AMISTAD LAND USE AND ZONING ORDER

1985

Val Verde County Court Order Number _____

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THE AMISTAD LAND USE AND ZONING ORDER

OF VAL VERDE COUNTY

AUGUST, 1985

BE IT ORDAINED BY THE VAL VERDE COUNTY COMMISSIONERS COURT:

ARTICLE I - ENACTMENT AND DEFINITIONS

SECTION 1.01 ENACTMENT AND GENERAL PROVISIONS

These zoning regulations including land use districts and all regulations established herein are made in accordance with Article 2372 1-1, V.A.C.S., and this order shall be executed and implemented to accomplish the purposes set forth therein.

SECTION 1.02 SHORT TITLE

This order shall be known and may be cited and referred to as "The Amistad Land Use and Zoning Order."

SECTION 1.03 DEFINITIONS

For the purpose of this order, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular. The words "shall" and "will" are mandatory and not merely permissive, and the words "should" and "may" are discretionary.

Accessory Buildings (Structures) and Uses. A subordinate building or portion of a main building the use of which is incidental to and normally or customarily associated with that of the main building. An activity or use of land subordinate to but normally or usually associated with the primary use of the premises.

Amenity(ies). The attractiveness and value of the houses and the neighborhood in a residential area; those features and factors which contribute to such attractiveness value; the features and factors which contribute or comprise the quality of the physical and social environment of a community or living area.

Amistad Zoning Area. The area of Val Verde County, Texas in which said County may exercise land use on zoning control as defined and provided by Article 2372 L-1, V.A.C.S.

Amistad Zoning Office. The office and its employees as established by the Commissioners Court of Val Verde County to administer and enforce this Amistad Land Use and Zoning Order.

Approved Public Waste Water Collection and Disposal Systems and/or Approved Water Supply System. A system or systems for the supply of water and/or the collection, treatment, and disposal of waste water designed, constructed and operated in compliance with State laws and regulations and approved by the appropriate State Agency. Such system(s) may be owned and operated as a private utility by a private individual, firm or non-profit corporation, or by a public district established in compliance with State law. Such a system(s) shall be designed and constructed to provide service to an area of diverse ownership of lots and properties as contrasted to service of a single complex or project such as a condominium, apartment project, shopping center, mobile home park, or group of rental commercial or residential uses in one ownership.

Attached, High Density Single Family Dwelling. A dwelling unit structure having a separate wall, which wall is contiguous to, or part of, a common wall with an adjoining dwelling unit structure. Synonymous with word "Town House"

Attached, High Density, Single Family Dwelling Project. An attached, high density, single-family dwelling project, development or plan is one which is submitted and approved by a single special permit, issued by the Commissioners Court and may also be considered to be an attached, high density single-family dwelling subdivision, as that term is used herein. Synonymous with "Town House Project".

Boat Storage. A structure to house boats on trailers in stalls and having an all weather floor surface and all weather access drives. The storage stalls shall be used only for the storage of boats, boat trailers and associated boating and fishing equipment. The boat stalls shall be offered and available to the public on a rental basis. Boat storage shall not mean the placing or parking of boats, motors and/or boat trailers in association with the business of offering for sale, servicing or repairing of same.

Build. To erect, convert, enlarge, reconstruct or structurally alter a building or structure.

Building (Structure). A building (structure) is anything that has a roof supported by columns, posts, pipes or walls for shelter or enclosure of persons, animals or chattels. When any portion thereof is completely separated from every other portion by masonry or a firewall without any window, which wall extends from the ground to the roof, then such portion shall be deemed to be a separate building (structure). (Example - a townhouse). Mobile homes are structures.

Building Permit. A permit issued by an officer of the Amistad Zoning Office to an owner or contractor permitting the construction or alteration of a buildinglet

Certificate of Occupancy. A certificate issued by an officer of Amistad Zoning Office of Val Verde County to the owner or his agent upon the completion of a structure or structural alteration thereof, for which a building permit was required, and issued certifying that the structure has been completed, altered or enlarged in conformance with the requirements of these regulations.

Condominium. A building or structure or group of structures within which the separate ownership of single units with common elements or apartments in a multiple unit structure or structures with common elements is proposed, permitted or established with a condominium regime as defined in Section 1301a of V.A.C.S.

Corner Visability Triangle. At the intersection of two streets, a triangle within the intersection formed by connecting with a straight line two points, one on each intersection right of way line a distance of thirty feet from the point of intersection of the rights of way lines. At corners formed by a curve, the lines (tangents) shall be projected to a point of intersection.

County. Val Verde County, Texas.

COUNTY PLANNING AND ZONING COMMISSION. The Val Verde County Planning and Zoning Commission, as established by Court Order Number 35513.

District. A part of the Amistad Zoning Area of Val Verde County wherein regulations of this Land Use and Zoning Order are uniform. A zoning district having specific and unique regulations in this Land Use and Zoning Order. A zoning district shown on the Official Zoning Map of the Amistad Zoning Area of Val Verde County.

Dwelling, Single Family. A building designed and constructed to be occupied by but one family functioning as one housekeeping unit alone.

Dwelling, Two Families (Duplex). A building arranged, intended or designed to be occupied by two families as defined.

Dwelling, Multiple Family (Apartment). A structure designed to be or occupied otherwise than as a single family or two family dwelling (containing three or more dwelling units).

Family. One person, or a group of two or more persons living together and interrelated by bonds of consanquantly, marriage or legal adoption, or a group of not more than three persons who need not be so related, occupying the whole or part of a dwelling unit as a separate housekeeping unit with a common set of cooking facilities.

Flood Plain. Any area which is anticipated to be innundated by water as may result from a rain or storm having an intensity so as to have a frequency of probable occurance only once in a 100 year time span and as delineated upon Flood Plain Maps as may be published by the United States Government.

Garage, Private. A garage, not for hire, attached or detached, for use as an accessory structure and/or use for private purposes.

Height Of Building. The vertical distance measured from the highest elevation of the natural grade of the land directly under and upon which the structure is situated, to the highest point of the structure.

Home Occupation. An accessory use; an activity carried on only by a resident member of the family meeting these conditions: A) only one non-illuminated sign no larger than two square feet in area is used, B) nothing is done to make the building appear in any way as anything but a dwelling, C) if some product is made as part of the activity, it and only it may be sold on the premises; nothing else can be sold, D) no more than one person not residing in such dwelling unit may be employed. E) mechanical equipment used in only that normally used in or found in a single family dwelling. Does not include a day care center. Does not include beauty salons or barber shops having more than one chair.

liotel, (Motel), (Tourist Court). A building or group of buildings in a single complex occupied as a temporary abiding place of individuals who are lodged with or without meals on a daily or longer basis, in which as a rule the rooms are occupied singurly for hire, and in which there are more than five sleeping rooms, with or without a public dining room and a general kitchen.

Lot. A parcel of land occupied or to be occupied by a-building and its accessory buildings and including such open spaces as are required under this order, having its frontage directly upon a public street. A lot is a separate parcel of land defined by either meets and bounds description or by plat recorded in the County Clerk's office of Val Verde County.

Lot, Corner. A lot fronting on two or more streets intersecting at an angle of not more than one hundred thirty-five (135) degrees.

Lot, Depth. The "lot depth" is the length of a line connecting the mid-points of the front and rear lot lines, which line shall be at right angles to the front lot line or radial to a curved front lot line.

Lot Lines. The front, side and rear lines bounding a lot.

Lot Width. The "lot width" is the length of a line (drawn perpendicular to the lot depth line) connecting the side lot lines at the building setback line or a point not less than twenty (178 (25) feet from the front lot line.

Mobile Home (House Trailer). A movable or portable dwelling which is constructed on a chassis, is or can be equipped with wheels, is designed to be towed over roads and highways, can be used for year around occupancy, can be used without structural attachment to a permanent foundation and is or can be connected to utilities. Mobile homes do not include (1) recreational vehicles which have an integrated motor, power train and cab for the operator, being mobile without being pulled by another vehicle; (2) pick-up campers, tent trailers and premanufactured dwellings as herein defined.

Mobile Home Park. An area divided into parking spaces for mobile homes and or recreational vehicles where parking and residential use of such vehicles is by remuneration for space rent on a daily, weekly, monthly or annual basis.

Non-Conforming Use. A building or premises occupied and used for a purpose that does not conform with any or all of the regulations of the District in which it is located.

Parking Space. An area on a lot sufficient in size to store one automobile (not less than 9 feet wide and 18 feet long) connected to a public street or alley by a driveway not less than 8 feet wide and so arranged as to permit ingress and egress of an automobile at all times without moving any other parked vehicle. The parking space and connecting driveway shall be an all-weather, hard and level surface on which vegetation cannot grow.

Person. The term "person" shall include both the singular and plural and shall mean and embrace any individual, firm, partnership, association, corporation or society and their heirs, administrators, executors or assigns, agents, servants and employees.

Pre-Manfactured Dwelling. Any structure, not a mobile home as herein defined, the components or all of which, have been manufactured elsewhere and which is transported to and assembled or located on the lot where it is to be occupied and which is placed upon a permanent foundation to which it is structurally attached.

Premises. A lot or parcel of land together with any and all buildings or structures occupying it.

Primary Use. The principal use of a lot or premises such as a single family dwelling, mobile home park, apartment building, retail store, etc.

Private Water Supply and/or Waste Water Disposal Facility(ies). Not an Approved Waste Water Collection and Disposal System and/or Approved Water Supply System. A facility(ies) owned and/or operated as an accessory to a specific use and usually (but not necessarily) located upon the same premises therewith.

Recreational Vehicle. A vehicle equipped with motor and power train and capable of self propulsion over roads and highways, usually equipped with a self contained water supply and waste water disposal storage systems and equipped for use as a dwelling with sleeping and bathroom facilities.

ARTICLE II - GENERAL REGULATIONS

The regulations and provisions set forth in this Article apply throughout the Amistad Zoning Area.

SECTION 2.01 INAPPLICABILITY TO TELEPHONE SYSTEM

The provisions, requirements and regulations of this Amistad Land Use & Zoning Order shall not apply to the location, construction, maintenance, or use of central office buildings of corporations, firms, or individuals engaged in the furnishing of telephone service to the public, or to the locations, construction, maintenance, or use of any equipment in connection with such buildings or as a part of such telephone systems, necessary in the furnishing of telephone service to the public.

SECTION 2.02 HEIGHT OF STRUCTURES

No structure located within the Amistad Zoning Area, other than the bell tower and steeples of churches, elevated water storage tanks, wind mills and radio and television antenna shall exceed a height of greater than thirty five (35) feet. (See definition of building heights).

SECTION 2.03 BUILDING SET-BACKS & REQUIRED YARDS AND OPEN SPACE

No building, except within a "C" or "B" District, shall be located closer than twenty-lives (2A) fluctuating street right-of-way line that is the front lot line of the lot upon which located. On corner lots, in all districts, no building shall be located closer than tell (10) left to the street right-of-way line that is the side lot line of the lot upon which located.

Except where a greater distance is required, no structure shall be closer than five (5) feet to any lot line of the lot upon which it is located.

Required front vards shall be used only for landscaping, walkways and driveways.

Corner visability triangles (see definition) shall not be occupied by any structure or sign on any corner lot within any District.

Any structure in place as of the effective date of this Order that violates any of these set-back requirements, and is a permitted use within the district in which located, will not be considered as a non-conforming use and may be continued, repaired or altered except that no addition shall be made that will further violate these set-back requirements.

SECTION 2.04 TWO OR MORE BUILDINGS ON A LOT & MINIMUM LOT AREAS

Except within the "C" District and structures in townhouse projects, mobile homes & recreational vehicles located in an approved mobil home park, and structures in an apartment complex or project, all residential structures shall face a public street and no residential structure shall be located behind another structure on the

Sign. Any object, structure or part thereof on which is lettered, pictured or displayed matter the chief purpose of which is for advertising or publicity.

Stable, Private. A stable for the keeping of horses, none of which are kept or provided for use for remuneration.

Stable, Public. A stable in which horses are kept for remuneration, hire or sale.

Street. A public thoroughfare.

Structure, See definition of "building"

Structural Alterations. Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

Town House. See definition of Attached, High Density Single Family Dwelling.

same lot. Each residential structure shall be provided with the minimum lot area required therefor and in association therewith, and no residential structure shall share the required lot area of another residential structure. Residential structures and accessory uses to be or occupied in association with the agriculture use of land within a "R" District are exempt from this requirement.

SECTION 2.05 FLOOD PLAINS

No structure shall be located within a 100 year flood plain as herein defined or closer than fifty (50) feet to the center line of the bottom of any ravine, natural drainage course or creek.

SECTION 2.06 SIGNS & BILLBOARDS

No sign or biliboard except one of less than eight (8) square feet in area advertising for rent or sale the property upon which it is located shall be permitted in any other than the "C" or "B" Districts. Sales offices associated with subdivisions upon which they are located and entrances to approved mobile home parks not located in a "C" District may have one sign of not to exceed fourty (40) square feet in area.

There may also be signs or billboards of an area of not to exceed one hundred and twenty (120) square feet each within a "C" District or ninety (90) square feet each in a "B" District. Such signs or billboards shall only advertise the activity operated and located upon the same premises upon which said sign or billboard is located. No sign, billboard or advertising device located within a "B" District shall have any form of flashing or rotating lights or lighting. No sign or billboard within one hundred (100) feet of a "UR" District shall be illuminated.

SECTION 2.07 BUILDING PERMITS & CERTIFICATES OF OCCUPANCY

No structure, except non-residential agricultural buildings located in the "R" District, which are hereby exempt, shall be constructed, altered, remodeled or moved upon any site within the Amistad Zoning Area, until there shall have first been obtained a Building Permit therefor from the Amistad Zonling Office. No such permit shall be issued unless the proposed structure(s): (a) complies with all of the requirements and regulations set forth herein and/or as may have been imposed by the Commissioners Court as conditions to a special permit; (b) complies with the rules, regulations and requirements of the County as relate to water supply, private wells, and public and private waste water disposal systems; and (c) complies with the Flood Plain Regulations as adopted by the County. All Building Permits shall expire within six (6) months from the date of their issuance. No structure that is constructed, altered or moved on to a premises shall be occupied until and after a Certificate of Occupancy shall have been issued therefore based upon an inspection of the premises made by an officer of the Amistad Zoning Such officer shall not issue a Certificate of Occupancy unless the structure and proposed use comply with the terms of the building permit issued therefor, the rules, regulations and requirements of this Land Use & Zoning Order, any conditions imposed by the Commissioner's Court as conditions for the granting of a special permit and such rules and regulations as adopted by Commissioners Court that govern the use of flood plains and the supply of water and disposal of waste water. Building Permits and Certificates of Occupancy shall be issued in every event that there is compliance with all the applicable requirements as set forth herein.

SECTION 2.08 REQUIRED OFF STREET PARKING

Off street vehicular parking space of an all weather surface shall be provided according to the following schedule and shall be located on the premises of the use they are to serve.

- (1) Residential uses including mobile home not in mobile home park two off street parking spaces for each dwelling unit.
- (2) Hotels and Motels one off street parking space for each guest room, plus on additional off street parking space for each four patron seats in rooms open to the non-resident public.
- (3) Churches and other private places of assembly, including auditoriums and theaters - one off street parking place for each four seats provided in the auditorium or sancturary.
- (4) Elementary and junior high school, public, parochial and private schools five off street parking spaces for each class room.
- (5) Senior high school, public parochial and private schools offering a similar curriculum ten off street parking spaces for each class room and two additional off street parking spaces for each room used for administrative purposes.
- (6) Hospitals one off street parking space for every three beds.
- (7) Private clubs, lodges and private institutions and all public buildings wherein there is no auditorium or place of public assembly one off street parking space for each 100 square feet of floor area.
- (8) Offices and financial institutions, private five off street parking spaces for each 1,000 square feet of floor area, not including the area in halls, restrooms, lobbles and janitorial areas.
- (9) Fabricating and manufacturing two off street parking spaces for each three anticipated employees, and in addition, five off street parking spaces for each 1,000 square feet, or fraction thereof, of floor area for administrative and clerical offices.
- (10) Commercial uses and all other uses except those previously specified one off street parking space for each 150 square feet of floor area not

used for warehousing, storage, restrooms or walkways.

The provisions and requirements of this order as to off street parking shall not be applied to or affect structures in existence on the effective date of this Order.

2.09 EXISTING LOTS OF LESS THAN REQUIRED AREA

Any lot held in separate ownership and/or of record as shown on a plat recorded in the County Clerk's Office prior to the effective date of this Order shall not be considered a violation of this Order if such lot is not of an area and/or dimensions as herein required. Within a residential district, such a lot may be used for one single family dwelling except where such lot area is inadequate to comply with the area requirements for private water supply and/or waste water disposal facilities. No lot in any district shall be used for any structure requiring a private water supply for human consumption and/or waste water disposal facility(les) if such lot is inadequate in area and/or dimension to comply with the County's regulations as to the design, construction, and use of such facilities. The joining together of two or more lots into one premise thus effecting compliance with such regulations will also effect compliance with this Order.

ARTICLE III DISTRICT REGULATIONS

SECTION 3.01 DISTRICTS ESTABLISHED AND MAPPED.

- (a) Land or premises in each of the following classified Districts within the Amistad Zoning Area shall be used only for the purposes as herein set forth. Any other use of land or premises in such Districts or District shall be unlawful and in violation of this Order.
- (b) For the purpose of this Order, the Amistad Zoning Area is hereby divided into six (6) Districts as follows:

"R" Rural-Residential

"UR" Urban Residential

"MS Mobile Home Subdivision-Residential

"P" Mobile Home Park-Residential

"C" Commercial

"B" Business

For the purpose of definition, all of these Districts, except the "C" and "B" Districts, shall be considered as "Residential Districts."

(c) The said Districts and the boundaries therefor are delineated and shown upon a map entitled "Official Amistad Zoning District Map", which map is maintained up to date and is on file in the Amistad Zoning Office. The said map and all the notations, references and other data shown thereon are hereby made and shall be as much a part of this order by reference thereto as if all the information and data set forth and shown on said map were fully described herein.

SECTION 3.02 PERMITTED USES IN ALL DISTRICTS

The following uses, buildings and activities are permitted in each and every zoning district as set forth in Sections 3.01 (b).

- (1) Single family residential dwellings of standard on site or pre-manufactured construction (not including mobile homes and recreational vehicles for occupancy on the premises).
- (2) Accessory buildings and uses to and with a single family dwelling including private garages, greenhouses, playhouses, hobby related work shops, carports, private boat sheds for not more than four (4) boats on any one premises, swimming pools, tennis courts, and shelters for keeping of pets.

- (3) Public parks and playgrounds including unlighted athletic fields. Golf course, but not miniature golf courses or driving range operated as a commercial enterprise.
- (4) Public schools.
- (5) Churches.
- (6) Private clubs and recreational facilities owned and operated, not for profit, by a home owner or residential association within the residential subdivision by and for the property owners resident therein.
- (7) Wells, pumping stations, water supply reservoir, artificial lake, filterbed, water tank, windmills, towers, or stand pipes.
- (8) Boat docks, boat houses, and marinas not used or operated for commercial purposes.
- (9) Railroad rights of way, railroad tracts, railroad bridges, water tanks, signals and other railroad appurtenances but not including railroad yards, classification tracts, storage tanks, passenger stations, freight stations, cooling facilities fuel oil tanks, or round houses.
- (10) Electrical facilities, transformers, relay and substations, poles, wires, and electrical transmission and/or distribution lines and distribution appurtenances, but not including office buildings or storage facilities related to electrical facilities or supply.
- (11) Home occupations.
- (12) Farming, truck gardening, orchard, or nursery.
- (13) Accessory buildings customarily incident to the above uses when located upon the same lot.
- (14) Agricultural and ranching activities as a primary use and the residential other structures and activities as are normally and usually associated with and primary use. If the area of the agricultural or ranching activity is greater than ten (10) contiguous acres, all of which are within the AmistedZoning Area, employees of the agricultural or ranching activity may occupy temporary structures, mobile homes or recreational vehicles that are located upon the premises as an accessory use.

- (15) Any activity or use as may be permitted by the Commissioners Court by special permit as set forth in Article IV hereof.
- (16) Sales offices for subdivisions.

SECTION 3.03 "R" - RURAL-RESIDENTIAL DISTRICT

A. Use Regulations

In addition to the uses as may be permitted under the provision of Section 3.02 hereof and in compliance with Article II hereof, no land shall be used and no building shall be hereinafter erected, constructed or altered with a "R" Rural District for other than the following:

- 1. Mining, oil and gas exploration and production.
- 2. Animal sheds, shelter and pens; private stables; barn and tack room, private paddock or track and poultry sheds and shelters.

B. Area Regulations

No lot shall be platted or subdivided in this District for intended residential use, having an area of less than five (5) acres. Each residential use or structure in such a subdivision, whether created by metes and bounds or by recorded plat, shall be provided, exclusive of any other residential use or structure, with a lot area of not less than five (5) acres. No single family dwelling shall occupy or be located on a lot or tract of land having an area of less than five (5) acres. No lot or tract of land intended for or occupied by a single family dwelling shall have a width of less than two hundred (200) feet and depth of less than three hundred (300) feet.

SECTION 3.04 "U" - URBAN RESIDENTIAL DISTRICT

A. Use Regulations

In addition to the uses as may be permitted under the provision of Section 3.02 hereof and in compliance with Article II hereof, no land shall be used and no building shall be hereinafter erected, constructed or altered in a "U" - Urban Residential District for other than the following:

1. Private club building and pool for the exclusive use of residents of the subdivision within which located.

B. Area Regulations

- 1. If served by an approved public water supply system and an approved public waste water collection and disposal system, no single family dwelling shall be located or constructed on a lot having an area of less than nine thousand six hundred (9,600) square feet, a width of not less than sixty-five (65) feet and a depth of not less than one hundred fifteen (115) feet.
- 2. If not served by an approved public water supply system and/or an approved waste water collection and disposal system, no single family dwelling shall be constructed or located on a lot having an area and dimensions less than as shall be required by the County Health inspector as being adequate to safely accommodate a private well and/or waste water disposal facility on the lot in compliance with the County's Private Sewage Facility Order and regulations of the State of Texas.

SECTION 3.05 "MS" MOBILE HOME SUBDIVISION-RESIDENTIAL DISTRICT

A. Use Regulations

In addition to the uses as may be permitted under the provision of Sections 3.02 and 3.04 hereof and in compliance with Article II hereof, no land shall be used and no building shall be hereinafter erected constructed or altered in a "MS" Mobile Home Subdivision District for other than the following:

- 1. Private club building and pool for the exclusive use of residents of the subdivision within which located.
- 2. Use of a mobile home (not a recreation vehicle) single or double width as a single family dwelling when located on a single lot which shall comply with the minimum lot area requirements of the "U" District, provided that such mobile home shall have the wheels removed, shall be anchored by cables or straps in compliance with State Law, shall be provided with a skirt of wood or masonry construction and shall be connected to an electrical power source and either an approved public water supply system and an approved public waste water disposal system or approved private water supply and waste water disposal facilities. In all respects, all of regulations and requirements as apply to a single family dwelling, as set forth herein, shall apply to the location and use of a mobile home as a dwelling within this District.

B. Area Regulations

The area regulations as set forth in Section 3.04 (b) hereof shall apply.

SECTION 3.06 "P" MOBILE HOME RESIDENTIAL PARK DISTRICT

A. Use Regulations

In addition to the uses as may be permitted under the provisions of Section 3.02 hereof and in compliance with Article II hereof, no land shall be used and no building shall be hereinafter erected, constructed or altered in a "P" Mobile Home Park District for other than the following:

- 1. The uses as permitted in Section 3.05 hereof.
- 2. Mobile home parks, including their occupancy by recreational vehicles, which shall be designed, constructed, operated, occupied and maintained in compliance with the regulations of the State of Texas regulating mobile home parks and the Mobile Home Park Regulations as adopted by the Commissioners Court of Val Verde County.

B. Area And Setback Regulations

- 1. For single family dwellings and mobile homes on single lots, the area regulations shall be as set forth in Section 3.04 (B) hereof.
- 2. Within a mobile home park, no mobile home or recreational vehicle shall be located closer to any other mobile home or recreational vehicle or closer to any lot line of the lot or premises upon which located than ten (10) feet.
- 3. No mobile home park shall be constructed or occupied if the spaces therein to be occupied by mobile homes are not connected to an approved public water supply systems and an approved public waste water collection and disposal system unless the area of the premises is of adequate size, shape, and area, as shall be determined by the County liealth inspector, to provide for a safe supply of water and a safe means of waste water treatment and disposal as necessary to accommodate the needs of the full capacity or occupancy of such mobile home park.

SECTION 3.07 "C" COMMERCIAL DISTRICT

A. Use Regulations

In addition to the uses as may be permitted under the provisions of Section 3.02 hereof and in compliance with Article II hereof, no land shall be used and no building shall be hereinafter erected, constructed or altered in a "C" Commercial District for other than the following:

- Commercial camp grounds and mobile home and recreational vehicle parks to be designed, constructed and occupied in compliance with the regulations therefore as adopted by the Commissioners Court of Val Verde County and any applicable regulations of the State of Texas.
- 2. Except for junk yards; automobile wrecking yards; amusement parks; rifle and pistol ranges; feed lots; packing houses and slaughtering of animals or poultry; sales, storage, service or repair of large earth moving and construction machinery and well drilling rigs, equipment and machinery; foundary; forge; hot dip galvanizing; explosive manufacture or storage including fire works manufactory; ready-mix concrete plant; hot mix asphalt plant; cement factory and processing of foods for distribution of same to regional, statewide or national markets, any other use may be permitted including new and used automobile, truck, farm equipment and boat sales and service within or outside of an enclosed structure or area, boat storage, commercial stables and outdoor recreational facilities such as swimming pools, miniature golf, archery range, driving ranges, miniature car racing and water slides.

Except for automobiles, trucks, boats, and farm equipment being repaired or serviced, no outside storage of any item or product that is not offered for sale at retail on the premises shall be permitted except if enclosed in a solid masonry or wooden wall or fence of not less than six (6) feet in height.

No manufacturing or processing activity shall be conducted except within a completely enclosed building.

No use or activity shall be permitted or conducted that emits any odor, smoke or air borne particulate matter, except as may result from cooking in a restaurant; or any noise, other than music, as may result from the servicing of vehicles and boat motors, or from construction activities; vibration; or glare. These emissions shall not be heard, felt, smelled, tasted or seen without instruments by any average person from any location beyond the property lines of the property upon which a use is located. Music shall not be played at such a volume as would constitute an annoyance or nuisance to the public.

B. Area and Setback Regulations

- i. For single family dwellings and mobile homes on single lots, the area regulations shall be as set forth in Section 3.04 (B) hereof, and the setback regulation shall be as set forth in Section 2.03 hereof.
- 2. For duplex, townhouse and multiple family structures, the area and setback requirements shall be as set forth in the Special Conditions of Section 4.01-h, hereof.
 - For mobile home parks, recreational vehicle parks, and camp grounds, the area and setback regulations shall be as set forth in Section 3.05,

- Commercial camp grounds and mobile home and recreational vehicle parks to be designed, constructed and occupied in compliance with the regulations therefore as adopted by the Commissioners Court of Val Verde County and any applicable regulations of the State of Texas.
- 2. Except for junk yards; automobile wrecking yards; amusement parks; rifle and pistol ranges; feed lots; packing houses and slaughtering of animals or poultry; sales, storage, service or repair of large earth moving and construction machinery and well drilling rigs, equipment and machinery; foundary; forge; hot dip galvanizing; explosive manufacture or storage including fire works manufactory; ready-mix concrete plant; hot mix asphalt plant; cement factory and processing of foods for distribution of same to regional, statewide or national markets, any other use may be permitted including new and used automobile, truck, farm equipment and boat sales and service within or outside of an enclosed structure or area, boat storage, commercial stables and outdoor recreational facilities such as swimming pools, miniature golf, archery range, driving ranges, miniature car racing and water slides.

Except for automobiles, trucks, boats, and farm equipment being repaired or serviced, no outside storage of any item or product that is not offered for sale at retail on the premises shall be permitted except if enclosed in a solid masonry or wooden wall or fence of not less than six (6) feet in height.

No manufacturing or processing activity shall be conducted except within a completely enclosed building.

No use or activity shall be permitted or conducted that emits any odor, smoke or air borne particulate matter, except as may result from cooking in a restaurant; or any noise, other than music, as may result from the servicing of vehicles and boat motors, or from construction activities; vibration; or glare. These emissions shall not be heard, felt, smelled, tasted or seen without instruments by any average person from any location beyond the property lines of the property upon which a use is located. Music shall not be played at such a volume as would constitute an annoyance or nuisance to the public.

B. Area and Setbuck Regulations

regulations shall be as set forth in Section 3.04 (B) hereof, and the setback regulation shall be as set forth in Section 2.03 hereof.

- 4. All mobile home parks, recreational vehicle parks, and camp grounds shall be designed, constructed and operated in compliance with applicable State and County laws, orders and regulations.
- 5. For other uses there is no minimum lot area except where such facility is not served by an approved public water supply system and an approved public waste water collection and disposal system, in which event the lot or premises shall be of adequate area and proper shape to accomodate a safe supply of water and a safe means of disposal of waste water, both in quantities as appropriate to the type and extent of the use of the premises as shall be approved by the County Health Inspector.

SECTION 3.08 "B" BUSINESS DISTRICT

A. Use Regulations

In addition to uses permitted in Sections 3.02 and 3.04 hereof and in compliance with Article II hereof, no land shall be used and no building shall be hereinafter erected, constructed or altered in a "B" - Business District for other than the following:

- Shops, stores or groups of shops and stores in which merchandise is sold at retail, except sale of new or used automobiles, farm equipment, recreational vehicles, and mobile homes.
- Offices for businesses and professionals.
- 3. Personal services such as barber, beauty shop, shoe repair, dry cleaning and laundry, laundrymat, small appliance repair, photographer, taxidermy, etc.
- Automobile service stations; no body repairs.
- 5. Balt shops.
- 6. Boat storage.
- 7. Outboard motor repair.
- 8. Restaurants, but not drive-ins.
- g. Bakery.
- 10. Health spas & studios.
- 11. Entertainment facilities, indoor only.

B. Area And Setback Regulations

- 1. All residential uses shall conform to the area and setback regulations of the "UR" Urban Residential District.
- No structure or group of attached structures used for non-residential purposes shall have a floor area in excess of twenty thousand (20,000) square feet.

C. Other Restrictions

- 1. There shall be no unenclosed outside storage or display of any vehicle, boat, commodity, items or material associated with a non-residential use. Any boats or trailers or other boating associated equipment being offered for sale, waiting for or in the process of being repaired or serviced shall be parked, placed or stored only within a completely enclosed structure or screened from public view by a solid fence or wall between six (6) and eight (8) feet in height.
- 2. No restaurant or entertainment facility shall be open for operations between the hours of 11:00 p.m. and 5:00 a.m.

ARTICLE IV SPECIAL PERMITS

SECTION 4.01 USES PERMITTED ONLY BY SPECIAL PERMIT

The following uses are found to have special characteristics which prohibit their location in certain Districts without qualifications and conditions. These uses, as follow, shall be located in the District as specified, only by special permit granted by the Commissioners Court by the process as herein set forth, and with compliance with the special conditions as follows:

USE OR STRUCTURE	DISTRICT IN SE	PECIAL CONDITIONS
a) Commercial	"B" "P" "R" (permitted without a spec- cial permit in "C")	Located not less than 150 feet to any property line of the premises upon which located. Surface water run off will not adversely affect any other property.
b) Helliport and Airport	Any	Must have prior approval of Civil Aeronotics Administration. Approach zones must be clear of obstructions and it shall be found that associated noise and potential hazards shall not adversely affect an adjoining or nearby property as to value or amenities.
c) Convalescent, nursing or rest homes; hospitals and clinics; and institutions of an educational or philanthropic nature. Colleges and Universities		As may be prescribed by the Commissioners Court relative to size, type of operation, minimum open spaces, buffers, transitional uses or devises and distance from adjoining property or properties zoned for residential use. Effect on amenities of area. Traffic as may be generated and would adversely affect nearby areas.
d)Marina	Any	As approved by the appropriate agency of the Federal Government. No special perm

shall be granted until the Commissioners

the site or development plan, location of

roads and parking area and a plan for the

Itary sewage.

provision of water and the disposal of san-.

Court has approved for the proposed facility

e) Drive-in theaters
and other outdoor
commercial recreational activities
not specifically
permitted in a
district.

"R"

Must be approved by State Highway Department when on or near a State Highway and as prescribed by the Commissioners Court relative to distance from any property zoned for residential use, visibility of the theater screen from any area zoned for residential use, walls or fences that may assist in screening the property or activity, traffic that may be induced through nearby residential areas and hours of operation.

f) Lighted athletic"R", "U" & "MS"
fields, tennis
courts and other
outdoor public
recreational facillties. Public
buildings not otherwise specifically
permitted in a district.

As prescribed by the Commissioners Court relative to the probable adverse effects or reduction of amenities in any adjoining or nearby area zoned for residential purposes.

g) Day Care Centers "R", "U" & B not to exceed the keeping of 20 child-ren on the premises at one time.

Conducted within a residential structure and subordinate to the use of said structure for residential purposes. No more than two (2) persons to be employed that do not reside in the structure. The Commissioners Court may impose restrictions on the hours of operation, number of children to be received by a day care center or persons in a class.

h) Commercial green- "U", "R" & "MS" houses, wholesale and retail and nurseries.

Will not induce traffic through any residentially zoned area or neighborhood. Signs not lighted or illuminated, not in excess of fifteen square feet. Adequate buffer by reason of distance from any property line adjoining any area zoned for residential purposes. Adequate screening from any residentially zoned area by use of plant materials. Limited or no outdoor storage

of vehicles, compost, or other equipment or materials necessary or relevant to the operation. Will not be visually unattractive. Will not adversely effect the values of nearby or adjoining properties zoned for residential purposes. Others as may be prescribed by the Commissioners Court.

i) Duplex, attached high density single family dwelling project (townhouses), condominums, and multiple dwelling.

"U", "MS & "B"

These uses can be appropriately located in portions of the districts indicated if appropriately located in relation to other residential uses. The conditions for granting a special permit are to be based on their compatibility with nearby or adjoining residential uses. In "U" and "MS" districts they may be located facing the lake with no other private property between them and the lake; they shall be permitted only as projects which comprise an area of less than an entire block face between two intersecting streets or between an intersecting street and a curve or deflection of the frontage street of greater than 300, or between two such curves or deflections; they may also be located between a ravine which separates the structures from adjoining or nearby residential lots by not less than 100', and an intersecting street or deflection as defined; and whenever not facing the lake, a public park or playground, a non residential use or land zoned for non residential use, then the area permitted for construction of such uses by special permit shall include both sides of a street so as to result in the same or similar uses being opposite one another.

The minimum site or lot area for each structure shall be: Duplexes-10,000 sq. It; attached high density single family residential (townhouses) and 3 & 4 family units - 10,000 square feet plus 2,500 square feet for each dwelling unit in excess of two; multi family and condominiums in excess of 4 dwelling units - 12,000 square feet plus 2,000 square feet for each dwelling unit in excess of 4. These minimums shall apply only if such dwellings are to be served by approved public water supply and waste water collection and disposal systems. If not so served, the minimum site or lot area shall be adequate to provide for a safe supply of water and the safe disposal of waste water for all of the dwelling units in the structure or structures (project) as shall be determined by the County Health Inspector and in compliance with the County's Private Sewage Facility Order and regulations of the State of Texas. When not located upon individual lots, nstructure shall be closer to another structure than one half the combined height of the two. For this purpose, an attached group of townhouses represents a single structure. The Commissioners Court may impose such other requirements as are necessary to assure adequate access to all structures by emergency vehicles, conveniently arranged off street parking, attractive use of open space or yards and appropriate arrangement for solid waste storage and collection.

j) Rifle & Pistol Range "R"

An agreement to discontinue the use if and when any land within 1,500 feet thereof is subdivided and/or used for residential purposes. The Commissioners Court shall permit such use only if it can be shown that no danger will result to any person or property, that the facility is properly designed and it is to be located not closer than 1,500 feet from any land subdivided or used for residential purposes including residential uses in association with agriculture or ranching.

SECTION 4.02 GRANTING OF SPECIAL PERMITS

Applicants for special permits shall file on forms provided by and with the Amistad Zoning Office. Applications shall be accompanied by a filing fee of One Hundred Dollars (\$100.00). The Commissioners Court shall act upon and grant or deny a special permit only after a public hearing thereon for which there has been not less than fifteen (15) days prior notice by publication in a local newspaper of general and daily circulation.

In granting a special permit, the Commissioners Court may impose such conditions as set forth in Section 4.01 hereof. The Court may also grant exceptions as set forth in Section 7.03 hereof. All conditions and exceptions shall become a part of the special permit and the conditions shall be set forth in writing thereon.

ARTICLE V - NON-CONFORMING USES

SECTION 5.01 CONTINUANCE OF NON-CONFORMING USE.

The lawful use of a building, structure, or premises existing upon the effective date of this order, although such use does not conform to the provisions hereof, may be continued, subject to the provisions hereof. Such use may be extended throughout such portions of the building, structure, or premises as are arranged or designed for such use. If there are no additions to the structure, or premises as are arranged or designed for such use. If there are no additions to the structure, a non-conforming use of a building, structure, or premises may be changed to another similar non-conforming use with approval of the County Planning and Zoning commission and provided there is compliance with the area regulations as relate to the use of private water supply and/or waste water disposal facilities. If a non-conforming building or structure is voluntarily removed, the future use of such premises shall be in conformity with the provisions of this Order.

SECTION 5.02 DISCONTINUANCE OF NON-CONFORMING USE

- A. <u>Discontinuance</u>. In the event a non-conforming use of any building or premises is discontinued for a period of one (1) year, the use of same shall thereafter conform to the provisions of this Order. A non-conforming use, if changed to a conforming use may not thereafter be changed back to a non-conforming use.
- B. Non-Conforming Use by Amendment. If, by amendment to this Order, any property is hereafter transferred to a more restricted district by a change in the district boundaries, or the regulations and restrictions in any district are made more restrictive, the provisions of this Order relating to the non-conforming use of a building or premises existing upon the effective date of this Order shall apply to a building or premises occupied or used upon the effective date of such amendment. Repairs and alterations may be made to a non-conforming building, provided that no strucutral extension or addition shall be made except those required by law unless the building is changed to a conforming use.
 - C. Extension, Rebuilding and Destruction. A non-conforming use shall not be extended or rebuilt in case of physical deterioration or total destruction by fire or other cause. Total destruction shall be any loss representing eighty (80) percent or more of the then value of the structure(s). If not deteriorated or destroyed to this extent, a non-conforming use may be repaired or reconstructed provided that the degree or extent on non-conformity shall not be increased as expressed in Section 5.01 hereof.

ARTICLE VI- BUILDING, SIGN AND OCCUPANCY PERMITS

SECTION 6.01 BUILDING, SIGN AND OCCUPANCY PERMITS

No free standing sign in excess of twenty (20) square feet in area, no change in use of a non-conforming use to another non-conforming use, and no building or structure shall be erected, constructed or structurally altered, other than non-residential uses in association with an agricultural or ranching activity and accessory uses as herein defined, until a finding of compliance with the Order has been made and a building or sign permit therefor has been issued by the County Development and Zoning Official.

- A. Applications Applications for building and sign permits shall be made on such forms as are prescribed by the Amistad Zoning Office. The application for such a permit shall be accompanied by a plot plan and such other information as may be required by the Amistad Zoning Office.
- B. Application Fee. All applications for a building or sign permit shall require an application fee in the amount of One Hundred Dollars (\$100.00).
- C. Expiration. No permit issued hereunder shall be valid for a period of greater than six (6) months from the date of its issue.
- D. <u>Period To Issue.</u> the Amistad Zoning Office shall either issue or refuse in writing to issue a building or sign permit within fifteen (15) calendar days of the filing of an application therefor.
- E. Occupancy Permits. Upon the completion of any structure for which a building permit is herein required, and upon the change of use of an existing non-conforming use to another non-conforming use, and prior to its occupancy, the intended occupant, owner or owner's agent shall so advise the Amistad Zoning Office by filing therewith and upon forms as prescribed thereby, requesting an inspection and the issuance of an occupancy permit. There shall be no fee associated with this filing and request. An discussional conformation of the premises intended for occupancy, and if such conforms to this Order and the terms and conditions of the building permit issued therefor, shall issue an occupancy permit for such premises. If there is lack of compliance with the Order and/or the terms and conditions of the building permit, such Official shall refuse to issue an occupancy permit stating the reason therefor to the applicant in writing.

occupancy of any structure or premises for which an occupancy permit is herein required williout there having first been issued such a permit shall be violation; or this Order.

The County Development and Zoning Official shall either issue or refuse in writing to issue a certificate of occupancy within fifteen (15) calendar days of the filing in acceptable form of the request for same.

ARTICLE VII - VARIANCES, EXCEPTIONS AND CHANGES OF NON-CONFORMING USES

SECTION 7.01 DEFINITIONS

- A. Variance. A variance is a grant or permission only to vary the dimensional or quantitative regulations set forth herein as to (a) required front, side and rear yard set backs from lot lines, and (b) the total quantity of required off-street parking spaces. Variances shall be granted only by the County Planning and Zoning Commission or by the Commissioners Court upon appeal by the applicant from the decision of the County Planning and Zoning Commission to the Commissioners Court.
- B. Exception. An exception is a change in the required conditions or to dimensional and area requirements as set forth in Section 4.01 hereof for the granting of a special permit for a use by the Commissioners Court.
- Change of Non-Conforming Use. A non-conforming use may be changed to another type of non-conforming use provided that the new use is no more of a liability or no more damaging to the amenities of the area in which located than is or was the existing use, as shall be determined by the County Planning and Zoning Commission.

SECTION 7.02 AUTHORITY, VARIANCES AND CHANGES OF NON-CONFORM-ING USES

The County Planning and Zoning Commission or the Commissioners Court, upon appeal from a decision of the County Planning and Zoning Commission, shall have the authority to grant a variance as defined in Section 7.01(A) and to approve or reject changes in use of a non-conforming use to another non-conforming use.

Variance shall be granted only if found that (a) because of the state and personal mensions of the premises for purposes permitted in the district in which it is located; and further, that the applicant has not caused or contributed to the hardship of which he or she complains; or (b) (18.15-2711). The premises and will be holdemand of the applicant shall be supported by examples of similar situations.

Permits to change an existing non-conforming use to another non-conforming use shall be granted only if the charge is to a use that will either result in an improvement in the amenities of its nearby area or will not result in a further decrease of or damage to the amenities of its immediate area. (Immediate area shall mean the properties within three hundred (300) feet of the use in question.)

SECTION 7.03 AUTHORITY, EXCEPTIONS.

The Commissioners Court, at the time and in the process of granting a special permit as set forth in Section 4.01 hereof, may grant exceptions as defined in Section 7.01(B), as a part of the conditions imposed in the granting of a special permit. Such exceptions shall be granted only if the applicant has not caused or contributed to the hardship of which he or she complains and if in granting the exception, the amenities of the immediate area (within 300 feet of the property in question) will not be lessened and the intents, objectives and purposes of this Order and its enabling legislation will be promulgated and severed.

SECTION 7.04 APPLICATION FOR AND GRANTING OF VARIANCES, PERMITS OF A CHANGE OF A NON-CONFORMING USE, AND APPEALS

Applications for variances and permits to change a non-conforming use to another non-conforming use shall be made on forms as provided by and filed with the Amistad Zoning Office. Each application shall be accompanied by a filing fee of One Hundred Dollars (\$100.00). Variances and non-conforming use permits may be granted by the County Planning and Zoning Commission only after a public hearing thereon for which there shall have been not less than fifteen (15) days prior public notice thereof published in a local newspaper having general and daily circulation.

Any person agrieved by the denial of a variance or a non-conforming use permit by the County Planning and Zoning Commission may appeal to the Commissioners Court. Such appeals shall be filed on forms provided by and with the Amistad Zoning Office no later than ten (10) days from the date of the action of the County Planning and Zoning Commission denying the requested variance or non-conforming use change permit. That which is appealed shall not differ from that which was requested by the original application to the County Planning and Zoning Commission. The filing fee for an appeal shall be One Hundred Dollars (\$100.00). An appeal shall be acted upon by the Commissioners Court only after a public hearing thereon for which not less than fifteen (15) days prior public notice shall have been given by publication in a local newspaper having general and daily circulation.

The results of an appeal shall be final as to the decision of the Commissioners Court.

ARTICLE VIII - AMENDMENTS

SECTION 8.01 REQUESTS.

Requests and/or applications for an amendment to the text of this Order or to the district classification of property or properties may originate from a private applicant, the County Planning and Zoning Commission or the Commissioners Court.

SECTION 8.02 AMENDMENT TO THE DISTRICT CLASSIFICATION OF PROPERTY.

Any change or addition to the text of this Order and any amendment or other means of permissive action that will result in the use of any structure or premises for a purpose or activity that was previously prohibited by the district regulations of this Order of the District in which such premises is located, and as may be shown on the Official Zoning District Map, is and shall be an amendment to this Order and the Official Zoning District Map. Changes of permitted use shall therefore not be granted by the herein defined procedure for granting a variance or exception. Any change of a permitted use is an amendment and shall follow the procedure set forth in Section 8.03.

SECTION 8.03 APPLICATION AND PROCEDURE FOR AMENDMENT.

Applications from the public for amendments shall be filed on forms provided by and with the Amistad Zoning Office. Each application shall be accompanied by a Within thirty (30) filling fee in the amount of One Hundred Dollars (\$100.00). calendar days of the date of filing of an application, the County Planning and Zoning Commission shall consider and recommend on the application. consideration shall be based on an investigation of the facts and circumstances, which facts, circumstances and resulting determination and recommendation to the Commissioners Court shall be made in the form of a report to the Commissioners Court. The meeting of the County Planning and Zoning Commission at which an amendment is considered small be conducted as a public hearing for which not less than fifteen (15) days prior notice shall have been published in a local newspaper of general and daily circulation. Within ten (10) calendar days following a meeting of the Planning and Zoning Commission at which an amendment was considered, a public notice shall be published in a local newspaper having general and daily circulation for a public hearing before the Commissioners Court at which such requested amendment shall be acted upon. Such public notice shall precede such hearing date by not less than fifteen (15) days.

Not less than five (5) days prior to such public hearing, the County Planning and Zoning Commission shall transmit to the applicant and to the County Clerk for distribution to each member of the Commissioners Court their findings and recommendations as to the amendment(s) being proposed.

The Commissioners Court may grant or adopt any amendment following the public hearing thereon by majority vote; however, if a district or land use change is involved and in the event of a protest against such amendment is presented at the hearing and signed by the owners of twenty (20) percent or more of the area either of the lots or property included in the change, or of those immediately adjacent to the rear thereof extending 200 feet therefrom or from the street frontage of properties or lots opposite thereto, the change (amendment) shall not become effective except upon the favorable vote of three-fourths (3/4ths) of all of the members of the Commissioners Court.

SECTION 8.04 RECORDING AND MAINTAINING DATA

The Amistad Zoning Office shall record, file and maintain all data and records pertaining to variances, exceptions, change of use of non-conforming uses and amendments. Any amendment resulting in a change in a district boundary shall be posted, drawn on or otherwise shown on the Official Zoning District Map. Each such change in a district or the changing of the district classification of a property shall be noted with a unique index or file number on the Official Zoning District Map. A permanent ledger of such index or file numbers shall be maintained giving information as to (1) date of amendment, (2) name of applicant, (3) change from ______ to _____, and (4) the file number of the file where the record of the application and action to amend is maintained.

ARTICLE IX - RULES FOR INTERPRETATION FOR ZONING DISTRICT BOUNDARIES

SECTION 9.01 RULES

In cases of uncertainty as to the location of a zoning district boundary as shown on the Official Zoning District Map, the following rules shall apply:

- A. If an amendment is made to the Zoning District Map, such amendment shall contain either a lot and block number or meter and bounds description of the area changed. If the change was accurately drawn on the Zoning District Map, the description contained in the amendment shall apply.
- B. Except in circumstances as in "A" above, where there is uncertainty as to the exact location of a zoning district boundary line as shown on the Zoning District Map and (1) where such line traverses or adjoins an area which is subdivided into lots, the zoning district boundary line shall be construed to be the side or rear lot line(s) which appear to be the closest to the district boundary line on the Zoning District Map; or (2) where such line traverses unsubdivided acreage and does not appear on the Zoning District Map to be conterminous with any property line, it shall be construed to be the closest property line that appears to be (from the scale of the map) within one hundred fifty (150) feet thereof; and (3) all other circumstances, the scale of the Zoning District Map shall apply.

If the rule B(3) above has been applied and the unsubdivided acreage through which a zoning district boundary line passed is subsequently divided or parceled by a conveyance, the transaction of which is recorded with the County Clerk's Office, and if such newly created property line is a rear property line that is within one hundred fifty (150) feet of the district boundary line as scaled on the Zoning District Map, then the district boundary line shall be construed to be coterninous with the new rear property line.

ARTICLE X - PUBLIC NOTICES

SECTION 10.01 CONTENTS OF PUBLIC NOTICES

All public notices as required herein shall contain the following information:

- (1) Date, time and location of hearing.
- (2) Purpose of public hearing.
- (3) A description of the request to be considered.
- (4) A description of the property involved by address and/or road upon which located; lot number, block number and subdivision, or by metes and bounds description if necessary to accurately locate and describe the property involved.
- (5) An invitation to attend and comment.
- (6) If for an amendment to the Zoning District Map, a statement advising about the written and signed protest that may be submitted to the Commissioners Court.

SECTION 10.02 WRITTEN NOTICE REQUIRED

Written notice of all public hearings on proposed changes in classification (amendments) shall be sent to all owners of property, or the persons rendering same for county taxes, affected by such proposed changes in classification, located within 200 feet of any property affected thereby, within not less than 10 days before any such hearing is held. This notice shall be served by depositing a letter, properly addressed and postage paid, containing all necessary information, in the post office. Said notice shall also provide advice as to the right of written protest as may be presented at the public hearing.

ARTICLE XI - ENFORCEMENT AND REMEDIES

Any person who violates any provision of this order, or any rule or regulation made pursuant to this Order by the Commissioners Court, is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$500.00 nor more than \$1,000.00 from and after the date of receipt of notice of the violation. Each day that a violation occurs constitutes a separate offense. Trial of offenses under this Order shall be in the County Court.

In the event any building or structure is erected, constructed, re-constructed, altered, repaired, converted, or maintained, or any building, structure, or land is used or occupied in violation of this order or any order or other regulation made pursuant to the authority conferred on the Commissioners Court by this Order, the proper authorities of the county may, in addition to other remedies, institute an appropriate action or proceeding to prevent the occupancy of the building, structure, or land or to prevent any illegal act, conduct of business, or other use in or about the premises.

ARTICLE XII - ADMINISTRATIVE REGULATIONS

SECTION 12.01 ESTABLISHMENT

A zoning commission is hereby established in accordance with the provisions of Article 2372-1, V.A.C.S., regarding the zoning of the Amistad Zoned Area of Val Verde County and with the powers and duties provided for in said statute. Such zoning commission shall be the County Planning and Zoning Commission as established by Court Order Number 35513.

SECTION 12.02 MEMBERSHIP

- A. Members. The zoning commission, (County Planning and Zoning Commission) shall consist of an ex-officio chairman and four (4) additional members. The chairman and members shall be appointed by the Commissioners Court. The chairman shall be a public official in Val Verde County to hold a term of office of two (2) years. Initial appointment of the four (4) additional members of the zoning commission shall be with members to be assigned terms of one (1), two (2), three (3), and four (4) years. Thereafter, members shall be appointed to serve for more than two (2) consecutive terms. In the event of resignation or vacancy occurring in the membership, new members, including the ex-officio chairman shall be appointed to serve the remaining term of the member that they replace.
- B. <u>Employees</u>. The said commission may employ a secretary, and an acting secretary, and other technical and clerical help to be paid not in excess of an amount determined by prior order of the Commissioners Court.
- C. <u>Compensation</u>. Members of the said Commission shall be entitled to compensation and expenses actually incurred while serving on the zoning commission in accordance with the provisions of any order entered by the Commissioners Court to that effect.

SECTION 12.03 MEETINGS. Meetings of the said commission shall be held at the call of the chairman and at such other times as the zoning commission may determine.

SECTION 12.04 RULES AND REGULATIONS

A. Rules and Procedure. The said commission shall adopt rules of procedure and regulations to govern its procedures and actions.

ARTICLE XIII-INTERPRETATION, PURPOSE, AND CONFLICT

In interpreting and applying the provisions of this Order, they shall be held to be the minimum requirements for promotion of the public safety, health, convenience, comfort, prosperity, or general welfare. It is not intended by this order to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided, however, that where this order imposes greater restrictions than are imposed or required by other orders, rules, regulations, or easements, covenants, or agreements, the provisions of this order shall govern.