products, vegetables, fruits, trees and grain and for the raising thereon of the usual farm poultry and farm animals such as horses, cattle and sheep and including the necessary Accessory Uses for raising, treating and storing products raised on the Premises, but not including the commercial feeding of offal and garbage to swine and other animals and not including any type of agriculture or husbandry specifically prohibited by ordinance or law, and not including commercial riding stables.
- (77) **Livestock Auction:** Barns, pens and sheds for the temporary holding and sale of livestock.
- (78) **Horse Lot (Commercial):** An area used exclusively for quartering horses (the term "horses" shall include all equine animals) for the purposes of boarding or rental to the public and containing a stable which provides at least one hundred (100) square feet for each horse quartered.
- (79) **Horse Lot (Private):** An enclosed area unobstructed by any cross fences used exclusively for quartering horses (the term "horses" shall include all equine animals) and containing at least ten thousand (10,000) square feet for the first one (1) to four (4) horses and two thousand (2,000) square feet for each horse thereafter with a limit of eight (8) horses per acre; provided, however, the area requirement, as set out above, shall not apply to a horse lot (private) located in A, HC, I-1 or I-2 Zoning Districts. Any area used for the keeping of horses under this chapter shall be fenced and shall exclude any area required as minimum Front Yard specified in the Zoning Ordinance of the City.

- (80) **Stable (Private):** Any Structure located within a horse lot (private) which is used for the sheltering, quartering and feeding of Animals.
- (81) **Veterinarian's Office Only (no hospital):** A facility for the prevention, treatment, minor surgery, cure or alleviation of disease and/or injury in Animals, specifically Domestic Animals, with all care provided on an outpatient treatment basis only. No overnight boarding of Animals shall be allowed.
- (82) **Flea Market:** A collection or group of outdoor stalls, booths, tables or other similar arrangement, used by individual vendors, for the display and sale of various items of new or used personal property.
- (83) **Laboratory, Manufacturing:** Operations involving the compounding of products such as perfumes, pharmaceutical and the development and assembly of instruments and similar items.
- (84) **Light Fabrication and Assembly Processes:** Including the manufacture of clothing, jewelry, trimming decorations and any similar item not involving the generation of noise, odor, vibration, dust or hazard.
- (85) **Mini-Storage Warehouse:** A unified Development of leasable self-storage units built on the site, each unit not to exceed three hundred (300) square feet in Floor Area. No outside storage, no storage of explosives, flammable materials or materials emitting noxious odors shall be allowed.
- (86) **New Building Materials Sales and/or Storage (Unscreened):** The sale and/or storage of Building materials where a minimum of sixty (60) percent of the Building materials are new products which have not previously been used in the construction of, or as a part of, any Structure.
- (87) **Outdoor Storage (Screened):** The storage of any equipment or commodity, either as a primary use of land or as an Accessory Use, in an outdoor area which is enclosed by a fence, wall or other visual barrier which complies with the specifications of section 4-10-268. Where either this designation of an open storage activity or another designation might apply, the more restrictive shall govern.
- (88) **Outdoor Storage (Unscreened):** Storage outdoors not set forth in section 4-10-82, Uses of Land and Building, where the open storage use is designated as being allowed. This definition is not intended to regulate the storage of vehicles or equipment for the principal activity of an auto storage, auto auction, new or used auto sales (outdoor lot); new or used heavy machinery sales with associated storage and repair; motorcycle or scooter sales and repair; tool and light vehicle rental and sales; petroleum products, storage and wholesale; milk depot dairy or ice cream plant; maintenance and repair service for Buildings; Mobile Home/Manufactured Home sales or rental; bus station or terminal; hauling or storage company or similar transportation use; new building material sales and storage; contractors' storage or equipment yard; wholesale office, storage and sales facility; parking lots for personal, commercial or government vehicles; or any establishment having facilities for processing iron, steel or nonferrous scrap and whose principal product is scrap iron and steel or nonferrous scrap for sale for remelting purposes, which is located in the A, GR, LC, CB, HC, I-1 and PD Zoning Districts. It also does not include the incidental outdoor display of commodities for retail sale where the use is permitted by section 4-10-82 in a GR, General Retail District. Where either this designation of an open storage activity or another designation might apply, the more restrictive shall govern.
- (89) **Secondhand Merchandise Dealers or Storage:** The keeping, handling, storage or use of furniture, appliances and/or other merchandise or goods for sale or display. "Secondhand merchandise" is defined as an item which has previously been sold at the wholesale or retail level or previously used by an individual or business. Except in an I-2 Zoning District, any outdoor storage or display of such merchandise shall require visual screening to the standards set out in section 4-10-268 of this chapter.
- (90) **Used Building Materials Sales and/or Storage (Unscreened):** The sale and/or storage of Building materials where a minimum of forty (40) percent of the Building materials are used products which have previously been used in the construction of, or as a part of, any Structure.

- (91) **Topsoil, Earth or Stone Storage (Temporary):** The temporary storage of topsoil, earth, masonry or stone is an allowed use, provided that a permit shall first be obtained from the City Director of Public Works. Such permit shall provide for location, duration, fencing and leveling of material and maintenance of the site and shall require immediate removal for violation of any of the provisions of the permit.
- (91a) **Hazardous Waste Collection, Processing, or Disposal:** An indoor facility or operation to collect, process, or dispose of Hazardous Waste materials. In order to be considered as a Planned Development, the proposed site must be located on property zoned LC or HC District at the time of submission of an application for Planned Development review.
- (92) **Junk or Salvage Yard:** Any land or Building where metals, plumbing materials, appliances, vehicles, vehicle parts, rags or paper, machinery or similar items or material are kept, salvaged, stored, dismantled and/or offered for sale as whole units, as salvaged parts or as processed materials.
- (93) **Recycling Collection Facility:** A facility designed to collect, sort and package, by manual or mechanical processes, recyclable items for transport to a reprocessing plant. The facility must be operated indoors with no outdoor storage or collection bins, except when located in an I-2 District. The term "recyclable item" shall mean a waste product which can be reprocessed and used again as raw material in the manufacturing of same or similar products and is not attached or combined with products containing other materials. The term "mechanical processes" shall mean sorting and packaging by machinery in which the composition of the item remains constant but the shape of the product is altered.
- (93a) **Receiving Center for Recyclable Items:** An enclosed facility not exceeding three hundred twenty (320) square feet in Floor Area designed to receive recyclable items for transport to a Recycling Collection Facility and which also complies with the following requirements:
- a. 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.
 - b. No Outdoor Storage is allowed.
 - c. 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.
 - d. All signage shall be attached to the facility and total Sign area shall not exceed eighty (80) square feet.
 - e. 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.
 - f. 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 Main Building. Placement of the facility on such a Lot must be located:
 1. At the side of an existing Structure(s) which does not have Street frontage;
 2. A site not allowing compliance with subsection f.1 above may be located between the side of an existing Structure(s) and a Street;
 3. Should neither condition in subsection f.1 or f.2 exist, the facility may then be located between the front of an existing Structure(s) and a Street.
 - g. Any noise produced by its operation shall not exceed seventy-eight (78) db at ten (10) feet from the facility.
 - h. When placed on an existing parking lot, it shall not create a deficit in minimum off-street parking spaces.
- (94) **Landfill (Nonputrescible Material):** A designated Tract of land upon which material and man-made inert solid material is disposed of in accordance with the standards established by the Texas Board of Health. The material which may be disposed of shall be limited to soil, rock, dirt, sand,

gravel, concrete, brush, lumber and construction or demolition wastes. Any other nonputrescible material not listed above must be approved by the City Director of Public Works prior to dumping. No putrescible solid waste shall be disposed of in the landfill. The landfill site must be approved by the City Director of Public Works.

- (95) **Sanitary Landfill:** A designated area of land upon which solid waste and other material are disposed of in accordance with standards established by the Texas Board of Health. Sanitary landfill site must be approved by the City Director of Public Works.

(Code 1960, § 26-9; Ord. No. 5723, § 2, 11-24-87; Ord. No. 5828, § 2, 9-26-89; Ord. No. 5862, § 1, 6-12-90; Ord. No. 5986, § 1, 12-1-92; Ord. No. 6101, § 1(A), 9-27-94; Ord. No. 6214, § 1, 2-6-96; Ord. No. 6268, § 1(K), 12-24-96; Ord. No. 6350, § 1, 6-23-98; Ord. No. 6405, § 1, 3-23-99; Ord. No. 6514, § 1, 2-6-2001; Ord. No. 6568, § 4, 11-27-2001; Ord. No. 6681, § 1, 9-30-2003; Ord. No. 6699, § 4, 11-25-2003; Ord. No. 6708, § 2, 1-27-2004; Ord. No. 6904, § 1, 2-21-2006)

Sec. 4-10-84. Classification of new and unlisted uses.

It is recognized that new types of land use will develop and forms of land use not anticipated may seek to locate in the City. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows:

- (1) The Planning Department shall refer the question concerning any new or unlisted use to the Planning and Zoning Commission requesting an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by a comprehensive statement of facts defining the nature of the use, its SIC description, and whether it involves dwelling activity, sales, processing, type of product, storage, and amount and nature thereof, enclosed or open storage, the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated.
- (2) The Planning and Zoning Commission shall meet with the interested parties to consider the nature of the proposed use and its compatibility with the uses permitted in the various Districts and determine the Zoning District or Districts within which such use should be permitted.

- (3) The Planning and Zoning Commission shall make recommendations to the City Commission as to the classification proposed for any new or unlisted use. The City Commission may, by ordinance, make such determination concerning the classification of such use as is determined appropriate.

(Code 1960, § 26-10; Ord. No. 6268, § 1(L), 12-24-96)

Sec. 4-10-85. Specific use permits.

- (a) The City Commission, after public hearing and proper notice to all parties affected and after recommendations by the Planning and Zoning Commission, may authorize the issuance of specific use permits for the uses indicated by "S" in the use schedule, section 4-10-82.
- (b) The Planning and Zoning Commission in considering any application for a specific use permit shall require a Comprehensive Site Plan for the Development, such required Site Plan to be approved and filed as part of the Ordinance prior to the issuance of any Building Permit in a specific use Development. Such required plan and ordinance shall show the following:
 - (1) The legal description of the land included in the Site Plan and of the Lot, the name of the owner, Developer and designer;
 - (2) The boundary lines of the area included in the Site Plan including angles, dimensions and reference to a section corner, quarter corner or point on a recorded Plat, an arrow pointing north, scale and the Lot Area of the land within the Site Plan;
 - (3) Private drives and public Streets showing direction of travel, ingress and egress to property, Street width and inside radii for all curves along with adequate Right-of-way to conform with the Thoroughfare Plan of the City;
 - (4) Parking space and driveways conforming to Section 9, Driveways and Parking Lots, of the City of Amarillo's Development Policy Manual;
 - (5) Utility locations, Easements and drainage;
 - (6) Sidewalks, type, Height and location of Signs, lighting and fencing or screening walls;
 - (7) Architectural drawings detailing the exterior design and materials, shape, Height, size and Floor Area of all existing and proposed Structures;

- (8) Proposed use, Lot Coverage and number of Occupants or employees;
 - (9) Location of areas of landscaping or planting, yards, Open Space and common areas;
 - (10) Other Development and protective requirements considered necessary by the Planning and Zoning Commission and the City Commission to create a reasonable transition to and protection for adjacent property.
- (c) The Planning and Zoning Commission shall also require from the applicant an expert evaluation concerning the location, function and characteristics of any Building or use proposed. Such expert evaluation shall be by a licensed real estate appraiser and shall specifically address the effect of the requested specific use permit on adjacent land uses and property values. Such an evaluation is not required for Carports.
- (d) The City Commission may, in the interest of public welfare and to ensure compliance with the purposes of this chapter, establish additional conditions of operation, location, arrangement and construction for any use for which a permit is authorized. In authorizing the location of any of the uses listed in section 4-10-82 as specific use permits, the City Commission may impose additional Development standards and safeguards as the conditions and locations indicate important to the welfare and protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions. In considering a specific use permit for any use in an O-1, O-2, NS, GR or any Residential Zoning District, special consideration shall be given to possible undesirable characteristics of the use such as outside activities, storage of vehicles, equipment or materials, location and visual effects of loading areas and Building type and appearance inconsistent with the Zoning District.
- (e) The first specific use permit granted shall be shown on the Zoning District Map as S-1 and each subsequent specific use permit granted shall be given the next numerical number. The Director of Planning shall maintain a register on file in his office of all specific use permits granted which shall contain the Site Plan, a copy of the ordinance granting the specific use permit, and all other information concerning the specific use permit. The area or areas which are granted specific use permits are set forth on the Zoning District Map, which is made part of this chapter.

The boundaries of a specific use permit area may, from time to time, be altered or adjusted in accordance with the amendment provisions set forth herein.

(Code 1960, § 26-11; Ord. No. 6268, § 1(M), 12-24-96; Ord. No. 6904, § 1, 2-21-2006)

Cross references: Definitions to apply throughout Code, § 1-2-1.

Sec. 4-10-86. MH Manufactured Home District.

It is recognized that certain areas of the City may be suitable for the development of Manufactured Home Parks and Manufactured Home Subdivisions. It is for these areas that the MH District is designed. The MH District is not intended to be utilized for the placement or location of a single Manufactured Home. Any rezoning application for MH District shall include an area of not less than two (2) acres unless it is immediately adjacent to an existing MH District containing not less than two (2) acres. All Manufactured Home Park Development shall comply with Chapter 4-7.

(Code 1960, § 26-13; Ord. No. 6268, § 1(N), 12-24-96; Ord. No. 6568, § 5, 11-27-2001)

Sec. 4-10-87. Manufactured home standards.

The purpose of this section is to set forth standards for the placement, and architectural appearance of Manufactured Homes within the City. The intent of this section is to ensure that Manufactured Homes are compatible with other dwellings in residential neighborhoods and meet minimum placement and architectural standards while providing an alternative means of affordable home ownership for the residents of the community.

- (1) Site requirements. Each Manufactured Home placed on an individual lot shall meet the following requirements:
 - a. For Specific Use permit approval, a Manufactured Home (Type B) shall have a minimum width of not less than fifteen (15) feet as measured at all points perpendicular to the length of the Manufactured Home. A Manufactured Home (Type C) shall have a minimum width of not less than twenty-eight (28) feet as measured at all points perpendicular to the length of the Manufactured Home.
 - b. A Manufactured Home (Type B) is allowed outright in MH, LC, HC, I-1, and I-2, and is allowed only by Specific Use permit in a, R-1, R-2, R-3, MD, and MF-1 if the Manufactured Home is placed on a minimum fifty (50) foot wide Platted Lot.

- c. A Manufactured Home (Type B and C) shall have a minimum living area of nine hundred (900) square feet.
- d. The main roof of the Manufactured Home (Type B and C) shall not be less than a 3:12 pitch. Roof must be solid deck with shingle or metal roof.
- e. A Manufactured Home (Type B and C) shall be permanently attached or affixed to a permanent foundation system and all portions of the transportation system including wheels, axles, towing apparatus, lighting or other such conditions which are not in integral part of the Structure shall be removed before the Manufactured Home is permanently attached or affixed. The permanent foundation system shall be per State and Federal standards pursuant to Texas Revised Civil Statutes Article 5221f.
- f. A Manufactured Home (Type B and C) shall have concrete or masonry stem walls or fiber cement Skirting;
- g. A Manufactured Home (Type B and C) shall have a stairway set at each exit.
- h. 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.
- i. Off-Street Parking, driveways, Setbacks, Height and bulk shall comply with this Chapter, and sidewalks and other site improvements shall comply with requirements of chapter 4-6, Platting and Subdivision Improvement and Maintenance Ordinance.

- (2) All legally existing occupied Mobile and/or Manufactured Homes located on an individual Lot shall be permitted to remain in place so long as occupied, but may not be replaced with a Manufactured Home unless the replacement Manufactured Home conforms to the requirements of this Zoning Ordinance. Any such existing Mobile and/or Manufactured Home shall be removed when unoccupied for a period in excess of six (6) months.
- (3) The City retains its rights regarding any Mobile or Manufactured Home which is or becomes dilapidated, substandard, unfit for human habitation, and a hazard to the public

health, safety, and welfare, pursuant to Chapter 214 of the Texas Local Government Code and other applicable laws.

(Ord. No. 6568, § 6, 11-27-2001)

Sec. 4-10-88. Industrialized Housing Standards.

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 residential dwellings and meet minimum placement and architectural standards, while still providing for an alternative means of affordable housing.

(1) Industrialized Housing must:

- a. Have a value equal to or greater than the median taxable value for each single-family dwelling located within five hundred (500) feet of the lot on which the industrialized housing is proposed to be located.
- b. Have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within five hundred (500) feet of the lot on which the industrialized housing is proposed to be located.
- c. Comply with city building setbacks, side and rear yard offsets, subdivision control, architectural landscaping square footage, and other site requirements.
- d. Be securely fixed to a permanent foundation.

(Ord. No. 6699, § 6, 11-25-2003)

Secs. 4-10-89--4-10-100. Reserved.

DIVISION 2. PD PLANNED DEVELOPMENT DISTRICT

Sec. 4-10-101. Generally.

It is recognized that it may be desirable that certain areas of the City be developed in accordance with plans prepared and approved in advance of Development. To encourage such planned Developments, administrative and regulatory provisions are provided as set out in this division.

(Code 1960, § 26-12(A))

Sec. 4-10-102. Areas delineated on map; altering boundaries.

The area or areas which are designated in the PD District are set forth on the Zoning District Map, which is made a part of this chapter. The boundaries of the PD District may be altered or adjusted in accordance with the provisions in section 4-10-23 for amending this chapter.

(Code 1960, § 26-12(B); Ord. No. 6268, § 1(O), 12-24-96)

Sec. 4-10-103. Types of development.

Whenever any area is requested for consideration as a PD District, the following types of Development may be authorized:

- (1) Shopping center; mini-storage warehouse Development (minimum size, three (3) acres);
- (2) Housing Development (minimum size, two (2) acres);
- (3) Industrial park or district (minimum size, ten (10) acres);
- (4) Medical center or hospital or combination of medical service facilities (minimum size, two (2) acres);
- (5) Recreational Vehicle Parks, Manufactured Home Parks or Manufactured Home Subdivisions (minimum size, two (2) acres);
- (6) Civic center and community center (minimum size, two (2) acres);
- (7) Office center (minimum size, two (2) acres);
- (8) Recreation center (minimum size, two (2) acres);
- (9) Development or redevelopment of areas of historical significance as defined in the Comprehensive Plans of the Planning Department.
- (10) With the exception of industrial park or district, any combination of the Developments listed above or use listed in the Use of Land and Buildings Table under PD District, and having less than the minimum acreage requirements listed in items (1) through (9) above may also be requested for consideration as a PD District if one (1) of the following criteria is met:
 - a. The area proposed for rezoning abuts a Zoning District boundary and allows for a use permitted in a contiguous District

and provides a visual and land use buffer to the more restrictive adjacent Zoning District or districts;

- b. The area proposed for rezoning has Frontage on a freeway, expressway, section line arterial or other Streets of equal importance to section line arterials (Main Collector Streets which serve and bisect Residential sections shall not be construed as Arterial Streets), and provides a visual and land use buffer to adjacent more restrictive Zoning Districts and developments; or
- c. The proposed use is allowed within the existing Zoning District and the Planned Development is for reasons other than the classification of the use.
- d. The proposed Hazardous Waste Collection, Processing, or Disposal site is presently zoned LC or HC District and the purpose of the planned development is to require standards of operation for such use at the proposed location.

(Code 1960, § 26-12(C); Ord. No. 5986, § 1, 12-1-92; Ord. No. 6268, § 1(P), 12-24-96; Ord. No. 6568, § 7, 11-27-2001)

Sec. 4-10-104. Comprehensive site plan.

- (a) When placing any area within the PD District in accordance with this division, the City Commission shall require a Comprehensive Site Plan for the Development. Such Site Plan shall be approved and filed in the Planning Department as part of the ordinance prior to the issuance of any Building Permit. Such required plan and ordinance shall show the following:
 - (1) The legal description of the land included in the Site Plan and of the Lot, with the name of the owner, Developer and designer.
 - (2) The boundary lines of the area included in the Site Plan, including angles, dimensions and reference to a section corner, quarter corner or point on a Recorded Plat, an arrow pointing north, scale and the Lot Area of the land included in the Site Plan;
 - (3) Private drives and public Streets, showing direction of travel, ingress and egress to property, Street width and inside radii of all curves, along with adequate Right-of-way to conform to the Thoroughfare Plan of the City;

- (4) Parking space and driveways conforming to Section 9, Driveways and Parking Lots, of the City of Amarillo's Development Policy Manual;
 - (5) Utility location, Easements and drainage;
 - (6) Sidewalks, type, Height and location of Signs, lighting and fencing or screening walls;
 - (7) Proposed use, Lot Coverage and number of Occupants or employees;
 - (8) For single family development, Lot Area, Lot Width, Lot Depth, Front, Side and Rear Yard Setbacks, community Open Space use, Lot Frontage of community Open Space, Lot Coverage and separation of Buildings shall be shown on the site plan.
 - (9) Each individual Lot or Parcel shall have direct vehicular access to a public Street or Alley or to a community drive to be provided and maintained within a community Open Space and thereby connect with a public Street. Where access to Lots or Parcels is to be provided by community Open Space rather than public Streets or Alleys, adequate provisions shall be made for emergency and other service vehicles.
- (b) In addition to the above requirements, the City Commission may also require the following:
- (1) Architectural drawings detailing the exterior design and materials, shape, Height, size and Floor Area of all proposed Structures;
 - (2) Location of areas of landscaping or planting, Yards, Open Space and common areas;
 - (3) Other Development and protective requirements considered necessary to create a reasonable transition to and protection for adjacent property.
- (c) In the case of a single integral Planned Development which provides for permanent community Open Space under the control and jurisdiction of an association of the owners of all property within the Development, all associated legal documents shall be reviewed by the City prior to being filed of record.
- (d) In the case of a Hazardous Waste Collection, Processing, or Disposal facility, the City Commission may require the following information in addition to the requirements listed in subsections (a) and (b):
- (1) Copy of the State application and permit;
 - (2) Specific information describing which materials will be collected, processed, or disposed of;
 - (3) Detailed information related to the methods used to collect, process, or dispose of waste material;
 - (4) If waste materials are to be disposed of into the environment, the following studies prepared by a registered professional engineer may be required:
 - a. Hazards, potential nuisances, and site safety;
 - b. Noise contributions;
 - c. Effects on air quality;
 - d. Effects on water quality;
 - e. Visual quality;
 - f. Effects on historical, cultural, archeological resources;
 - g. Floodprone data; and
 - h. Other site-specific requirements made necessary by the activity's effect upon the environment which might have been omitted above.
 - (5) An expert evaluation concerning the location, function, and characteristics of any Building or use proposed. Such expert evaluation shall be by an MAI/SRA appraiser and shall specifically address the effect of the requested Planned Development on adjacent land uses and property values.
- (Code 1960, § 26-12(D); Ord. No. 5986, § 1, 12-1-92; Ord. No. 6268, § 1(Q), (R), 12-24-96)
- Sec. 4-10-105. Conditions precedent to granting certificate of occupancy and compliance.**
- Each area placed within the PD District under the provisions of this division shall be considered as an amendment to the ordinance as applicable to the property involved. In approving the PD District, the City Commission may impose conditions relative to the standards of Development and such conditions shall be complied with before a Certificate of Occupancy and Compliance is issued for the use of land or any Structure which is part of the PD District. Such conditions shall not be construed as conditions precedent to the approval of the amendment, but shall

be construed as conditions precedent to the granting of a Certificate of Occupancy and Compliance.
(Code 1960, § 26-12(E); Ord. No. 6268, § 1(S), 12-24-96)

Sec. 4-10-106. Waiver of area regulations.

The City Commission, after a recommendation by the Planning and Zoning Commission, may grant a waiver to the minimum requirements for Lot Area, Lot Width, Lot Depth, Lot Coverage and Front, Side and Rear Yards included in Article V, Division 2 of this chapter when the overall Development is in keeping with the requirements of this division.
(Code 1960, § 26-12(F); Ord. No. 6268, § 1(T), 12-24-96)

Sec. 4-10-107. Numbering of districts; register and file; inclusion on zoning map.

Planned Development (PD) Districts shall be sequentially numbered. The Director of Planning shall maintain a register and file in his office of all PD Districts which shall contain the Site Plan, a copy of the ordinance creating the PD District, and all other information concerning the PD Districts as set forth on the Zoning District Map, which is made a part of this chapter.
(Code 1960, § 26-12(G); Ord. No. 6268, § 1(U), 12-24-96)

Secs. 4-10-108--4-10-119. Reserved.

DIVISION 3. DOWNTOWN URBAN DESIGN OVERLAY DISTRICT

Sec. 4-10-120. Downtown Urban Design District.

- (a) *Purpose and intent.* The purpose of the Downtown Urban Design District (hereafter in this Division, "District") is to establish design standards for new construction and certain renovations of property in the downtown area in order to protect and enhance the character of downtown, encourage economic development and protect property values.
- (b) Boundaries of Downtown Urban Design District. The District includes all land located within the area bounded by the following:

Beginning at a point in the west right-of-way line of Washington Street, same being the southeast corner of Lot 1, Block 1, Flynn's Addition;

Thence north along the west right-of-way line of Washington Street to a point being the northeast corner of Lot 9, Block 7, The Revised Map of Madden Addition;

Thence northeasterly across SW 11th Avenue to a point being the southeast corner of Lot 5, Block 130, Plemons Addition;

Thence north along the west right-of-way line of Adams Street to a point being the northeast corner of Lot 1, Block 70, Glidden and Sanborn Addition;

Thence east along the south right-of-way line of SW 5th Avenue to a point being the northeast corner of Lot 20, Block 65, Glidden and Sanborn Addition;

Thence north along the west right-of-way line of the 20ft. alley in Block 65, Glidden and Sanborn Addition as projected north to a point being 150ft. north of the northeast corner of Lot 18, Block 9, Glidden and Sanborn Addition;

Thence east along the north property line as projected east to a point being 90ft. north of the northeast corner of Lot 1, Block 2, Glidden and Sanborn Addition;

Thence northeasterly to a point being 185 ft. north of the northwest corner of Lot 10, Block 1, Glidden and Sanborn-Holland Addition;

Thence east to a point being 190 ft. north of the northeast corner of Lot 1, Block 347, Holland's Addition;

Thence south along the east property line Lot 1, Block 347 as projected north, to a point 190 ft. south of the southeast corner of Lot 5, Block 347, Holland's Addition;

Thence southwesterly along the west line of the BNSF railway property, crossing SE 3rd and SE 4th Avenues, to a point 380 ft. east of the northeast corner of the SE 5th Avenue and Grant Street intersection;

Thence west along the north right-of-way line of SE 5th Avenue as projected east from the northeast corner of the SE 5th Avenue and Grant Street intersection, to a point being 180 ft. east of the just mentioned intersection;

Thence south along the east right-of-way line of the 20 ft. alley in Block 352, Mirror Addition as projected south, to a point being 25 ft. east of the northeast corner of Lot 24, Block 402, Mirror's Addition;

Thence southwesterly to a point being the northeast corner of Lot 1, Block 205, Plemons and Mirror Addition;

Thence continuing southwesterly to a point being the southeast corner of Lot 5, Block 235, LA Wells Subdivision;

Thence westerly to a point being the southeast corner of Lot 28, Block 235, LA Wells Subdivision;

Thence west along the south lot line of Lot 28, Block 235 as projected west to a point being the southwest corner of Lot 5, Block 239, JW Cartwright's Subdivision;

Thence west along the north right-of-way line of Interstate-40 west to a point being the southeast corner of Lot 1, Block 1, Flynn's Addition and being the point of beginning.

- (c) *Relationship of Downtown Urban Design District to the Base Zoning Districts.* The Downtown Urban Design District is a zoning overlay that supplements the primary underlying zoning district classification. The permitted uses of the property shall be determined by the use regulations set forth for the primary zoning district classification for the property. Development of projects in the District shall be subject to the Downtown Urban Design Standards in accordance with this Division. In the event of any conflict between such Standards and any provision of this article, the Standards shall control for property within the District.

(Ord. No. 7223, § 2, 7-20-2010)

Sec. 4-10-121. Downtown Urban Design Standards Adopted.

Development in the District is subject to the development standards contained in the "Downtown Urban Design Standards" (hereafter in this Division, "Standards") as stated in the Exhibit attached to this Division. The Downtown Urban Design Standards are hereby approved and adopted. Such Standards shall be appended to the zoning ordinance, Chapter 4-10 of the Municipal Code of Ordinances as Appendix XXI (B). In the event there is a difference between the Standards and this Division that cannot be harmonized, then the provisions in the Standards shall prevail.

(Ord. No. 7223, § 2, 7-20-2010)

Editor's note: It should be noted that the Exhibit referenced above is not set out at length herein, but is on file and available for inspection in the planning department of the city.

Sec. 4-10-122. Certificate of appropriateness required; effect; issuance; expiration.

- (a) Within the District, issuance of a certificate of appropriateness reflecting compliance with the Standards is required as a prerequisite condition for the issuance of any building permit by the Building Safety Department for projects described in the next sentence. Applications for a building permit may be submitted in conjunction with an application for a certificate of appropriateness, however, no building permit shall be issued for new construction, expansion, renovation, remodeling or other alterations to the exterior of any building (other than painting), parking lot, or public right-of-way or common area open to the public within the District, until a certificate of appropriateness reflecting compliance with the Standards is approved by either the Downtown Design Review Board or the Planning Department as provided in this Article.
- (b) Although the Standards address a variety of features or aspects, only the activity or activities to be actually undertaken by the property owner or tenant is subject to review for compliance with the Standard applicable to that feature or aspect undertaken.
- (c) A Certificate of Appropriateness certifies only that the submitted plans and other documents comply with the Downtown Urban Design Standards. It does not waive or certify compliance with any other applicable law, ordinance, or procedures such as but not limited to: platting and subdivision regulations, Americans with Disabilities Act, various building and construction codes, environmental, health and safety laws, matters within the purview of general or base zoning regulations for the location.
- (d) A Certificate of Appropriateness expires one (1) year after date of approval.
- (e) (i) The Planning Director or designee is authorized to review and approve a certificate of Appropriateness for any of the following items that meet the Standards:
- Signage
 - Landscaping and street lighting
 - Sidewalk construction, including trees and furnishings
 - Minor modifications to the exterior of existing buildings (but excluding painting). For purpose of this subsection,

a "minor modification" means one that is not a "major modification" as defined below.

- Temporary construction facilities
 - Historic buildings restored to the original state (in kind)
- (ii) Only the Downtown Design Review Board may approve a Certificate of Appropriateness for the following items:
- New construction (meaning construction of a new building on the property)
 - Major modification to the exterior of buildings (but excluding painting), which means exceeding fifty (50) percent of the existing building value as shown on the tax rolls (prior to the improvement) and the improvement has a cost of fifty thousand dollars (\$50,000.00) or greater.
 - Matters that Planning Director or designee refers to the Board
 - Requests that vary from the Standards

(Ord. No. 7223, § 2, 7-20-2010)

Sec. 4-10-123. Pre-design conference; or certificate issued by Director.

A pre-design conference with the Planning Director or designee is required before an applicant makes application for a certificate of appropriateness that is to be heard by the Design Review Board. These same materials are required for a certificate of appropriateness that is intended to be issued by the Planning Director or designee. Applicant must provide either an electronic version or two (2) hard copies of a site plan containing the following information to (as applicable to the nature of the specific project):

1. Footprints of all existing structures;
2. Proposed footprints of all new structures;
3. Existing structures adjacent to the property;
4. Existing and proposed floor plans of first and second floors (schematic drawings);
5. Building setbacks;
6. Location of parking areas;
7. Location of landscape areas;
8. Two (2) copies of building elevations for all sides of the building;
9. Photographs of the site and adjoining properties.

(Ord. No. 7223, § 2, 7-20-2010)

Sec. 4-10-124. Application for certificate of appropriateness by Board.

The following materials shall be submitted to the Planning Department in connection with an application for a certificate of appropriateness to be heard by the Downtown Design Review Board. The materials must be submitted at least fourteen (14) days before the meeting of the design review board at which the application for a certificate of appropriateness will be considered. The applicant shall provide an electronic version or ten (10) hard copies of each of the following items as appropriate to the nature of the project:

1. Site plan including:
 - a. Footprints of all existing structures;
 - b. Proposed footprint of all new structures;
 - c. Existing structures adjacent to the property;
 - d. Building setbacks;
 - e. Location of parking areas, parking lot islands, driveways, sidewalks, walkways, loading areas, walls or fences, utilities, lighting, signage, at grade mechanical units, dumpsters, and all other site improvements.
2. Landscape plan including location and dimension of areas to be landscaped (including private property, adjoining right-of-way and parking lot islands), total amount of landscaped area, location, number and planting size of all trees, shrubs, and groundcover, location and coverage of irrigation system, and location and description of street furniture.
3. Schematic floor plans depicting the arrangement of interior spaces, location of windows and doors, mechanical equipment, electrical meter and utility locations. First floor site plans should show the relationship between the first floor and the site.
4. Schematic building elevations for all sides of the building(s) showing design of all elevations, existing grade, proposed grade, finish floor elevations, roof slopes, mechanical vents and equipment, location and type of outdoor light fixtures, design and location of all wall sign(s) and notations regarding exterior colors and material.

5. Material specification outline with samples, brochures and/or photographs of all exterior building and site materials, finishes and fixtures.
6. For all detached signs, site plans drawn to scale indicating sign location and drawings of proposed sign, lettering and graphics, drawn to scale of at least one-quarter (1/4) inch to the foot including any support structures. Colors of the proposed sign shall be indicated on the drawing and actual color samples shall also be furnished. Any proposed illumination shall be indicated on the drawing.

(Ord. No. 7223, § 2, 7-20-2010)

Sec. 4-10-125. Approval of certificate of appropriateness.

Neither the Planning Director nor Downtown Design Review Board shall deny a certificate of appropriateness because a project does not comply with a preference, as opposed to a required element in the Standards adopted in Section 4-10-121.

(Ord. No. 7223, § 2, 7-20-2010)

Sec. 4-10-126. Appeal.

- (a) All decisions of the Planning Director or designee may be appealed by the applicant to the Downtown Design Review Board by submitting a written appeal to the Planning secretary within ten (10) days after receipt of notification of the planning and development director's or a designee's decision. The Downtown Design Review Board may uphold, reverse or modify the decision of the Planning Director or a designee.
- (b) All decisions by the Downtown Design Review Board may be appealed to the Zoning Board of Adjustment by the applicant by following the procedures provided in Chapter 4-10, Article II, Division II. A copy of the written notice of appeal must be filed with the Planning Department secretary.
- (c) Except as may be specifically provided otherwise in this Article, the Zoning Board of Adjustment shall provide notices and in all things conduct this appeal just as it would an appeal from a decision of the Building Official under Article II, Division 2 of this chapter. The secretary of the Planning Department shall forward to the Zoning Board of Adjustment a complete record of the matter, including a

transcript of the tape of the hearing before the Downtown Review Board. The Zoning Board of Adjustment shall:

- (1) Hear and consider testimony and evidence concerning the previous recommendations and actions of the city staff and the Downtown Design Review Board;
 2. Hear new testimony and consider new evidence that was not available at the time of the hearing before the Downtown Design Review Board;
 3. Apply the substantial evidence test to the decision of the Downtown Design Review Board, considering the record made before the Downtown Design Review Board;
- (d) In addition to dispositions authorized in Article II, Division 2 of this Chapter, the Zoning Board of Adjustment may uphold, reverse, modify the decision of the Downtown Design Review Board; or, remand the case back to the Downtown Design Review Board for further proceedings consistent with specific guidance given by Zoning Board of Adjustment.
 - (e) The appellant may withdraw an appeal at time prior to a determination by the Downtown Design Review Board or the Zoning Board of Adjustment.
 - (f) A hearing before the Zoning Board of Adjustment shall exhaust the administrative remedies of the property owner/appellant under this chapter. Any owner/appellant aggrieved by the decision of the appeals board may file suit in district court.

(Ord. No. 7223, § 2, 7-20-2010)

Secs. 4-10-127--4-10-150. Reserved.

ARTICLE V. SUPPLEMENTAL REGULATIONS

DIVISION 1. GENERALLY

Secs. 4-10-151. Reserved.

Editor's note: Ord. No. 6268, § 1(V), adopted Dec. 24, 1996, repealed § 4-10-151, floor area ratio, derived from the 1960 Code, § 26-17; and Ord. No. 6043, § 1(C), adopted Nov. 9, 1993.

Sec. 4-10-152. Location requirements for adult business.

- (a) A structure housing an Adult Business shall be located at least one thousand (1,000) feet from any residential PD, R-1, R-2, R-3, MD, MF-1, MF-2, and MH Zoning District boundary line, or

from any Structure used as a residence; from a church, Public or Denominational Schools, hospitals, licensed child care facility, Hotel or Motel, Parks or Playgrounds (public), Playfields or Stadiums (Public), Institutions of Religious, Charitable, or Philanthropic Nature, and from any other Structure housing an Adult Business.

- (b) Distance requirements are to be 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.
- (c) 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.
- (d) Should an Adult Business be located in conjunction with other Buildings in a manner where said Adult Business is clearly separated from other portions of the Structure (for example, an Adult Business in a shopping center), measurements shall be taken from the boundaries of the space occupied by the Adult Business.
- (e) Should an Adult Business be located in a manner where said Adult Business is situated above the ground level of a multistory Structure and is clearly separate from other activities within the structure, the Adult Business measurements shall be 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)

Sec. 4-10-153. Viewing booth requirements for an adult business.

- (a) 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.

- (b) Wall or partitions of Viewing Booths between two (2) feet and six (6) feet above floor level shall have no holes or voids in such walls or partitions.
- (c) A Viewing Booth shall at all times be illuminated with not less than that amount of light provided by a twenty-watt bulb.
- (d) It shall be the duty of the person accepting payment from customers of an Adult Business to ensure that the Viewing Booth requirements in this section are in compliance at all times.

(Ord. No. 5862, § 1, 6-12-90)

Secs. 4-10-154--4-10-165. Reserved.

DIVISION 2. GENERAL AREA REGULATIONS

Sec. 4-10-166. Compliance with division; applicability.

- (a) Except as herein provided, no Structure or part thereof shall be erected, altered or converted for any use permitted in the District in which it is located unless it is in conformity with all the minimum regulations specified in this division for Lot Area, Lot Width, Lot Depth, Lot Coverage and Front, Side and Rear Yards. The area regulation shall not apply in the usual manner to individual Lots of Parcels in a PD District.
- (b) Where lot area regulations present hardships regarding accessibility or physical barrier issues related to the Americans with Disabilities Act, the Director of Community Services, or designee, shall determine the manner in which requirements of this Article are to be applied, in order to make a reasonable accommodation.
- (c) In determining what is a reasonable accommodation, the Director of Community Services shall consider the following factors:
 - (1) Nature of the disability and whether the requested accommodation is directly responsive to the disability;
 - (2) Whether the requested accommodation poses a safety risk to the requestor or other persons;
 - (3) The relative costs of various alternatives, including modifying the Structure;
 - (4) The presence, if any, of existing Structures or variances in the neighborhood which are the same or similar to that sought under this section as an ADA accommodation;

- (5) Availability of alternative accommodations that will have less visual or aesthetic impact on the neighborhood;
 - (6) Other accommodation factors suggested or mandated by ADA regulations or interpretative opinions thereof.
- (d) If a question arises as to whether a person has a disability, the extent of disability, or the level of accommodation that is reasonable and necessary, then the Director of Community Services or designee shall first compare statements of the applicant's physician with current legal sources describing conditions that are recognized as a disability under the ADA. If there remains a question, then the Director of Community Services shall request the Disability/Accommodation Review Committee of the Amarillo Transit Department (or a successor or similar body associated with the City of Amarillo) to review the matter and make an advisory recommendation to the Director. The Director will then render a decision using the criteria stated above and taking into consideration the committee recommendation. The Applicant shall cooperate with the reviews described in this section by promptly providing all requested documentation and, by appearing before the Disability/Accommodation Committee, if requested.
- (e) An Applicant who disagrees with the determination of the Director of Community Services may appeal to the Zoning Board of Adjustment by filing a written notice of appeal within fifteen (15) days after the Director renders the decision. The appeal notice must state the specific grounds, reasons, or complaint. The notice must be filed with the Director, who shall transmit to the Board the notice and all papers constituting the record upon which the decision was made. The appeal shall be placed on the agenda for consideration by the Board at its next meeting. The Applicant may appeal the decision of the Board by filing suit in a district court of Potter or Randall County for declaratory relief construing this ordinance or its application to Applicant.
- (f) Any variance, waiver, or accommodation that is allowed or granted under this section is specific to the property described in the application. The accommodation remains in effect only so long as a disabled person occupies the property (be it the person who was the subject of the application or a different disabled person but whose situation would have satisfied the conditions of the

determination rendered on the application). Once a disabled person described in the preceding sentence ceases to use the premises as a primary place of abode, then the owner shall, within six (6) calendar months, restore or modify the property to meet the applicable ordinances, sections, and codes as if there had been no reasonable accommodation made.

(Code 1960, § 26-14; Ord. No. 6268, § 1(X), 12-24-96; Ord. No. 6750, § 1, 7-13-2004)

Sec. 4-10-167. Lot area.

The minimum Residential Lot Area for the various Districts shall be in accordance with the required schedule except that a Lot having less area than herein required which was an official Lot of Record prior to the adoption of this chapter may be used for a one-family Housing Unit, detached, and no Lot existing at the time of passage of this chapter shall be reduced in area below the minimum requirements. In the following Zoning Districts, the minimum Lot Area for each Residential Housing Unit shall be in accordance with Table 1, Summary of Development Standards.

(Code 1960, § 26-14(A); Ord. No. 6268, § 1(Y), 12-24-96)

Sec. 4-10-168. Lot width.

- (a) The minimum Lot Widths for Lots in the various Districts used for Residential purposes shall be in accordance with the required schedule, except that Lots having less width than herein required which were official Lots of Record prior to the adoption of this chapter may be used for one-family, two-family Housing Units or Manufactured Homes in Zoning Districts permitting those respective uses; provided that, for two-family Housing Units and Manufactured Homes, a Lot may not be less than fifty (50) feet in width. No Lot existing at the time of passage of this chapter shall be reduced in width below the minimum. In the following Zoning Districts, the minimum Lot Width for Residential uses shall be in accordance with Table 1, Summary of Development Standards.
- (b) The width of the Lot shall be measured at the specified Setback or front Building Line, but in no case shall the Lot Width at the front Street Line be less than forty (40) feet or the required minimum Lot Width, whichever is less. (See Appendix Illustration 1 for method of measuring Lot Widths.)
- (c) If the Housing Units in a two-family Structure are sold for individual ownership, then each Housing Unit shall be located on a separately

Platted Lot having a minimum Lot Width of thirty (30) feet. Lots platted prior to the adoption of this chapter which are fifty (50) feet in width or greater and official Lots of Record may be reduced in width so long as each Housing Unit is located on a Platted Lot with a minimum width of twenty-five (25) feet. In no case shall the overall width for the total two-family complex be reduced below the minimum for two (2) units.

- (d) After the effective date of this amendment (November 1993), in all zoning districts allowing One-Family Attached Housing Units, One-Family Detached Housing Units may be constructed on Platted Lots with Lot Widths less than shown on Table 1, Summary of Development Standards, for One-Family Detached Housing Units, but equal to or greater than the Lot Width shown for One-Family Attached Housing Units, if the recorded Plat of the subdivision approved by the Planning and Zoning Commission clearly notes that the Lot may be used for One-Family Detached Housing Units.

(Code 1960, § 26-14(B); Ord. No. 6043, § 1(D), 11-9-93; Ord. No. 6268, § 1(Z), 12-24-96; Ord. No. 6568, § 8, 11-27-2001)

Sec. 4-10-169. Lot depth.

The minimum Lot Depth for the various Districts shall be in accordance with the following schedule, except that a Lot having less depth than herein required which was an official Lot of Record prior to the adoption of this chapter may be used for a one-family Housing Unit, and no Lot existing at the time of passage of this chapter shall be reduced in depth below the minimum set forth. The minimum Lot Depth for Residential uses shall be in accordance with Table 1, Summary of Development Standards, see Appendix Illustration 2 for method of measuring Lot Depth.

(Code 1960, § 26-14(C); Ord. No. 6268, § 1(AA), 12-24-96)

Sec. 4-10-170. Front yard.

- (a) In the following Zoning Districts, the minimum required Front Yard shall be in accordance with the required schedule, and no Structure or use shall hereinafter be located, erected or altered so as to have a smaller Front Yard than hereinafter required, and no Front Yard existing at the time of passage of this chapter shall be reduced below the minimum set forth in Table 1, Summary of Development Standards.

(b) Special Front Yard regulations:

- (1) Where a Building Line has been established by Plat that requires a Front Yard greater in depth than is prescribed by this chapter for the District in which the Building Line is located, the required Front Yard shall comply with the Building Line established by such Plat.
- (2) The Front Yard shall be measured from the property line to the front face of the Building, covered porch, or covered terrace. See Appendix Illustration 5 for method of measuring. Eaves and roof extensions may project into the required Front Yard for a distance not to exceed four (4) feet. The ordinary projections of window sills, belt courses, cornices and other architectural features may project into the required Front Yard for a distance not to exceed twenty-four (24) inches, and subsurface Structures may project into the Front Yard provided such Structures do not extend to a Height greater than forty (40) inches above the average Grade of the curb at the front of the Structure or when no curb exists, forty (40) inches above the average Grade of the Bounding Property Line.
- (3) Where no Front Yard is required, all stairs, eaves, roofs and similar Building extensions shall be located behind the front Street Right-of-way line or property line. In the CB, HC, I-1 and I-2 Districts, marquees or awnings are allowed to extend over public property.
- (4) Where Lots have double Frontage, running through from one (1) Street to another, a required Front Yard shall be provided on both Streets unless a Building Line for Accessory Buildings has been established along one (1) Frontage on the Plat, in which event only one (1) required Front Yard need be observed. (See Appendix Illustration 6)
- (5) On a corner Lot, both Street exposures shall be treated as Front Yards on all Lots Platted after August 19, 1968, except where corner Lots adjoin the entire Street Frontage between two (2) parallel Streets, the longest Street exposure to a lot used for one-family, two-family or Manufactured Home Housing Units shall be considered as a Side Yard, which shall require a setback of not less than ten (10) feet. (See Appendix Illustration 4)

- (6) Where both Street Frontages of a corner Lot used for one-family, two-family or Manufactured Home Housing Units are required to be treated as Front Yards, a Front Yard of twenty (20) feet or the Front Yard required for the respective District as specified in this section, whichever is less, shall be observed on the Lot Frontage of greatest dimension. If such a Lot is bounded on the rear by an Alley, then ten (10) feet Setback shall be required on the Lot Frontage of greatest dimension. (See Appendix Illustration 4C)
- (7) In the MF-2 and O-2 Districts, a minimum Front Yard of fifteen (15) feet shall be required, provided, however, that in no case shall the distance, as measured from the centerline of the Street on which a Building fronts, to the face of the Building be less than one-half the Height of the Building, and in no case need such distance exceed fifty (50) feet regardless of the Height of the Building. (See Appendix Illustration 11)
- (8) Gasoline service station pump islands may not be located nearer than twenty (20) feet to the front property line, and the outer edge of the Canopy shall not be nearer than ten (10) feet to the front property line.
- (9) In the R-1 and R-2 Districts where a Lot abuts a Cul-de-sac, the required minimum Front Yard shall be twenty (20) feet.

(Code 1960, § 26-14(D); Ord. No. 6043, § 1(E)--(H), 11-9-93; Ord. No. 6268, § 1(BB), 12-24-96; Ord. No. 6350, § 1, 6-23-98; Ord. No. 6568, § 9, 11-27-2001)

Sec. 4-10-171. Side yard.

- (a) In the following Zoning Districts, the minimum required Side Yard shall be in accordance with the following schedule, and no Structure or use shall hereafter be located so as to have a smaller Side Yard or each side of such Structure than herein required, and no Side Yard existing at the time of passage of this chapter shall be reduced below the minimum set forth in Table 1, Summary of Development Standards with the following exception:

A Main Building may have a Side Yard less than required if other Main Buildings within the same block or immediately adjacent blocks legally observe a Side Yard setback less than required. The Side Yard with the least restrictive dimension shall establish the minimum Side Yard requirement.

- (b) Special Side Yard regulations:

- (1) Every part of a required Side Yard shall be open and unobstructed by any Structure except for Accessory Buildings as permitted herein, and the ordinary projections of window sills, belt courses, cornices and other architectural features which shall not exceed twelve (12) inches into the required Side Yard, and a roof eave or Canopy which shall not exceed twenty-four (24) inches into the required Side Yard.
- (2) Where highrise Apartment Buildings exceeding three (3) stories in Height are erected in any District permitting such construction, the Side Yard shall be increased one (1) foot for each two (2) feet the Structure exceeds three (3) Stories, but no Side Yard need exceed fifty (50) feet.
- (3) On a corner Lot, a Side Yard adjacent to a Street for a multiple-family Housing Unit not exceeding three (3) Stories in Height shall not be less than fifteen (15) feet, and no balcony or porch or any portion of the Building may extend into such required Side Yard except that a roof may overhang such Side Yard not to exceed four (4) feet.
- (4) On a corner Lot both Street exposures shall be treated as Front Yards on all Lots Platted after August 19, 1968, except where otherwise provided by sections 4-10-170(b)(2) and 4-10-170(b)(4). On Lots which are official Lots of Record prior to August 19, 1968, the minimum Side Yard adjacent to a side Street shall comply with this section. (See Appendix Illustration 4A)
- (5) A one-family attached Housing Unit shall provide a minimum required Side Yard adjacent to a side Street of ten (10) feet and a minimum of five (5) feet adjacent to an Alley. A minimum required Side Yard of five (5) feet shall be provided at the end of each one-family Attached Housing Unit complex so that the end of any two (2) adjacent Building complexes shall be at least ten (10) feet apart. (See Appendix Illustration 12)
- (6) No Side Yard is specified for Nonresidential use in the GR, LC, CB, HC, I-1, or I-2 Districts except where a commercial, retail or industrial or other Nonresidential use abuts upon a District boundary line dividing such Districts from a Residential Zoning District in which event a minimum five-foot Side Yard shall be provided on the side adjacent to such Residential Zoning District.

(7) In Developments of one-family Housing Units, detached Structures may be constructed adjacent to the side Lot Line on one (1) side of a Lot and a Side Yard provided only on the other side of the Lot.

- a. The Side Yard provided shall be the total of the Side Yards which are normally required on each side of the Lot except, where a Front Yard requirement is observed on the Street side of a corner Lot, the total Side Yard requirement shall be considered satisfied. In no case shall less than a ten-foot total Side Yard be maintained.
- b. Side Yard requirements for detached Accessory Buildings shall be the same as are normally required except that, where the Side Yard is provided on one (1) side of the Lot, the same Side Yard required for Main Building shall be observed by Detached Accessory Buildings.
- c. The required side Lot Lines and Building Lines shall be shown by a clearly defined method on a recorded Plat of the Subdivision approved by the Planning and Zoning Commission.
- d. Easements for maintenance, drainage or roof overhang (if permitted) shall be provided adjacent to each Lot where an adjacent Side Yard less than normal is to be permitted and shall be established on the Subdivision Plat approved by the Planning and Zoning Commission.
- e. A Yard of not less than the normally required width shall always be observed adjacent to a public Street, and a Side Yard of not less than five (5) feet shall be observed adjacent to an Alley.
- f. This provision shall not be construed to permit two (2) one-family Housing Units to be built on adjacent Lots without the observance of the total required Side Yard between them, except where two-family and one-family attached Housing Units are permitted by this Chapter.
- g. No openings for access, light, or air are permitted on the wall of any Structure where the normal Side Yard requirement is not observed between such wall and the side Lot Line.

(8) The Side Yard requirements for Nonresidential Main Buildings in an O-1, O-2 or NS District shall be a minimum of ten (10) feet. Where any Lot in an O-1, O-2 or NS District abuts a Residential Zoning District, the Side Yard of the nonresidential Main Building on such Lot shall be a minimum of twenty (20) feet.

(9) After November, 1993 in all zoning districts allowing One-Family Attached Housing Units, Side Yard requirements for One-Family Detached Housing Units if less than required by Table 1, Summary of Development Standards, shall clearly depict the Side Yard Setback on a recorded Plat of the subdivision.

(10) For One-Family Housing Units (Detached and Attached), private easements for maintenance, drainage or roof overhang (if permitted), shall be provided on the adjacent Lot where a Side Yard less than the minimum is allowed and shall be granted on the Subdivision Plat.

(Code 1960, § 26-14(E); Ord. No. 6043, § 1(I)-(L), 11-9-93; Ord. No. 6268, § 1(CC), 12-24-96; Ord. No. 6350, § 1, 6-23-98; Ord. No. 6741, § 1, 6-8-2004)

Sec. 4-10-172. Rear yard.

(a) In the following Zoning Districts, the minimum required Rear Yard shall be in accordance with the following schedule, and no Building or Structure shall hereafter be located, erected or altered to have a Rear Yard smaller than herein required, and no Rear Yard existing at the time of passage of this Chapter shall be reduced below the minimum set forth in Table 1, Summary of Development Standards with the following exception:

A Main Building may have a Rear Yard less than required if other Main Buildings within the same block or immediately adjacent blocks legally observe a Rear Yard setback less than required. The Rear Yard with the least restrictive dimension shall establish the minimum Side Yard requirement.

(b) Special Rear Yard regulations:

(1) In Residential Zoning Districts, no Main Building may be constructed nearer to the rear property line than ten (10) feet. For a single-family detached Residential building without openings for windows, doors, light or air in the wall facing the Alley a Setback of one (1) foot for each two (2) feet of wall Height is allowed.

- (2) In the O-1, O-2, NS, GR, LC, CB, HC, I-1 or I-2 Districts, no Rear Yard is required for Nonresidential uses except where retail, commercial or industrial uses back upon a common District line, whether separated by an Alley or not, dividing the District from any of the Residential Districts listed herein, a minimum Rear Yard of ten (10) feet shall be provided.
- (3) Every part of a required Rear Yard shall be open and unobstructed to the sky from a point thirty (30) inches above the general ground level of the graded Lot, except for Accessory Buildings, landscaping, fences and similar appurtenances and the ordinary projections of window sills, belt courses, cornices and roof overhangs and other architectural features projecting not to exceed four (4) feet into the required Rear Yard.
- (4) Where multiple-family Housing exceeds three (3) Stories in Height, a Rear Yard equal to one (1) foot for each three (3) feet in Height shall be provided except that no such Rear Yard need exceed thirty (30) feet as a result of this provision and except further that in the MF-2, CB and HC Districts, no Rear Yard exceeding ten (10) feet shall be required where the rear wall of a Residential Structure contains no openings or windows for light or air.

(Code 1960, § 26-14(F); Ord. No. 5678, § 1, 4-28-87; Ord. No. 6043, § 1(M), 11-9-93; Ord. No. 6268, § 1(DD), 12-24-96; Ord. No. 6741, § 2, 6-8-2004)

Sec. 4-10-173. Lot coverage.

No Structure shall hereinafter be located, erected or altered so as to have a greater Lot coverage than hereinafter required, and no Lot Coverage existing at the time of passage of this chapter shall exceed the maximum set forth in Table 1, Summary of Development Standards.

- (1) Off-street unenclosed parking or loading areas shall not be computed in Lot Coverage as herein specified.
- (2) In addition to Lot Coverage requirements structures must meet all other requirements of the zoning District in which they are located.

(Code 1960, § 26-14(G); Ord. No. 6173, § 1, 7-25-95; Ord. No. 6268, § 1(EE), 12-24-96)

Sec. 4-10-174. Tables.

The following Table 1, Summary of Development Standards, includes minimum lot area, minimum lot width, minimum lot depth, minimum front yard, minimum side yard, minimum rear yard, maximum lot coverage, maximum height and minimum required off-street parking requirements set forth in this chapter.

CHAPTER 4-10, ZONING

RESIDENTIAL ZONING DISTRICTS

ZONE	TYPE USE	MIN. LOT SIZE & DIMENSIONS			MINIMUM YARD SETBACKS (feet)					MAX. LOT COVERAGE (%)	MAXIMUM HEIGHT (stories)	REQUIRED OFF-STREET PARKING (spaces per unit)
		AREA (sq. ft.)	WIDTH (feet)	DEPTH (feet)	FRONT	REAR	INTERIOR SIDE	SIDE ON STREET**	SIDE/REAR GARAGE ENTRANCE			
A Agricultural	SF-Detached	1 acre	150	150	50	See 4-10-172(b)(1)	15	See 4-10-170 (b)(5)&(6)	20	None	3	2 See 4-10-211 (2)
	Non-Res. Main Bldg.	None	None	None	50	10	20	20	None	50	3	See 4-10-211 (2)
R-1 Residential	SF-Detached	7,500	60	100	25*	See 4-10-172(b)(1)	5	10 See 4-10-170 (b)(5)&(6)	20	45	2	2
	Non-Res. Main Bldg.	None	None	None	25*	10	20	20	None	50	2	See 4-10-211 (2)
R-2 Residential	SF-Detached	6,000	50	100	25*	See 4-10-172(b)(1)	5	10 See 4-10-170 (b)(5)&(6)	20	45	2	2
	Non-Res. Main Bldg.	None	None	None	25*	10	20	20	None	50	2	See 4-10-211 (2)
R-3 Residential	SF-Detached	5,000	50	100	15	See 4-10-172(b)(1)	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	65	2	2
	Non-Res. Main Bldg.	None	None	None	15	10	20	20	None	50	2	See 4-10-211 (2)
MD Moderate Density	SF-Detached	5,000	50	100	15	See 4-10-172(b)(1)	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	65	2	2
	SF-Attached	2,000	20	100	15	10	See 4-10-171 (b)(5)	10 See 4-10-170 (b)(5)&(6) & 4-10-171 (b)(5)	20	65	2	2
	2F-Duplex Unit	3,000	60 See 4-10-168 (c)	100	15	10	5	10 See 4-10-170 (b)(5)&(6)	20	65	2	2
	Apartments	1,800	60	100	15	10	15 See 4-10-171 (b)(3)	15 See 4-10-171 (b)(3)	20	65	2	1- 3/4
	Non-Res. Main Bldg.	None	None	None	15	10	20	20	None	50	2	See 4-10-211 (2)
MF 1 Multiple Family	SF-Detached	5,000	50	100	15	See 4-10-172(b)(1)	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	65	3	2
	SF-Attached	2,000	20	100	15	10	None See 4-10-171 (b)(5)	10 See 4-10-170 (b)(5)&(6) & 4-10-171 (b)(5)	20	65	3	2
	2F-Duplex Unit	3,000	60 See 4-10-168 (c)	100	15	10	5	10 See 4-10-170 (b)(5)&(6)	20	65	3	2
	Apartments	1,200	60	120	15	10	15	15 See 4-10-171 (b)(3)	20	65	3	1- 3/4
	Non-Res. Main Bldg.	None	None	None	15	10	20	20	None	50	3	See 4-10-211 (2)
MF-2 Multiple Family	SF-Detached	5,000	50	100	15 See 4-10-170 (b)(7)	See 4-10-172(b)(1)	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	65	unlimited*	
	SF-Attached	2,000	20	100	15 See 4-10-170 (b)(7)	10	None See 4-10-171 (b)(5)	10 See 4-10-170 (b)(5)&(6) & 4-10-171 (b)(5)	20	65	unlimited*	
	2F-Duplex Unit	3,000	60 See 4-10-168 (c)	100	15 See 4-10-170 (b)(7)	10	5	10 See 4-10-170 (b)(5)&(6)	20	65	unlimited*	
	Apartments	600	60	120	15 See 4-10-170 (b)(7)	10 See 4-10-172(b)(4)	15 See 4-10-171 (b)(2)	15 See 4-10-171(b)(2)&(3)	20	65	unlimited* See 4-10-171 (b)(2) & 4-10-172 (4)	
	Non-Res. Main Bldg.	None	None	None	15 See 4-10-170 (b)(7)	10	20	20	None	50	unlimited*	See 4-10-211 (2)
MH Manufactured Home	SF-Detached	6,000	50	100	20	See 4-10-172(b)(1)	5	10 See 4-10-170 (b)(5)&(6)	20	65	2	2
	MH. MH Subdivision	5,000	50	100	20	10	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	65	2	2
	MH Park	See Sec. 4-7	35	100	See 4-7-3 (1)(d)	10	See 4-7-3 (1)(d)	See 4-7-3 (1)(d)	20	65	See 4-7-3 (1)(e)	2 See 4-7-3 (1)(i)
	Non-Res. Main Bldg.	None	None	None	20	10	20	20	None	50	2	See 4-10-211 (2)

* 20 ft. Front Yard Setback on Lots that abut a Cul-de-sac

**See Sec. 4-10-171(b)(4)

* To any legal Height not prohibited by other laws or ordinances.

OFFICE ZONING DISTRICTS

CHAPTER 4-10, ZONING

ZONE	TYPE USE	MIN. LOT SIZE & DIMENSIONS		MINIMUM YARD SETBACKS (<i>feet</i>)						MAX. LOT COVERAGE (%)	MAXIMUM HEIGHT (<i>stories</i>)	REQUIRED OFF-STREET PARKING (<i>spaces per unit</i>)
		AREA (sq. ft.)	WIDTH (feet)	DEPTH (feet)	FRONT	REAR	INTERIOR SIDE	SIDE ON STREET**	SIDE/REAR GARAGE ENTRANCE			
O-1 Office	SF-Detached	6,000	50	100	15	10	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	65	2	1
	SF-Attached	2,000	20	100	15	10	None See 4-10-171 (b)(5)	10 See 4-10-170 (b)(5)&(6) & 4-10-171 (b)(5)	20	65	2	1
	2F-Duplex Unit	3,000	60 See 4-10-168 (c)	100	15	10	5	10 See 4-10-170 (b)(5)&(6)	20	65	2	1- 1/2
	Apts.-1 & 2 stories	1,200	60	120	15	10	15	15 See 4-10-171 (b)(3)	20	65	2	1- 1/2
	Non-Res. Main Bldg.	None	None	None	15	None See 4-10-172(b)(2)	10 See 4-10-171 (b)(8)	10 See 4-10-171 (b)(8)	None	50	2	See 4-10-211 (2)
O-2 Office	SF-Detached	6,000	50	100	15 See 4-10-170 (b)(7)	10	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	65	unlimited*	1
	SF-Attached	2,000	20	100	15 See 4-10-170 (b)(7)	10	None See 4-10-171 (b)(5)	10 See 4-10-170 (b)(5)&(6) & 4-10-171 (b)(5)	20	65	unlimited*	1
	2F-Duplex Unit	3,000	60 See 4-10-168 (c)	100	15 See 4-10-170 (b)(7)	10	5	10 See 4-10-170 (b)(5)&(6)	20	65	unlimited*	1- 1/2
	Apts.-1, 2, & 3 stories	1,200	60	120	15 See 4-10-170 (b)(7)	10	15	15 See 4-10-171 (b)(3)	20	65	3	1- 1/2
	Apts.-Over 3 stories	600	60	120	15 See 4-10-170 (b)(7)	See 4-10-172(b)(4)	15 See 4-10-171 (b)(2)	15 See 4-10-171 (b)(2)	20	65	unlimited* See 4-10-171(b)(2) & 4-10-172 (4)	1- 1/2
	Non-Res. Main Bldg.	None	None	None	15 See 4-10-170 (b)(7)	None See 4-10-172(b)(2)	10 See 4-10-171 (b)(8)	10 See 4-10-171 (b)(8)	None	50	unlimited*	See 4-10-211 (2)

CHAPTER 4-10, ZONING

RETAIL AND CENTRAL BUSINESS ZONING DISTRICTS

ZONE	TYPE USE	MIN. LOT SIZE & DIMENSIONS		MINIMUM YARD SETBACKS (feet)						MAX. LOT COVERAGE (%)	MAXIMUM HEIGHT (stories)	REQUIRED OFF-STREET PARKING (spaces per unit)
		AREA (sq. ft.)	WIDTH (feet)	DEPTH (feet)	FRONT	REAR	INTERIOR SIDE	SIDE ON STREET**	SIDE/REAR GARAGE ENTRANCE			
NS Neighborhood Service	SF-Detached	6,000	50	100	20	10	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	65	2	1
	SF-Attached	2,000	20	100	20	10	None See 4-10-171 (b)(5)	10 See 4-10-170 (b)(5)&(6) & 4-10-171 (b)(5)	20	65	2	1
	2F-Duplex Unit	3,000	60 See 4-10-168 (c)	100	20	10	5	10 See 4-10-170 (b)(5)&(6)	20	65	2	1- 1/2
	Apartments	1,200	60	120	20	10	15	15 See 4-10-171 (b)(3)	20	65	2	1- 1/2
	Non-Res. Min Bldg.	None	None	None	20	None See 4-10-172(b)(2)	10 See 4-10-171 (b)(8)	10 See 4-10-171 (b)(8)	None	50	2	See 4-10-211 (2)
GR General Retail	SF-Detached	6,000	50	100	15	10	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	65	3	1
	SF-Attached	2,000	20	100	15	10	None See 4-10-171 (b)(5)	10 See 4-10-170 (b)(5)&(6) & 4-10-171 (b)(5)	20	65	3	1
	2F-Duplex Unit	3,000	60 See 4-10-168 (c)	100	15	10	5	10 See 4-10-170 (b)(5)&(6)	20	65	3	1- 1/2
	Apartments	1,200	60	120	15	10	15	15 See 4-10-171 (b)(3)	20	65	3	1- 1/2
	Non-Res. Main Bldg.	None	None	None	15	None See 4-10-172(b)(2)	None See 4-10-171 (b)(6)	None See 4-10-171 (b)(6)	None	50	3	See 4-10-211 (2)
CB Central Business	SF-Detached	5,000	50	100	None	10	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	100	unlimited*	1
	SF-Attached	2,000	20	100	None	10	None See 4-10-171 (b)(5)	10 See 4-10-170 (b)(5)&(6) & 4-10-171 (b)(5)	20	100	unlimited*	1
	2F-Duplex Unit	3,000	60 See 4-10-168 (c)	100	None	10	5	10 See 4-10-170 (b)(5)&(6)	20	100	unlimited*	1
	Apts.-1, 2, & 3 stories	1,200	60	120	None	10	15	15 See 4-10-171 (b)(3)	20	100	3	1
	Apts.-Over 3 stories	None	60	120	None	See 4-10-172(b)(4)	15 See 4-10-171 (b)(2)	15 See 4-10-171 (b)(2)	20	100	unlimited* See 4-10-171 (b)(2) & 4-10-172(4)	1
	MH. MH Subdivision	5,000	50	100	None	10	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	100	unlimited*	1
	MH Park	See Sec. 4-7	60	100	None	10	See 4-7-3 (1)(d)	See 4-7-3 (1)(d)	20	100	See 4-7-3 (1)(e)	2 See 4-7-3 (1)(i)
	Non-Res. Main Bldg.	None	None	None	None	None See 4-10-172(b)(2)	None See 4-10-171 (b)(6)	None See 4-10-171 (b)(6)	None	100	unlimited*	See 4-10-211 (2)

* To any legal Height not prohibited by other laws or ordinances.

**See Sec. 4-10-171 (b)(4)

CHAPTER 4-10, ZONING

COMMERCIAL ZONING DISTRICTS

ZONE	TYPE USE	MIN. LOT SIZE & DIMENSIONS		MINIMUM YARD SETBACKS (feet)						MAX. LOT COVERAGE (%)	MAXIMUM HEIGHT (stories)	REQUIRED OFF-STREET PARKING (spaces per unit)
		AREA (sq. ft.)	WIDTH (feet)	DEPTH (feet)	FRONT	REAR	INTERIOR SIDE	SIDE ON STREET**	SIDE/REAR GARAGE ENTRANCE			
LC Light Commercial	SF-Detached	5,000	50	100	15	10	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	65	3	1
	SF-Attached	2,000	20	100	15	10	None See 4-10-171 (b)(5)	10 See 4-10-170 (b)(5)&(6) & 4-10-171 (b)(5)	20	65	3	1
	2F-Duplex Unit	3,000	60 See 4-10-161 (c)	100	15	10	5	10 See 4-10-170 (b)(5)&(6)	20	65	3	1- 1/2
	Apartments	1,200	60	120	15	10	15	15 See 4-10-171 (b)(3)	20	65	3	1- 1/2
	MH. MH Subdivision	5,000	50	100	15	10	5 See 4-10-11 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	65	3	1
	MH Park	See Sec. 4-7	60	100	See 4-1-3 (1)(d)	10	See 4-7-3 (1)(d)	See 4-7-3 (1)(d)	20	65	See 4-7-3 (1)(e)	2 See 4-7-3 (1)(i)
	Non-Res. Main Bldg.	None	None	None	15	None See 4-10-172(b)(2)	None See 4-10-171 (b)(6)	None See 4-10-171 (b)(6)	None	50	3	See 4-10-211 (2)
HC Heavy Commercial	SF-Detached	2,000	20	100	None	10	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	65	unlimited*	1
	SF-Attached	2,000	20	100	None	10	None See 4-10-171 (b)(5)	10 See 4-10-170 (b)(5)&(6) & 4-10-171 (b)(5)	20	65	unlimited*	1
	2F-Duplex Unit	3,000	60 See 4-10-163 (c)	100	None	10	5	10 See 4-10-170 (b)(5)&(6)	20	65	unlimited*	1- 1/2
	Apts.-1, 2, & 3 stories	1,200	60	120	None	10	15	15 See 4-10-171 (b)(3)	20	65	3	1- 1/2
	Apts.-Over 3 stories	600	60	120	None	See 4-10-172(b)(4)	15 See 4-10-171 (b)(2)	15 See 4-10-171 (b)(2)	20	65	unlimited* See 4-10-171 (b)(2) & 4-10-172 (4)	1- 1/2
	MH. MH Subdivision	5,000	50	100	None	10	5 See 4-10-171 (b)(9)	10 See 4-10-170 (b)(5)&(6)	20	65	unlimited*	1
	MH Park	See Sec. 4-7	60	100	See 4-1-3 (1)(d)	10	See 4-1-3 (1)(d)	See 4-1-3 (1)(d)	20	65	See 4-1-3 (1)(e)	2 See 4-1-3 (1)(i)
Non-Res. Main Bldg.	None	None	None	None	None See 4-10-172(b)(2)	None See 4-10-171 (b)(6)	None See 4-10-171 (b)(6)	None	50	unlimited*	See 4-10-211 (2)	

CHAPTER 4-10, ZONING

INDUSTRIAL AND PLANNED DEVELOPMENT ZONING DISTRICTS

ZONE	TYPE USE	MIN. LOT SIZE & DIMENSIONS		MINIMUM YARD SETBACKS (feet)						MAX. LOT COVERAGE (%)	MAXIMUM HEIGHT (stories)	REQUIRED OFF-STREET PARKING (spaces per unit)
		AREA (sq. ft.)	WIDTH (feet)	DEPTH (feet)	FRONT	REAR	INTERIOR SIDE	SIDE ON STREET**	SIDE/REAR GARAGE ENTRANCE			
I-1 Light Industrial	SF-Attached	2,000	20	100	None	10	None See 4-10-171(b)(5)	10 See 4-10-170 (b)(5)&(6) & 4-10-171 (b)(5)	20	65	unlimited*	
	Apts.-1, 2, & 3 stories	1,200	60	120	None	10	15	15 See 4-10-171(b)(3)	20	65	3	
	Apts.-Over 3 stories	600	60	20	None	See 4-10-172(b)(4)	15 See 4-10-171(b)(2)	15 See 4-10-171(b)(2)	20	65	unlimited* See 4-10-171(b)(2) & 4-10-172(4)	
	MH, MH Subdivision	5,000	50	100	None	10	5 See 4-10-171(b)(9)	10 See 4-10-170 (b)(5) & (6)	20	65	unlimited*	
	MH Park	See Sec. 4-7	60	100	See 4-7-3(1)(d)	10	See 4-7-3(1)(d)	See 4-7-3(1)(d)	20	65	See 4-7-3(1)(3)	
	Non-Res. Main Bldg.	None	None	None	None	None	See 4-10-172(b)(2)	See 4-10-171(b)(6)	None	75	unlimited*	
I-2 Heavy Industrial	MH, MH Subdivision	5,000	50	100	None	10	5 See 4-10-171(b)(9)	10 See 4-10-170 (b)(5) & (6)	20	65	unlimited*	
	MH Park	See Sec. 4-7	60	100	See 4-7-3(1)(d)	10	See 4-7-3(1)(d)	See 4-7-3(1)(d)	20	65	See 4-7-3(1)(e)	
	Non-Res. Main Bldg.	None	None	None	None	None	See 4-10-172(b)(2)	See 4-10-171(b)(6)	None	75	unlimited*	
PD Planned Development	SF-Detached	6,000	60	90	As per Site Plan or Amending Ordinance	As per Site Plan or Amending Ordinance	As per Site Plan or Amending Ordinance	As per Site Plan or Amending Ordinance	20	As per Site Plan or Amending Ordinance	As per Site Plan or Amending Ordinance	
	SF-Attached	2,000	20	90					20			
	2F-Duplex Unit	3,000	60	90					20			
	MH Subdivision	5,000	50	100					20			
	MH Park	See Sec. 4-7	60	100					20			
	Apts.-1, 2 & 3 stories	1,200	60	120					20			
	Apts.-Over 3 stories	600	60	120					20		Unlimited* See 4-10-171(b)(2) See 4-10-172(4)	
Non-Res. Main Bldg.	None	None	None					None		As per Site Plan or Amending Ordinance		

Legal Height not prohibited by other laws or ordinances. ** See Sec. 4-10-171(b)(4)
 6043, § 1(N), (O), 11-9-93; Ord. No. 6268, § 1(FF), 12-24-96; Ord. No. 6568, § 10, 11-27-2001; Ord. No. 6712, § 2, 2-24-2004)

CHAPTER 4-10, ZONING

Secs. 4-10-175--4-10-190. Reserved.

DIVISION 3. SPECIAL AREA AND ACCESSORY BUILDING REGULATIONS

Sec. 4-10-191. Accessory building regulations.

(a) *Front Yard:*

- (1) Residential Accessory Buildings shall have a Front Yard not less than that specified for the Main Building.
- (2) Nonresidential Accessory Buildings shall be located in the area defined as the Rear Yard.

(b) *Side Yard:*

- (1) Residential Accessory Buildings shall have a Side Yard not less than three (3) feet. Residential Accessory Buildings two hundred (200) square feet or less in area shall have no Side Yard requirements.
- (2) Nonresidential Accessory Buildings shall have a Side Yard not less than that specified for the Main Building.

(c) *Rear Yard:*

- (1) Residential Accessory Buildings shall have no Rear Yard requirements. If no Alley exists, Residential Accessory buildings larger than two hundred (200) square feet in area shall have a rear yard of not less than ten (10) feet. (See Appendix Illustration No. 3)
- (2) Nonresidential Accessory Buildings shall have no Rear Yard requirements.

(d) *Special Accessory Building regulations:* A Residential Accessory Building may have a Side and Rear Yard less than required if other Residential Accessory Buildings, within the same block or immediately adjacent blocks, legally observe a Side Yard or Rear Yard less than required. The Side Yard with the least restrictive dimension shall establish the minimum Side Yard requirement and the Rear Yard with the least restrictive dimension shall establish the minimum Rear Yard requirement.

(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. 4-10-192. Area and setback requirements of stable (private).

A stable (private) must be set back fifty (50) feet from the front property line, twenty (20) feet from side property lines and twenty (20) feet from the rear property line and must provide at least one hundred (100) square feet for each horse stabled.

(Code 1960, § 26-15(B))

Sec. 4-10-193. Carport regulations.

(a) *General:* Carports are allowed in any zoning district when able to meet required Setbacks for Main Building or Accessory Building. If Main Building or Accessory Building setbacks are unable to be met, a person must apply for a specific use permit. The grant or denial of a specific use permit shall be based upon compliance with the requirements of Section 4-10-85 and considerations of the following factors:

- (1) Maximum of one (1) Carport per Lot.
- (2) Maximum floor area of four hundred forty (440) square feet.
- (3) Maximum height limited to twelve (12) feet as measured from floor to the peak of roof.
- (4) No opening on any side shall be lower than seven (7) feet as measured from floor to bottom of carport eave line.
- (5) Perimeter of Carport must remain open on at least three (3) sides. When located in the Front Yard, perimeter of Carport must remain open on at least the three (3) sides that are parallel to the Front and Side Yards. Openings must be unobstructed by walls, screens, lattice work or similar features that would create an enclosed space or obstruct visibility. Supporting vertical members such as columns, poles, and posts must have a cross section no larger than a square that is twelve (12) inches on each side.
- (6) Supporting vertical members, other secondary structural members for lateral bracing, trim, fascia, and other vertical elements must not obscure more than fifteen (15) percent of the vertical plane of any open side.
- (7) Carport (including the roof, eaves, and supporting members) must be set back at least ten (10) feet from the street curb line, or where no curb exists, the edge of paving, or the graded edge of an unimproved street. In no case shall the Carport extend beyond the property line.
- (8) Carport (including the roof, eaves, and supporting members) must be set back at least three (3) feet from a side property line.
- (9) Carport must have a Rear Yard setback of at least ten (10) feet if no alley exists.

CHAPTER 4-10, ZONING

- (10) Area beneath the roof of the Carport must be paved with asphalt or concrete to within at least two (2) feet of the edge of roofline. In addition, the driveway leading from the Carport and connecting to a street or alley must be similarly paved and maintained in good condition.
- (11) Carport (including the roof, eaves, and supporting members) must not overhang or intrude into any type of public easement.
- (12) In no case shall the Carport (including the roof, eaves, and supporting members) block or overhang an improved public sidewalk.
- (13) There can be no enclosed use above or on top of Carport.
- (14) Carport must be used solely for the parking of vehicles and not for any other purpose, including storage of any type.

(Ord. No. 6904, § 1, 2-21-2006)

Editor's note: Formerly, Ord. No. 6268, § 1(HH), adopted Dec. 24, 1996, repealed § 4-10-93, Area regulations for nonconforming mobile homes and mobile homes permitted by special exception. Such section was derived from the 1960 Code, § 26-15(C).

Sec. 4-10-194. Height regulations.

- (a) No Building or Structure shall be located, erected or altered so as to exceed the Height limit hereinafter specified for the District in which the Building is located. The maximum Height of Buildings and Structures shall not exceed the maximum Height set forth in Table 1, Summary of Development Standards except as noted in subsection (b).
- (b) Special Height Regulations. In the Districts where the Height of Buildings is restricted to three (3) Stories or less, the following provisions apply:
 - (1) Cooling towers, roof gables, chimneys and vent stacks may not exceed forty (40) feet above the average ground level of the Building. Water standpipes and tanks, church steeples, domes and spires, school Buildings, institutional Buildings, and flagpoles, may be erected to exceed three (3) Stories in Height in such District provided that one (1) additional foot shall be added to the Side, Front and Rear Yards Setbacks for each foot that any such structure exceeds three (3) Stories in Height.

- (2) Communication and Broadcast Towers may be permitted to any Height providing a tower's location on a site is set back from all bounding property lines a minimum distance equal to its Height.

(Code 1960, § 26-16; Ord. No. 5894, § 1, 11-6-90; Ord. No. 6268, § 1(II), 12-24-96; Ord. No. 6405, § 1, 3-23-99)

Secs. 4-10-195--4-10-210. Reserved.

DIVISION 4. VEHICLE PARKING AND LOADING

Sec. 4-10-211. Vehicle parking regulations.

Except as hereinafter provided, no Structure or part thereof shall be erected, altered or converted for any use permitted in the District in which it is located unless there shall be provided on the Lot or Tract, or on an immediately adjacent Lot or Tract, vehicle parking in the following ratio of vehicle spaces for the uses specified in the Designated Districts. As used herein, "immediately adjacent" means sharing a common boundary with at least one-half of the dimension of the boundary of the adjoining Lot or Tract, whether or not such Lots or Tracts are separated by a Street or Alley. Where Off-Street Parking for any use is to be provided on an adjacent Lot or Tract, it shall be consolidated under a single Certificate of Occupancy and Compliance with the main use, and the parking area shall not be sold separately from the main use without first achieving compliance with the requirements for parking to be provided under separate ownership or providing replacement parking and securing a new Certificate of Occupancy and Compliance for the main use.

- (1) The minimum Off-Street Parking spaces for Residential uses shall be as set forth in Table 1, Summary of Development Standards.

In a PD District, one (1) space shall be required for each Dwelling Unit plus such additional requirements as may be specified by the amending ordinance.

- (2) The following parking space schedule for nonresidential uses is applicable to all Districts except the CB Central Business District:
 - a. Bank, savings and loan or similar financial establishment--One (1) space for each six hundred (600) square feet of Floor Area;
 - b. Bowling alley--Six (6) spaces for each lane;

CHAPTER 4-10, ZONING

- c. Clinics or doctors' offices--One (1) space for each three hundred (300) square feet of Floor Area;
 - d. Churches--One (1) space for each three (3) seats in the main sanctuary;
 - e. Commercial outdoor amusement--Thirty (30) spaces plus one (1) space for each one hundred (100) square feet of Floor Area over two thousand (2,000) square feet;
 - f. Convalescent home or home for aged--One (1) space for each six (6) rooms or beds;
 - g. Day care center--One (1) space for every three (3) employees or one (1) space for every two hundred (200) square feet of Floor Area, whichever is greater;
 - h. Gasoline service station--Minimum of six (6) spaces;
 - i. Golf course--Minimum of thirty (30) spaces;
 - j. High school, college or university--One (1) space for each classroom, laboratory or instruction area plus one (1) space for each four (4) students accommodated in the institution;
 - k. Hospitals--One (1) space for every two (2) beds;
 - l. Hotel or motel--One (1) space for each room, unit or guest accommodation;
 - m. Institutions of a philanthropic nature--Ten (10) spaces plus one (1) space for each employee;
 - n. Library or museum--Ten (10) spaces plus one (1) for each three hundred (300) square feet of Floor Area;
 - o. Manufacturing, processing and repairing--One (1) space for each two (2) employees or one (1) space for each one thousand (1,000) square feet of Floor Area, whichever is greater;
 - p. Offices, general--One (1) space for each four hundred (400) square feet of Floor Area;
 - q. Recreational, private or commercial area or building (other than listed)--One (1) space for every four (4) persons to be normally accommodated in the establishment;
 - r. Restaurant or cafeteria--One (1) space for each forty-five (45) square feet of usable seating area;
 - s. Retail or personal service--One (1) space for each two hundred (200) square feet of Floor Area;
 - t. School, elementary or junior high--One (1) space for each classroom plus one (1) space for each four (4) seats in any auditorium, gymnasium or other place of assembly;
 - u. Storage or warehousing--One (1) space for each two (2) employees or one (1) space for each one thousand (1,000) square feet of Floor Area, whichever is greater;
 - v. Theaters, meeting rooms and places of public assembly--One (1) space for every three (3) seats; for theaters having more than ten (10) movie screens--One (1) space for every three and one half (3 1/2) seats;
 - w. Commercial and industrial uses not listed in a. through v. above--One (1) space per each five hundred (500) square feet of gross Floor Area or one (1) space per each two (2) employees, whichever is greater;
 - x. Tavern, lounge or private club--One (1) space for each forty-five (45) square feet, including balconies, of usable Floor Area;
 - y. Flea markets--One (1) space for each two hundred (200) square feet of leasable area including customer circulation areas and display areas;
 - z. Furniture or carpet stores--One (1) space for each four hundred (400) square feet of Floor Area;
 - aa. Apartment complexes for the elderly--Three-quarters of a space for each Dwelling Unit.
- (3) Special Off-Street Parking regulations are as follows:
- a. In computing the parking requirements for any Building or Development, the total parking requirements shall be the

CHAPTER 4-10, ZONING

- sum of the specific parking space requirements for each class of use included in the Building or Development.
- b. In the R-1, R-2, R-3, MD, MF-1, MF-2, O-1, O-2 and NS Districts, no lot area, no parking space, Garage or Carport or other automobile storage space or Structure shall be used for the storage of any truck, truck trailer, or van except, such vehicles not exceeding one (1) ton capacity according to the manufacturer's classification. Any such vehicle so parked after having been placarded with a notice by the City of the violation of the foregoing requirement on any previous occasion may be towed from its location or detained at the operator's expense.
 - c. Floor Area of Structure devoted to Off-Street Parking of vehicles shall be excluded in computing the Off-Street Parking requirements of any use.
 - d. A Building Permit shall be required for any new parking space or change in an existing parking space. For new construction, the permit may be considered part of the Building Permit for the Structure.
 - e. To satisfy the Off-Street Parking space requirements of subsections (1) and (2) above, a parking space shall be paved with asphalt or concrete, be provided with a similarly paved driveway connecting it to a Street or Alley and be established, maintained and marked in accordance with the mandatory Parking Design Standards of Section 9, Driveways and parking Lots, of the City of Amarillo Development Policy Manual.
 - f. No Off-Street Parking space adjacent to a public Street wherein the maneuvering of the vehicle in parking or leaving the parking space is done on the public Street shall be classified as Off-Street Parking in determining satisfaction of any parking requirements herein specified, except that parking requirements for one- and two-family Housing Units may be met in such manner.
 - g. No Off-Street Parking area incidental to a main use, commercial parking Lot or Structure, or vehicle storage area shall project into the Public Right-of-way of any Street or Alley, except that, where not otherwise prohibited by law or ordinance, only customer and employee parking areas incidental to a main use may project beyond the Right-of-way of a Street when the following conditions are met:
 1. The City Traffic Engineer determines such parking arrangement does not create a traffic hazard and adequate space for pedestrian traffic is provided.
 2. The parking area is established and marked in accordance with mandatory Parking Design Standards of Section 9, Driveways and Parking Lots, in the City of Amarillo Development Policy Manual.

Parking spaces provided in such manner shall not be classified as Off-Street Parking in determining satisfaction of any parking requirements herein specified.
 - h. In areas platted after May 1976, no land use other than single-family attached/detached and duplex shall have direct access to an alley which is immediately adjacent to or in an A, R-1, R-2, R-3 or MH Zoning District.
 - i. All vehicle entrances to a Garage where the primary use of the land is for Residential purposes shall be a minimum of twenty (20) feet from a Lot Line which abuts a Street or Alley. However, a vehicle entrance to a Garage from a local side Street (Streets other than arterials or collectors) or an Alley may be less than twenty (20) feet if in accordance with one (1) of the following conditions:
 1. Side Street--If Garages accessing a side Street along the side property line of a corner Lot within the same block have observed a vehicle entrance which is fewer than twenty (20) feet in length, then the vehicle entrance with the least restrictive dimension shall establish the minimum vehicle parking entrance requirement.

CHAPTER 4-10, ZONING

2. Alley--If Garages accessing an Alley along the rear property line of a Lot within the same block have observed a vehicle entrance which is lesser in dimension than twenty (20) feet, then the vehicle entrance with the least restrictive dimension shall establish the minimum vehicle parking entrance requirement.
3. Side Street or Alley--Vehicle entrances to a Garage may be less than twenty (20) feet if required Off-Street Parking is provided elsewhere on the Lot or Tract.

These provisions shall be superseded on any Lot having a minimum Side Yard or Rear Yard Building Line which has been established by Plat or ordinance which requires a greater Setback distance.

- j. Lanes or spaces for serving vehicles and for waiting vehicles shall be located entirely on the development site and shall in no way encroach into public right-of-way nor shall said lanes or spaces block any designated principal aisle.

(4) Parking requirements for new or unlisted uses are as follows:

- a. Where questions arise concerning the minimum Off-Street Parking requirement for any use not specifically listed, the requirements may be interpreted as those of a similar listed use.
- b. Where a determination of the minimum parking requirements cannot be readily ascertained for new or unlisted uses according to (4)a. above or where uncertainty exists, the minimum Off-Street Parking requirements shall be established by the same process as provided in section 4-10-84 for classifying new and unlisted use.

(Code 1960, § 26-18(A); Ord. No. 5557, § 1, 11-12-85; Ord. No. 5678, § 1, 4-28-87; Ord. No. 5679, § 1, 4-28-87; Ord. No. 5693, § 1, 7-7-87; Ord. No. 5918, § 1, 6-5-91; Ord. No. 6053, § 1, 12-7-93; Ord. No. 6268, § 1(JJ), 12-24-96; Ord. No. 6276, § 1, 3-11-97; Ord. No. 6741, § 4, 6-8-2004; Ord. No. 7204, § 3, 1-26-2010)

Secs. 4-10-212--4-10-225. Reserved.

Editor's note: Ord. No. 6699, § 7, adopted Nov. 25, 2003, repealed § 4-10-212, which pertained to off-street loading regulations and derived from Code 1960, § 26-19.

DIVISION 5. RESERVED

Secs. 4-10-226--4-10-234. Reserved.

Editor's note: Ord. No. 7201, § 1, adopted Dec. 15, 2009, repealed Div. 5 §§ 4-10-226--4-10-234, which pertained to signs. For complete derivation see the Code Comparative Table at the end of this volume.

Secs. 4-10-235--4-10-245. Reserved.

Editor's note: Ord. No. 6600, § 10, adopted June 11, 2002 amended by deleting § 4-10-235 which pertained to advertising signs--Spacing standards. For complete derivation see the Code Comparative Table at the end of this volume.

DIVISION 6. LANDSCAPING REQUIREMENTS

Sec. 4-10-246. Purpose.

The purpose of this Chapter is to set minimum requirements for landscape and irrigation standards for properties with Multiple-Family and nonresidential land uses within the corporate limits of the city. The following regulations are designed to:

- (1) Preserve the value of property while promoting and enhancing the visual appearance of the City;
- (2) Reduce the negative effects of noise, glare, air pollution, and urban heat islands;
- (3) Reduce soil erosion and encourage the reduction of water run-off by decreasing large expanses of impervious area; and
- (4) Promote water conservation and water efficiency by incorporating drought-tolerant plant selections in properly designed landscape areas and using proper irrigation systems;

(Ord. No. 7469, § 2, 8-12-2014)

Sec. 4-10-247. Definitions.

Building Footprint: A Structure which is covered by a roof or canopy and is not open to the sky. This definition is not intended to include Carports.

Building Official: Head of the Department of Building Safety for the City of Amarillo.