

**ORDINANCE NO. 8136**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 4-10, ZONING, ARTICLE IV, DIVISION 1, SECTIONS 4-10-82 AND 4-10-83 AS WELL AS ARTICLE V, DIVISION 4, SECTION 4-10-211, TO CHANGE THE LAND USE CATEGORY ART GALLERY OR MUSEUM AND THE PARKING SPACE SCHEDULE FOR SUCH TYPE OF USE; PROVIDING FOR A CRIMINAL OFFENSE AND PENALTY; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

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**WHEREAS**, the Texas Local Government Code, Chapter 211, permits the governing body of a municipality to adopt rules regulating zoning and a zoning district boundary within their municipality;

**WHEREAS**, the Texas Local Government Code at Section 211.001 allows a municipality to adopt such rules for the purpose of promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance;

**WHEREAS**, the City Council adopted the “Amarillo Comprehensive Plan” on October 12, 2010, which established guidelines in the future development of the community for the purpose of promoting the health, safety, and welfare of its citizens;

**WHEREAS**, in accordance with such Plan, the Amarillo Municipal Code Zoning Ordinances recognize that new types of land use will develop, and forms of land use not anticipated may seek to be located in the City, and it provides a process for such changes and contingencies;

**WHEREAS**, in accordance with the Amarillo Municipal Code, Section 4-10-84, the Planning Department shall refer classifications of new or unlisted land uses to the Planning and Zoning Commission for direction;

**WHEREAS**, after a public hearing before the Planning and Zoning Commission for proposed zoning ordinance amendments, the Commission filed its final recommendation and report on such proposed zoning changes to the City Council;

**WHEREAS**, the City Council has considered the final recommendation and report of the Planning and Zoning Commission and has held a public hearing on such proposed zoning changes, all as required by law;

**WHEREAS**, the City Council further determined that the request to amend the Zoning Ordinance is herein consistent with the goals, policies, and future land use map of the Comprehensive Plan for the City of Amarillo, Texas.

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

**SECTION 1:** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2:** The City Council hereby amends the Amarillo Municipal Code, Chapter 4-10, Article IV, Division 1, Section 4-10-82, Table F – Educational and Institutional Uses, at Art Gallery or Museum, to divide this type of Land Use into two types of Land Uses, specifically for Indoor and Outdoor Uses as follows:

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>F – EDUCATIONAL AND INSTITUTIONAL USES</b>																				
<del>Art Gallery or Museum</del>	37	8412																		
Cemetery or Mausoleum		6553	S							S	S	S	S	S	S	S	S	S		
Mobile Ice-Cream/Frozen Dessert Vehicles	(38)	8661																		

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
<b>F – EDUCATIONAL AND INSTITUTIONAL USES</b>																				
Art Gallery or Museum, (Indoor)	(37a)	8412																		
Art Gallery or Museum, (Outdoor)	(37b)	8412	S					S	S											
Cemetery or Mausoleum		6553	S								S	S	S	S	S	S	S	S	S	
Mobile Ice-Cream/Frozen Dessert Vehicles	(38)	8661																		

**SECTION 3:** The City Council in conjunction with the types of land uses for the Art Gallery or Museum for both indoor and outdoor further amends Amarillo Municipal Code, Chapter 4-10, Article IV, Division 1, Section 4-10-83(a)(37), special definitions and explanations noted in use regulations, to be divided into two types of land uses, indoor and outdoor, as follows:

~~(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.~~

(37a) Art Gallery or Museum (Indoor): An institution for the collection, display and distribution of objects of art or science, which is sponsored by a public, quasi-public, or private entity, open to the general public, and housed within an enclosed structure.

(37b) Art Gallery or Museum (Outdoor): An institution for the collection, display, and distribution of objects of art or science, which is sponsored by a public, quasi-public, or private entity, open to the general public, and not housed within an enclosed structure. This shall include outdoor art installations within parks, sculpture gardens, and plazas open to the general public.

**SECTION 4:** The City Council additionally amends Amarillo Municipal Code, Chapter 4-10, Article V, Division 4, Chapter 4-10-211(2)(n), to address vehicle parking regulations as follows:

- n. Library or museum – Ten (10) spaces plus one (1) space for each three hundred (300) square feet of Floor Area. Uses that do not utilize on-site staff, such as outdoor art installations or sculpture gardens, require one (1) space for each three hundred fifty (350) square feet of pedestrian circulation and display areas.

**SECTION 5. Penalty.** Any person who violates any provisions of this chapter commits a criminal offense, a misdemeanor, and shall be subject to a fine upon conviction as provided for in Sections 1-1-5(b) and 4-10-4 of the Amarillo Municipal Code. Each day of such violation shall constitute a separate offense.

**SECTION 6. Repealer.** All ordinances and resolutions or parts thereof that conflict with this Ordinance are hereby repealed, to the extent of such conflict.

**SECTION 7. Severability.** The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

**SECTION 8. Publishing and Effective Date.** This Ordinance shall be published and become effective according to law.

**INTRODUCED AND PASSED** by the City Council of the City of Amarillo, Texas, on First Reading on this the 28th day of May, 2024 and **PASSED** on Second and Final Reading on this the 11th day of June, 2024.

\_\_\_\_\_  
Cole Stanley, Mayor

ATTEST:

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Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

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Bryan McWilliams, City Attorney

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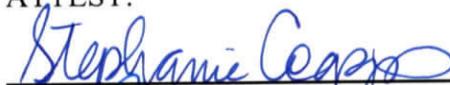
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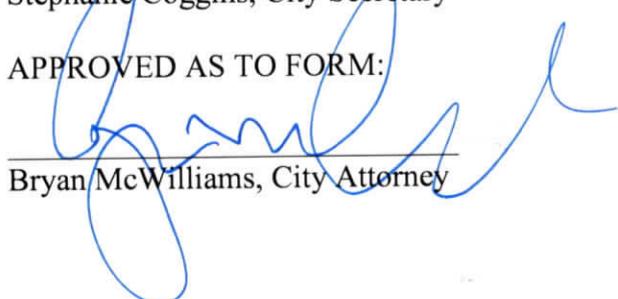
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Cole Stanley, Mayor

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