

Article I – General Provisions

Sec. 125-1 Title

This Chapter 125 of the Code of the City of League City shall be known as the “Zoning Ordinance”.

Sec. 125-2 Authority

This Zoning Ordinance is adopted pursuant to Chapter 211, Texas Local Government Code.

Sec. 125-3 Purpose and Intent

This Zoning Ordinance is adopted for the purpose of promoting the health, safety, morals and general welfare and protecting and preserving places and areas of historical, cultural or architectural importance and significance.

This Zoning Ordinance is intended to carry out the vision, goals, and policies, of the city’s comprehensive plan and to regulate:

- a. The height, number of stories, and size of buildings and other structures;
- b. The percentage of a lot that may be occupied;
- c. The size of yards, courts and other open spaces;
- d. Population density; and
- e. The location and use of buildings, other structures, and land for business, industrial, residential, or other purposes.

In the case of designated buildings and places of historical, cultural, or architectural importance and significance, this Zoning Ordinance is intended to regulate the construction, reconstruction, alteration, and razing of buildings and other structures to achieve these purposes:

- a. to protect, enhance, and perpetuate places which represent or reflect distinctive and important elements of the City’s and state’s architectural, cultural, social, economic, ethnic, and political history and to develop appropriate settings for such buildings and places;
- b. to safeguard the City’s historic and cultural heritage, as embodied and reflected in its historic buildings and places;
- c. to stabilize and improve property values near such buildings and places;
- d. to foster civic pride in the beauty and accomplishments of the past;
- e. to protect and enhance the City’s attractions to tourists and visitors and provide incidental support and stimulus to business and industry;
- f. to strengthen the economy of the City; and
- g. to promote the use of historic landmarks for the cultural prosperity, education and general welfare of the people of the City and visitors to the City.

This Zoning Ordinance is designed to:

- a. Lessen congestion in the streets;
- b. Secure safety from fire, panic and other dangers;
- c. Promote health and general welfare;
- d. Provide adequate light and air;
- e. Prevent overcrowding of land;
- f. Avoid undue concentration of population; and
- g. Facilitate the adequate provision of transportation, water, sewer, schools, parks, and other public requirements.

In so implementing this Zoning Ordinance, the City may, as needed, utilize policies in the comprehensive plan. All activities that are subject to this Zoning Ordinance are hereby also subject to the policies of the comprehensive plan including but not limited to the Future Land Use Plan and corresponding provisions, as well as design and construction standards approved by ordinance by City Council.

Sec. 125-4 Applicability and Jurisdiction

This Zoning Ordinance and the provisions it contains shall govern all development within the City limits of the City of League City, as now or as may be hereafter established.

Sec. 125-5 Minimum Requirements

In interpreting and applying the provisions of this Zoning Ordinance, these provisions shall be held to be the minimum requirements necessary for the promotion of the public health, safety, convenience, comfort, prosperity and general welfare.

Sec. 125-6 Permanent Structure

Every business within the City must be operated out of a building, as defined by this Zoning Ordinance, except as otherwise provided by this Chapter. The building out of which the business operates must be located on a contiguous parcel of land to the business.

Sec. 125-7 Effective Date

The effective date of this Chapter shall be August 31, 2005.

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Sec. 125-8 Vested Rights

Sections:

- 125-8.A. Purpose
- 125-8.B. Applicability
- 125-8.C. Definitions
- 125-8.D. Recognizing Vested Rights
- 125-8.E. Fair Notice Form
- 125-8.F. Expiration of a project
- 125-8.G. Expiration of an application
- 125-8.H. Expiration of a permit

Sec. 125-8.A. Purpose

The purpose of this chapter is hereby declared to:

- a. Recognize that, in accordance with Chapter 245 of the Local Government Code of the State of Texas, an owner of real property may be accorded rights that allow development of a project pursuant to the rules and regulations as such rules existed on the date of first permit in a series of permits for the project;
- b. Define a methodology that establishes and protects such vested rights of owners of real property while also promoting the vision for the Community as established in the Comprehensive Plan and the current requirements applicable to development; and,
- c. Clarify the vested condition of projects approved and/or in progress to the August 10, 1999 adoption of zoning in League City.

Sec. 125-8.B. Applicability

- a. This Chapter shall apply to:
 - 1. Any instance in which a property owner submits an application or Fair Notice Form in accordance with the requirements of this Chapter that is intended to result in approval, certification or similar action of one or a series of permits necessary for completion of a project, including preliminary plat, final plat, amended plat, minor plat, master site plan, site development plan, business registration, or permits for tree removal, building construction, grading or irrigation;
 - 2. Any instance in which a property owner acquires an approved development agreement from City Council; or,

3. Any planned unit development established by City Council prior to February 11, 2014.
- b. This Chapter shall not apply to:
1. An application for a presubmittal meeting unless accompanied by a complete Fair Notice Form, or
 2. An application for a zoning change, with the exception of a special use permit or planned unit development.
- c. Nothing contained within this Chapter shall limit the City’s right to exempt a project or parts of a project or permit in accordance with Chapter 245 of the Local Government Code nor abridge the City’s authority with respect to dormant projects as provided by Chapter 245 of the Local Government Code.
- d. Date of filing of an application as established by this Chapter shall serve as the date of filing exclusively for purposes of recognizing and maintaining vested rights.

Sec. 125-8.C. Definitions

Complete Application shall mean a submitted application that is fully and appropriately completed, in accordance with all city requirements, as necessary for review and consideration by City staff.

Complete Fair Notice Form shall mean a submitted Fair Notice Form that is fully and appropriately completed, in accordance with all city requirements, as necessary for review and consideration by City staff.

Developer shall mean any individual, corporation, partnership, or entity which owns property that is subject to the standards and regulations set forth in this code or which finances, manages, designs, administers, or invests in the development or redevelopment of the property.

Permit shall mean a license, certificate, approval, registration, consent, permit, contract or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated or controlled by a regulatory agency, or other form of authorization required by law, rule, regulation, order or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought.

Project shall mean an endeavor over which the City exerts its jurisdiction and for which one or more permits are required to initiate, continue, or complete the endeavor.

Successful Application shall mean an application for a permit submitted and approved in accordance with the requirements of this code.

Vesting shall mean the right to undertake and complete the development and use of property under the adopted rules and regulations that were in place at the time the application for the applicable permit or project was made to the City.

Article 2. DETERMINATION OF VESTED RIGHTS

Sec. 125-8.D. Recognizing Vested Rights

- a. A new project shall be considered to be vested if:
 1. A complete application is filed for a permit that is required to initiate, continue or complete a project;
 2. A property owner has acquired a development agreement from City Council; or
 3. A complete Fair Notice Form is filed in accordance with the requirements of this chapter.
- b. An existing project shall be considered vested until it has become dormant or been allowed to expire in accordance with the requirements of this chapter.
- c. An application that is submitted by certified mail shall only be considered following or simultaneous with submission of a fully and correctly complete Fair Notice Form.
- d. A project that is vested shall remain vested until completion of the project or until the project becomes dormant or allowed to expire in accordance with the requirements of this chapter.
- e. Vested rights are exclusively conveyed to the project for which permits have been granted.
 1. Vested rights shall not be considered to be associated with a specific parcel, owner or applicant.
 2. If a project requires an amendment that impacts items for which the project has been vested or amendment requires a zoning change that will impact items for which the project has been vested, the project shall be considered a new project and shall become vested to the requirements in existence at the time of application for the most recent amendment.
- f. Vested rights exist in projects approved and/or in progress prior to August 10, 1999 adoption of zoning in League City as follows:
 1. Vesting rights existing for all elements provided for under Chapter 245 of the Local Government Code for which documentation has been made available to the City.

2. Elements for which documentation is unavailable shall be governed by requirements established in the zoning ordinance as adopted August 10, 1999 with the exception that requirements specifically related to Planned Unit Development designations shall be in accordance with the zoning ordinance as amended January 9, 2001.
3. For active projects designated Planned Unit Development on the zoning map associated with the zoning ordinance adopted August 10, 1999 the concept plan utilized by the City in subsequent related proceedings shall be considered the concept plan for the project in place prior to August 10, 1999.

Sec. 125-8.E. Fair Notice Form

- a. A Fair Notice Form is intended to:
 1. Provide an indication to City staff of intention to submit an application for a permit required to initiate a project that is eligible for vesting; or,
 2. Request certification of vested rights for an existing project that is not considered dormant based upon previously approved permits that have not been permitted to expire.
- b. A Fair Notice Form shall be provided by city staff and shall include, at minimum:
 1. Indication of the purpose of submission of the Fair Notice Form;
 2. General information location and general description of the property, type of proposed project, and general information regarding the property owner and applicant;
 3. Acknowledgement that a Fair Notice Form must be followed by submission of an application for a permit within 45 days of the filing date of the form, unless the purpose of the submission is to establish vested rights for an existing project;
 4. Sufficient details about a project as needed to vest the project in accordance with Chapter 245 of the Local Government Code including lot coverage, lot dimensions, lot size, building size, amount of open space, all in accordance with the appropriate property classification;
 5. Notation indicating that submission of a Fair Notice Form without a complete application is acknowledgement that the application is incomplete as is required to be provided within ten (10) days of the date of submission; and
 6. Permit approval history sufficient to establish existing vesting in the instance that the Fair Notice Form is submitted for purposes of establishing vested right for an existing project.
- c. Vesting will begin on the date indicated on a complete Notice Fair Form.

- d. A complete Fair Notice Form must be submitted within 24 hours of the date indicated on the Fair notice Form.

ARTICLE 3. EXPIRATION OF VESTED RIGHTS

Sec. 125-8.F. Expiration of a Project

- a. A project shall expire if:
 - 1. A successful application expires;
 - 2. No progress has been made within five years of the date that the first permit application for the project was filed; or
 - 3. The last permit issued that vests a project expires after the fifth (5th) anniversary of the date that the first permit application of the project was filed and is, therefore, considered dormant.
- b. Progress toward completion of the project shall include at least one of the following:
 - 1. A complete application for a final plat or plan is submitted;
 - 2. A good faith attempt is made to file a complete application for a permit necessary to begin or continue towards completion of the project;
 - 3. Costs have been incurred for developing the project including, without limitation, costs associated with roadway, utility, and other infrastructure facilities, designed to serve, in whole or in part, the project in the aggregate amount of five percent of the most recent appraised value of the real property on which the project is located, exclusive of land acquisition;
 - 4. Fiscal security is posted with the City to ensure performance of an obligation required by the City; or
 - 5. Utility connection fees or impact fees for the project have been paid to the City.
- c. 30 days prior to declaration that a project is expired the city shall notify a property owner in writing of the impending expiration of the project along with options that will allow the project to continue, including:
 - 1. Indication of proof that progress has been made in accordance with standards established in Chapter 245 of the Local Government Code, or
 - 2. Request for a single, one-year extension to be approved by the City Council in order to establish progress in accordance with standards established in Chapter 245 of the

Local Government Code. The request shall include information necessary to show that a one-year extension will allow the property owner to establish sufficient progress.

- d. If a one-year extension is granted and a project remains unable to make sufficient progress, then the project shall expire at the end of the one-year extension.

Sec. 125-8.G. Expiration of an application

An applicant shall have 45 days from the point that an application or a complete Fair Notice Form is filed to submit a complete application. An application shall be considered expired 45 days from the date at which the application was filed if:

1. The applicant has failed to provide documents or other information necessary to comply with all technical requirements, form and content necessary to be considered a complete permit application;
2. Within ten (10) business days of the date from which the application was filed, the City has provided written notice of the failure to provide specific documents or other information and delineated the date at which the application will expire if said information is not provided in the manner necessary to consider the application complete; and,
3. The applicant fails to provide the specific documents or other information in the manner necessary to consider the application complete within the time provided in the written notice.

Sec. 125-8.H. Expiration of a permit

Unless otherwise specified, a permit that represents one or more of a series necessary to complete a project shall be considered expired on the second anniversary of the date of approval of the application, unless progress has been made toward completion of the project that is directly related to said permit.

Sec. 125-9 Conflicting Provisions

If any provision of these Zoning Regulations imposes a higher standard than that required by any other City regulation not contained in these Zoning Regulations, the provisions of this Chapter shall control. If any provision of any City regulation not contained in these Zoning Regulations imposes a higher standard, that regulation shall controls.

Sec. 125-10 Relationship to Deed Restrictions

Public regulation of land is entirely separate from and independent of private deed restrictions. The City does not enforce private deed restrictions. Where there is a conflict between this Zoning Ordinance and any private restrictions, the more restrictive provisions shall apply. The provisions of this Chapter are not intended to abrogate any deed restriction, covenant, easement or any other private agreement or restriction on the use of land. In addition, no weight shall be given to the effect of deed restrictions in construing this Zoning ordinance.

Sec. 125-11 Businesses Creating Nuisances

Any business that is a nuisance to the surrounding neighbors or endangers public health, safety or welfare shall not be operated.

Sec. 125-12 Transitional Provisions

Sections:

- 125-12.A. Uses to Become Nonconforming
- 125-12.B. Building Permits
- 125-12.C Approved Site Development Plans
- 125-12.D. Approved Concept Plans for Major Development

Sec. 125-12.A. Uses to Become Nonconforming

Any legally established use as of the effective date of this Zoning Ordinance that is not permitted in Division 2 or Division 3 of Article III, for the district in which it is located shall be considered a nonconforming use. Nonconforming use status may place significant restrictions on renovation, alteration, expansion or reconstruction of the use. Refer to Division 7 of Article IV.

Sec. 125-12.B. Building Permits

Nothing in this Zoning Ordinance shall require any change in the plans, construction or designated use of a building actually and lawfully under construction, or previously approved, on the date of passage of the ordinance from which this Chapter is derived, and a substantial part of which has been completed as determined by the Building Official within 1 year from the effective date of this Zoning Ordinance. Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be completed in conformance with the Building Code.

Sec. 125-12.C. Approved Site Development Plans

Nothing in this Zoning Ordinance shall require a change to a site development plan approved prior to the adoption of this Zoning Ordinance, provided a building permit is issued within 60 days of the effective date of this Zoning Ordinance and construction starts consistent with the terms and conditions of the building permit and proceeds to completion in a timely manner.

Sec. 125-12.D. Approved Concept for Major Development

Nothing in this Zoning Ordinance shall require a change to a concept plan for a Planned Unit Development, Traditional Neighborhood Development, or Major Activity Center approved prior to the adoption of this Ordinance. Any additional approval required to implement a concept plan for which application is made after the effective date of this Zoning Ordinance shall follow the requirements in effect at the time of application for such additional approval. Refer to Section 125-82: -PUD Planned Unit Development Overlay District; Section 125-83: -TND Traditional Neighborhood Development Overlay District; and Section 125-84: -MAC Major Activity Center Development Overlay District.

Sec. 125-13 Severability

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

[Sec. 125-14 to 125-19 Reserved]

Article I – General Provisions

Sec. 125-1 Title..... I-1

Sec. 125-2 Authority..... I-1

Sec. 125-3 Purpose and Intent..... I-1

Sec. 125-4 Applicability and Jurisdiction I-3

Sec. 125-5 Minimum Requirements I-3

Sec. 125-6 Permanent Structure I-3

Sec. 125-7 Effective Date I-3

Sec. 125-8 Vested Rights..... I-5

 Sec. 125-12.A. PurposeI-5

 Sec. 125-12.B. ApplicabilityI-5

 Sec. 125-12.C. DefinitionsI-6

 Sec. 125-12.D. Recognizing Vested RightsI-7

 Sec. 125-12.E. Fair Notice FormI-8

 Sec. 125-12.F. Expiration of a Project.....I-9

 Sec. 125-12.G. Expiration of an applicationI-10

 Sec. 125-12.H. Expiration of a permit.....I-10

Sec. 125-9 Conflicting Provisions..... I-11

Sec. 125-10 Relationship to Deed Restrictions..... I-11

Sec. 125-11 Businesses Creating Nuisances I-11

Sec. 125-12 Transitional Provisions..... I-11

 Sec. 125-12.A. Uses to Become Nonconforming.....I-11 Sec.

 125-12.B. Building Permits.....I-12 Sec.

 125-12.C. Approved Site Development Plans.....I-12

Sec. 125-12.D. Approved Concept Plans for Major Development..... I-12

Sec. 125-13 Severability I-12

Article II – Administration, Applications and Procedures

Division 1. Administration

Sec. 125-20 City Planner

Sections:

- 125-20.A. Designation
- 125-20.B. Delegation
- 125-20.C. Designations
- 125-20.D. Power and Responsibilities
- 125-20.E. Appeal

Sec. 125-20.A. Designation

The City Administrator shall designate the City Planner to whom reference is made throughout this Zoning Ordinance.

Sec. 125-20.B. Delegation

Where this Zoning Ordinance assigns a responsibility, power, or duty to the City Planner, the City Planner may delegate that responsibility, power, or duty to any other agent or employee of the City.

Sec. 125-20.C. Designation

In the event the position of City Planner is unfilled for a period of more than 15 days, the City Administrator shall appoint an Interim City Planner, who shall temporarily assume the responsibilities specified in this Zoning Ordinance until a new City Planner is appointed.

Sec. 125-20.D. Powers and Responsibilities

The City Planner or designee shall perform the duties and possess the powers as follows:

1. Make written administrative interpretations of this Ordinance; and
2. Review and make recommendations on site development plans, rezoning, text amendments, planned unit developments, special use permits and variances.

3. Performs the duties as necessary and appropriate to uphold the provisions of the Zoning Ordinance.

Sec. 125-20.E. Appeal

Appeal from any administrative decision of the City Planner or designee shall follow the procedures established in Section 125-22.

Sec. 125-21 Building Official

Sections:

- 125-21.A. Designation
- 125-21.B. Delegation
- 125-21.C. Powers and Duties
- 125-21.D. Appeal

Sec. 125-21.A. Designation

The City Administrator shall designate the Building Official for the City who shall be the Building Official to whom reference is made throughout this Ordinance.

Sec. 125-21.B. Delegation

Where this Ordinance assigns a responsibility, power, or duty to the Building Official, the Building Official may delegate that responsibility, power or duty to any other agent or employee of the City.

Sec. 125-21.C. Powers and Duties

The Building Official shall perform the duties and possess the powers set forth in this Zoning Ordinance, including the authority to issue building permits, certificates of occupancy, and sign permits.

Sec. 125-21.D. Appeal

Appeal from any administrative decision of the Building Official shall follow the procedures established in Section 125-22.

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Sec. 125-22 Board of Adjustment

Sections:

- 125-22.A. Membership
- 125-22.B. Meetings and Quorum
- 125-22.C. Authority of Board
- 125-22.D. Decision by Board of Adjustment
- 125-22.E. Appeal to Board of Adjustment
- 125-22.F. Limitation on Reconsideration
- 125-22.G. Appeal from Decisions by the Board of Adjustment

The Board of Adjustment is authorized in appropriate cases and subject to appropriate conditions and safeguards, to make variances to the terms of the Zoning Ordinance that are consistent with the general purpose and intent of the Ordinance and in accordance with any applicable rules contained in this Ordinance.

Sec. 125-22.A. Membership

1. The Board of Adjustment must consist of at least 5 members to be appointed for terms of 2 years. In addition, 2 alternate members of the board shall be appointed for 2-year terms. Such alternate board member(s) shall have authority to participate in any meeting when the attendance of such alternates(s) is required to obtain a quorum for the conduct of business of the board.
2. The City Council must provide the procedure for appointment. The City Council may authorize each member of the Council, including the mayor, to appoint one member to the Board.
3. The City Council may remove a Board member for cause, as found by the Council, on a written charge after a public hearing. A vacancy on the board shall be filled for the unexpired term.
4. The City Council may provide for the appointment of alternate Board members to serve in the absence of one or more regular members when requested to do so by the mayor or City Administrator. An alternate member serves for the same period as a regular member and is subject to removal in the same manner as a regular member. A vacancy among the alternate members is filled in the same manner as a vacancy among the regular members.

Sec. 125-22.B. Meetings and Quorum

1. Each case before the Board of Adjustment must be heard by at least 75 percent of the members.

2. The Board by majority vote may adopt its own bylaws and shall, for parliamentary procedure purposes, be governed by Robert’s Rules of Order.
3. Meetings of the Board shall comply with the provisions of Chapter 551 of the Texas Local Government Act (The Open Meetings Act) and Chapter 552 of the Texas Local Government Act (The Public Information Act).
4. Chapter 171 of the Texas Local Government Code shall govern the regulation of conflicts of interest of any member of the Board.
5. Except for public hearings, no member of the public shall speak at a Board meeting unless invited to do so by the Board.
6. The Board shall keep minutes of its proceedings that indicate the vote of each member on each question or the fact that a member is absent or fails to vote. The Board shall keep records of its examinations and other official actions. The minutes and records shall be filed immediately in the Board's office and are public records.

Sec. 125-22.C. Authority of Board

The Board of Adjustment may:

1. Hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this Zoning Ordinance;
2. Hear and decide variances to the terms of this Zoning Ordinance when the Ordinance requires the Board to do so;
3. Authorize in specific cases a variance from the terms of this Zoning Ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the Ordinance would result in unnecessary hardship, and so that the spirit of the Ordinance is observed and substantial justice is done; and
4. Hear and decide other matters authorized by City Council.

Sec. 125-22.D. Decision by Board of Adjustment

1. In exercising its authority, the Board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the Board has the same authority as the administrative official.
2. The concurring vote of 75 percent of the members of the board is necessary to:
 - a. Reverse an order, requirement, decision, or determination of an administrative official;

- b. Decide in favor of an applicant on a matter on which the Board is required to pass under this Zoning Ordinance; or
- c. Authorize a variation from the terms of this Zoning Ordinance.

Sec. 125-22.E. Appeal to Board of Adjustment

1. Any of the following persons may appeal to the Board of Adjustment a decision made by an administrative official:
 - a. Person aggrieved by the decision which is defined to mean a person who provides some showing that he or she has suffered some unique harm or damage that is different from the harm or damage, if any, suffered by other members of the general public; or
 - b. Any officer, department, board, or commission of the City affected by the decision.
2. The appellant must file with the board and the official from whom the appeal is taken a notice of appeal specifying the grounds for the appeal. In order to appeal a decision by an administrative official, the appellant must submit the application, fee and all relevant documents to the Planning Department within 10 days of the administrative official's action. On receiving the notice, the official from whom the appeal is taken shall immediately transmit to the Board all the papers constituting the record of the action that is appealed.
3. An appeal stays all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certifies in writing to the Board facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the board or a court of record on application, after notice to the official, if due cause is shown.
4. The Board shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. A party may appear at the appeal hearing in person or by agent or attorney. The Board shall decide the appeal within a reasonable time.
5. Rulings on appeals to the Board of Adjustment are not intended to serve as precedent for any subsequent interpretations which shall be made on a case-by-case basis.

Sec. 125-22.F. Limitation on Reconsideration

When the Board of Adjustment issues a decision on an appeal, a variance application or on any other matter the Board is authorized to hear, the Board may not reconsider such matter for a period of 12 months of the date of the Board's action unless the Board has denied the requested action without prejudice; provided, however, on receipt of written request by the

original appellant describing substantially changed conditions in the community since prior consideration of the proposal so as to justify an earlier review of the matter, the Board may waive the 12-month delay period and authorize the reconsideration of the matter.

Sec. 125-22.G. Appeal from Decisions by the Board of Adjustment

An appeal of a decision by the Board of Adjustment must be filed with a court of competent jurisdiction within 10 days after the decision is filed in the Board office.

Sec. 125-23 Historic Commission

Sections:

- 125-23.A. Creation, Members, Officers, Etc.
- 125-23.B. Powers and Duties

Sec. 125-23.A. Creation, Members, Officers, Etc.

The Historic Commission, originally created by Ordinance 97-38, is continued and confirmed, subject to this Ordinance.

The Historic Commission has seven regular members and one architectural advisory member. Appointments, terms of office, administrative provisions, etc. are prescribed by Chapter 2 of this Code. To be considered for appointment, a person must demonstrate an established interest in historical preservation, by residence, investment, education, training, study or vocation. In addition, the following criteria shall be taken into account for appointments:

- a. membership in the League City Historical Society;
- b. residence in an Historic Conservation Overlay District;
- c. ownership of property in an Historic Conservation Historic District;
- d. knowledge and experience of architectural, cultural, social, economic, ethnic, and political history of the City; and
- e. for the architectural advisory member, relevant professional credentials and experience in historic preservation.

A quorum is a majority of the regular members appointed and qualified (excluding vacant positions), but never fewer than three. When a quorum is present, a simple majority of the regular members present may act on behalf of the Commission.

The Commission shall designate a presiding officer and a vice presiding officer from among its regular members. The Commission may:

- a. designate other officers, including acting officers;
- b. designate special advisors to the Commission, and
- c. remove or replace any of its designees at any time.

Unless sooner removed or replaced, a designee serves until the end of the designee's term of office as a member of the Commission (and thereafter until a successor is designated).

The Commission shall schedule one regular meeting per month. The presiding officer, or a majority of the regular members appointed and qualified (excluding vacant positions), may call special meetings or cancel or re-schedule any meeting. The Commission shall:

- a. adopt rules for the conduct of its meetings and other business;
- b. keep minutes of its meetings, and
- c. file copies of its minutes with the City Secretary and the Texas Historical Commission (for the Commission's certified local government file).

The City Administrator shall appoint a qualified city official or staff person to serve as historic preservation officer for the City. The historic preservation officer shall:

- a. administer the city's historic preservation ordinances;
- b. advise the Historic Commission;
- c. coordinate the city's preservation historic activities with those of state and federal agencies (including the Texas Historical Commission and the National Park Service) and with local, state and national non-profit historic preservation organizations; and
- d. make historic preservation regulations available to owners and other affected persons.

Sec. 125-23.B. Powers and Duties

The Historic Commission shall perform the duties and possess the powers as set forth in this Ordinance, including issuance of certificates of appropriateness (refer to Section 125-51 of this Ordinance). The Commission shall also:

- a. familiarize itself with buildings, structures, sites, districts, areas and lands within the City;
- b. make recommendations regarding Historic Conservation Overlay Districts, including designation, changes and regulations;
- c. recommend private and public action for historic preservation and restoration, including not only expenditures but also incentives such as waiving or abating fees, charges or taxes or freezing tax values;
- d. submit preservation plans and other material for inclusion in the City comprehensive plans;
- e. annually review preservation plans and the state of development and preservation in Historic Conservation Overlay District and report the results to the City Council and the Texas Historical Commission;

- f. In appropriate cases, including cases of undue hardship, recommend variances and changes in preservation regulations to City officers and agencies.

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Sec. 125-24 Planning and Zoning Commission

Sections:

- 125-24.A. Creation
- 125-24.B. Members and Quorum
- 125-24.C. Powers and Duties
- 125-24.D. Appeals

Sec. 125-24.A. Creation

A League City Planning and Zoning Commission (the Commission) is hereby created with authority as established in Sec. 211.007, Texas Local Government Code.

Sec. 125-24.B. Members and Quorum

Members of the League City Planning and Zoning Commission as of the effective date of this Zoning Ordinance shall be reappointed and reaffirmed as members of the Commission. The Commission shall operate using the bylaws adopted by the Commission and approved by City Council, and shall for parliamentary procedures purposes, be governed by Robert's Rules of Order.

Sec. 125-24.C. Powers and Duties

The Commission shall perform the duties and possess the powers as set forth in this Ordinance, including recommendations to City Council for final action on rezoning, text amendments, and major development applications. At the discretion of the City Council, the Commission shall also have the duty and responsibility to:

1. Perform and carry out the duties as prescribed in Chapter 125 of the League City Code of Ordinances, relative to the Commission.
2. Hear testimony on behalf of the applicants and consider the facts, findings, and recommendation of the City Planner or designee.
3. Identify the appropriateness of requested rezoning issues and text amendments considering conformance with adopted zoning regulations, official zoning map, and comprehensive plan.
4. Interpret zoning district boundaries in cases of conflict or question.
5. Make determinations as to the appropriate zoning district for new and unlisted uses.
6. Make recommendations to the City Council, in the form of a "Final Report", related to approval or denial of an application in addition to stating the reasons for such approval or denial.

7. Maintain compliance with Chapter 551, Open Meetings Act, of the Texas Local Government Code, as may be amended from time to time.
8. Make, amend, extend, and add to the master plan for the physical development of the City.
9. Perform other such duties and be vested with such powers as the City Council shall from time to time prescribe.

Sec. 125-24.D. Appeals

Any party aggrieved by the actions of the Commission may appeal such action to the City Council as per City policy.

Sec. 125-25 City Council

Sections:

- 125-25.A. Powers and Duties
- 125-25.B. Appeal

Sec. 125-25.A. Powers and Duties

City Council shall perform the duties and possess the powers as set forth in this Ordinance and in accordance with the Texas Local Government Code, including final action on rezoning, text amendments, and major development applications.

Sec. 125-25.B. Appeal

Any party aggrieved by City Council's actions may appeal such action to the court of record.

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Sec. 125-26 Remedies and Enforcement Powers

Any person violating any provision of this Ordinance or failing to comply with any requirement of this Ordinance will be guilty of a misdemeanor and subject to a fine not to exceed the maximum allowed by law. Each day during or upon which such person shall violate or continue to violate any provision of this Ordinance or shall fail to comply with any requirement of this Ordinance shall constitute a distinct and separate offense. The violation of any provision of this Ordinance or failure to comply with any requirements of this Ordinance shall each constitute a distinct and separate offense. In particular, it is unlawful for any person:

- A. To make use of any premises for a purpose other than what is permitted in the zoning district in which the premises is located.
- B. To erect, construct, convert, enlarge, reconstruct, repair, structurally alter, maintain or any use any building or structure for a purpose other than what is permitted in the zoning district where the building or structure is located, subject to the provisions of nonconformities.
- C. To construct or locate more than 1 single family detached dwelling or more than 1 two-family dwelling on 1 platted lot.
- D. That owns, occupies, or controls any premises containing a dwelling unit to knowingly cause or allow the dwelling unit to be permanently occupied by more than 1 family at any one time. For purposes of this provision a family is permanently occupying the premises if it continuously occupies the dwelling unit for more than 30 days.

If a building or other structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or if a building, other structure or land is used in violation of this Ordinance, the City may institute appropriate action to:

- A. Prevent unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use;
- B. Restrain, correct, or abate the violation;
- C. Prevent the occupancy of the building, structure, or land; or
- D. Prevent any illegal act, conduct business, or use on or about the premises.

[Sec. 125- 28 to 125-39 Reserved]

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Division 2. Applications and Procedures

Sec. 125-40 General

Sections:

- 125-40.A. Pre-application Conference
- 125-40.B. Application Forms and Fees

Sec. 125-40.A. Pre-application Conference

Prior to the submission of an application required by this Ordinance, a prospective applicant may request a review by the City Planner or designee and representatives from other City departments, as appropriate, to discuss procedures, standards, or regulations required by this Ordinance. A pre-application conference is required for major development applications, including: subdivision, Planned Unit Development, Traditional Neighborhood Development, and Major Activity Center development. Upon receipt of such request, the City Planner or designee, or Building Official, as appropriate, shall afford the potential applicant an opportunity for such a pre-application conference at the earliest reasonable time.

There is no fee associated with a request for a pre-application conference; however, additional requests for a pre-application conference for the same site within a period of 1- year from the date of the initial conference may incur a fee associated with any City costs to do so.

Sec. 125-40.B. Application Forms and Fees

The following regulations shall apply to all applications.

1. **Forms.** Applications shall be submitted on forms and in such numbers as required by the City.
2. **Primary Contact.** For all applications, a single agent shall be identified for all official communications with the City. The agent may be either the applicant / property owner or a representative of the applicant / property owner. If a contact is not specified, the applicant shall be considered the primary contact.
3. **Fees.** Filing fees shall be established from time to time by the City Administrator to defray the actual cost of processing the application.

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Sec. 125-41 Written Interpretation

Sections:

- 125-41.A. Authority
- 125-41.B. Request for Interpretation
- 125-41.C. Interpretation by City Planner
- 125-41.D. Official Record
- 125-41.E. Appeals

Sec. 125-41.A. Authority

The City Planner or designee shall have authority to make written interpretations of this Zoning Ordinance.

Sec. 125-41.B. Request for Interpretation

A written request for interpretation shall be submitted to the City Planner or designee.

Sec. 125-41.C. Interpretation by City Planner

1. The City Planner or designee shall take the following steps:
 - a. Review and evaluate the request in light of the text of this Ordinance, the Official Zoning Map and any other relevant information;
 - b. Consult with other staff, as necessary; and
 - c. Render an opinion.
2. The interpretation shall be provided to the applicant in writing by mail.

Sec. 125-41.D. Official Record

The City Planner or designee shall maintain an official record of interpretations which shall be available for public inspection during normal business hours.

Sec. 125-41.E. Appeals

Appeal from any administrative decision of the City Planner or designee shall follow the procedures established in Section 125-22.

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Sec. 125-42 Building Permit

Sections:

- 125-42.A. Creation of Building Site
- 125-42.B. Construction
- 125-42.C. Significant Alterations, Reconstruction or Conversions

Sec. 125-42.A. Creation of Building Site

No permit for the construction of a building upon any tract or plot shall be issued until a building site or lot has been created by compliance with the following conditions:

1. The lot or tract is part of a plat of record, properly approved and recorded in accordance with state law, City ordinances and other applicable laws and regulations.
2. The site plot or tract is all or part of a site development plan officially approved by the City Planner or designee or Planning and Zoning Commission, which site development plan provides all utility and drainage easements, alleys, streets and other public improvements necessary to meet the normal requirements for platting, including the designation of building areas and easements, alleys and streets that have been properly dedicated, and the necessary public improvements.

Sec. 125-42.B. Construction

1. No permit for the erection, alteration, reconstruction, conversion or use of any building shall be issued by the Building Official unless there shall first be filed in his office by the applicant therefore a plan in duplicate, drawn to scale, correctly showing the location and actual dimensions of such building and accessory buildings, with measurements from all lot lines to all foundation lines of buildings.
2. In addition, the applicant shall provide a true statement, in writing, signed by the applicant, showing the use for which such buildings are intended.
3. No permit shall be issued by the Building Official unless such plan shall show in every detail that such building is to be erected and used in conformity with all the provisions of this Article.
4. A record of such application and plans shall be kept in the office of the Building Official. An approved site development plan shall be remain on the job site at all times and shall be available to the inspector upon his or her request. Failure of any applicant or of his agents or employees to erect, alter, move or maintain any buildings in conformance with such plans on which such permit is issued, shall render such permit void. The Building Official is hereby authorized and directed to revoke any such permit by giving written notice to the applicant or his agents or employees, and all work upon such building shall be immediately discontinued on the serving of such

notice until such buildings shall be changed so as to comply with such plans and permits.

Sec. 125-42.C. Significant Alterations, Reconstruction or Conversions

If any of the following conditions apply, the Building Department shall refer the applicant to the City Planner or designee for review of the project by the City staff:

1. The value of the building is increased more than 50 percent;
2. The footprint of the building is changed;
3. The usable square footage increases by 10 percent or more;
4. The use changes from a commercial, industrial, residential or public service category to another category;
5. The alteration, reconstruction, or conversion impacts traffic, drainage, utilities, or parking as determined by City staff.

Sec. 125-43 Commercial and Industrial Operations Permit

All commercial and industrial development shall be required to obtain an operations permit in accordance with Chapter 26, Article V.

Sec. 125-44 Flood Damage Prevention Permit

All development in areas of special flood hazard shall be required to obtain a development permit in accordance with Chapter 50, Article II, Division 2.

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Sec. 125-45 Site Development Plan Review

Sections:

- 125-45.A. Master Development Plan
- 125-45.B. Site Development Plan
- 125-45.C. Delegation of Approval Responsibility
- 125-45.D. Processing Fees

Sec. 125-45.A. Master Development Plan

A master development plan must be provided for all business and commercial projects to be developed in phases or sections.

1. ***Filing Procedures.***
 - a. The master plan shall be approved by the Planning and Zoning Commission in concept only. This master plan shall be submitted and approved prior to or with the first section of development of the site and shall accompany submission of all sections thereafter. All properties within a single site must be contiguous and immediately adjacent to one another or be the subject of additional development plans and filing fees.
 - b. One reproducible polyester film of the signed master development plan will be filed with the City Planner or designee and shall remain on file for the use of any person who may be interested in the plan.
2. ***Graphic Requirements.*** The master plan shall include the following graphic requirements:
 - a. Plans shall be standard sheet size, 24 inches by 36 inches in overall dimensions.
 - b. An overall map of the total property showing blocks, reserves, street layout, etc., shall be included.
 - c. A storm water drainage overlay or plan view with existing topographic contours, areas to be filled, if any, and drainage areas, including major drainage ways, outlined shall be included.
 - d. A wastewater overlay or plan view shall be included.
 - e. A water main overlay or plan view shall be included.

- f. Locations of any known geological fault lines shall be indicated in plan view or in a geological report from a professional engineer.
 - g. Original boundary and topographic data must be certified by a registered public surveyor. Also, any area to be filled must be shown, with appropriate proposed elevations.
 - h. A description of all proposed land uses with approximate acreage devoted to each type of use.
 - i. A general development plan showing the approximate location of buildings, parking lots, building heights and setbacks from all property boundaries.
 - j. A description of the maximum densities for residential uses and the maximum floor area for nonresidential uses.
 - k. A description of significant environmental features including watercourses and flood plains.
 - l. Show all areas devoted to open space on a general landscape plan.
 - m. Lighting plan
3. ***Changes to Master Development Plans.*** The City Planner or designee may approve changes to the master development plans that are not substantial or significant. Changes that are found to be substantial and significant would require approval of the Planning and Zoning Commission. Substantial or significant changes would include:
- a. Increases the density and/or intensity of residential uses of more than five percent;
 - b. Increases in total floor area of all nonresidential buildings covered by the plan of more than five percent;
 - c. Increases of floor area for any one nonresidential building covered by the plan of more than five percent;
 - d. Increases of lot coverage of more than five percent;
 - e. Increases in the height of any building of more than ten percent;
 - f. Changes in ownership patterns or stages of construction that will lead to a different development concept;
 - g. Decreases of any peripheral setback of more than ten percent;

- h. Decreases of area devoted to open space of more than five percent or the substantial location of such areas; or,
- i. Changes to traffic circulation patterns that will affect traffic outside of the projects boundaries.

Sec. 125-45.B. Site Development Plan

A site development plan must be provided for all new business and commercial development and all existing commercial development where significant alterations are planned. The site development plan shall consist of a graphic and informative description of a specific design for a development meeting the requirements in this section. The site development plan shall be prepared with careful regard to the location of the parking facilities in relation to adjoining and neighborhood commercial, industrial, multifamily and other residential improvements, and all shall be devised to have the least adverse effects on such adjoining or neighboring properties. The development plan shall become part of the

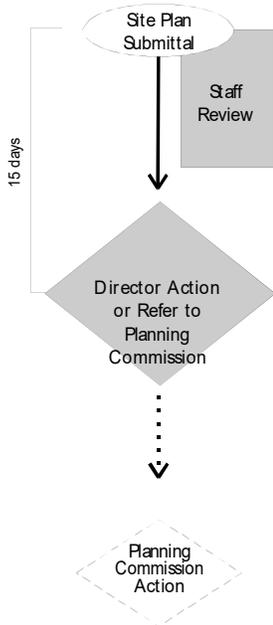
approved building permit. City staff will inform the applicant of the required number of reproducible polyester film and paper copies. The following items shall be required at the time of submittal to the Planning Department for mandatory staff review.

1. **Accompanying Documents**

- a. Site plan
- b. Civil plan
- c. Drainage/paving plan
 - i. Flood impact analysis
 - ii. Permits from the Army Corps of Engineers and Texas Department of Transportation, as applicable
- d. Landscape plan
- e. Application
- f. Appropriate fee

2. **Filing Procedures.**

- a. At the discretion of the City Planner or designee, the applicant shall provide an introductory presentation of the proposed project to the Planning and Zoning Commission. No formal action to finally approve or disapprove the proposed project will take place at the introductory meeting.



- b. The City Planner or designee will provide written comments to the applicant within 15 working days of official receipt of the site development plan.
- c. If variances from this Zoning Ordinance are requested, following City staff review and resolution of their written comments, the applicant may request that the site development plan be placed on a regular Zoning Board of Adjustment meeting agenda for action. Staff may recommend approval or disapproval of the variance request to the Zoning Board of Adjustment.
- d. Approval by the City Planner or designee or Planning and Zoning Commission will be for a period of 1 year; a new development plan will be required unless an extension is granted by the Planning and Zoning Commission.
- e. When the work provided for in the approved plans and specifications has been satisfactorily completed, reproducible as-built plans shall be submitted by the applicant prior to occupancy approval to replace the approved plans that are on file at the engineering office. These plans shall be labeled "as built" and certified and dated by a Registered Professional Land Surveyor or Registered Professional Engineer.
- f. Submitted prints and drawings are not returnable to the applicant.

3. ***Graphic Requirements.***

- a. Plans shall be standard sheet size, 24 inches by 36 inches in overall dimensions.
- b. Location and length of boundary lines shall be shown. A heavy-lined plan perimeter shall be shown, which will be the result of an accurate boundary survey of the property by a Registered Professional Land Surveyor, with bearings and distances referenced to section/original survey comers, and showing the lines of adjacent lands and lines of adjacent streets and their names and widths (dashed lines). The correct geographic legal description of the property, including metes and bounds description, if necessary, shall be included on the face of the plan.
- c. An inset map showing orientation of the area being developed in relation to adjacent areas and principal streets shall be included.
- d. The proposed name of the commercial establishment shall be indicated.
- e. The location, right-of-way width, driving surface width and names of existing and proposed streets within the development and immediately adjacent to it, and the proposed method of street surfacing, shall be indicated. The width of street paving, measured at right angles, or radially when curved, shall be

indicated. Street design dimensions or references to the minimum standards for tangents, arcs, radii, etc., shall be indicated.

- f. The alignment of proposed streets with existing City streets shall be shown. Depending upon the location and design of the development, the Planning and Zoning Commission may require that one or more streets be designated arterials, and that stub-outs for arterial streets be platted to provide for ingress and egress to present or future developments.
- g. The appropriate width, depth and location of all existing or proposed building sites or facilities shall be indicated.
- h. The location of building setback lines shall be indicated.
- i. The name, location, width and purpose of all existing and proposed easements shall be indicated.
- j. Existing and proposed utilities on and adjacent to the site shall be indicated. Sizes of existing utilities, and the location of proposed junctions with the existing system, shall be shown.
- k. The north point, scale and date (month and year) shall be indicated.
- l. The scale shall be a maximum of 100 feet to the inch.
- m. Names of owners of adjacent property, names of streets, watercourses, pipelines and easements up to a distance of 200 feet shall be indicated.
- n. One-foot elevation contours extending to 25 feet beyond the development boundary, based upon the latest United States Coast and Geodetic Survey shall be shown. A topographic map not more than 18 months old, prepared by a Registered Professional Land Surveyor, shall be included. Additionally, the location and elevation of the highest and lowest points within the development will be shown. A statement shall be included on the face of the plat that the property does or does not lie within the defined 100-year floodplain. Location of the 100-year floodplain boundary contour, floodway contour and Federal Emergency Management Agency flood zone shall be indicated on the face of the plat when such contour or zone divides the development area.
- o. Land adjacent to the development in which any party to the development has a legal or financial interest shall be shown.
- p. Location of fire hydrants, proposed and existing storm drainage system, security lighting and streetlights, and type of poles, shall be shown.

- q. The location and identification of lots, streets, public highways, sidewalks, alleys, parks and other features, with accurate dimensions, in feet and decimals of feet, with the length of radii, tangents and arcs to all curves, and with all other information necessary to reproduce the development on the ground, will be set out within the perimeter lines.
- r. City-approved numbering is to be added to all lots or units, preferably by an overlay document.
- s. Traverse lines along streams and easements shall be shown adjacent to the high bank of streams and waterways.
- t. A parking and housing unit table shall be included if applicable.
- u. Itemized landscaping and screening plans shall be included.

Sec. 125-45.C. Delegation of Approval Responsibility

Following City staff review and resolution of their written comments, properly filed site development plans may be approved by the City Engineer or designee. The Planning Manager or designee may, for any reason, elect to present the site development plans to the Planning and Zoning Commission for their action.

Sec. 125-45.D. Processing Fees

- 1. **Plan Review Fees**, based on Schedule 125-45.D: Plan Review Fee Table below, payable to the City, must be presented at the time the site development plan is submitted to the Planning Department for staff review. Fees are not refundable.

Schedule 125-45.D: Plan Review Fee Table

<i>Project Size in Acres</i>	<i>Fee</i>
< 1.00	\$250.00
1.01 – 2.50	\$375.00
2.51 – 5.00	\$500.00
5.01 – 10.00	\$625.00
> 10.01	\$750.00

- 2. The City reserves the right to assess fees based upon actual cost incurred by the City for multiple iteration of reviews of construction plans and specifications, and for the review of offsite plans of infrastructure improvements needed to service the development. Fees charged shall be based on rates posted and made available by the Planning Department for inspection by the applicant.

3. **Capital Recovery Fees.** Capital recovery fees (CRF) established by the City Council must be paid before the issuance of any building permit.
4. **Variance Requests.** A non-refundable variance request fee established by the City Administrator must be paid with the written request to be placed on Zoning Board of Adjustment agenda for each variance item.

Sec. 125-46 Sign Permit

All signs shall be required to obtain a permit in accordance with Chapter 90 unless expressly exempted therein.

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Sec. 125-47 Variance

Sections:

- 125-20.A. General
- 125-20.B. Application Required
- 125-20.C. Fee Required
- 125-20.D. Notice

Sec. 125-47.A. General

The Zoning Board of Adjustment (the Board) is authorized to permit variances from the regulations of this Zoning Ordinance in accordance with Section 125-22. The Board shall have the authority to grant upon such terms and conditions as it deems necessary.

Variance requests for all sections of this Zoning Ordinance are the responsibility of the applicant. Approval of a site development plan that deviates from the requirements of this Zoning Ordinance shall be void unless a variance has been specifically requested and approved in accordance with this Ordinance.

When an applicant shows that a provision of the regulations would cause practical difficulties, unnecessary hardship, or results are inconsistent with the general purpose of this Ordinance if strictly adhered to, and a departure may be made without destroying the intent of the regulations, the Board may, at its sole discretion, authorize a variance that would be in harmony with the general purpose and intent of this Ordinance. Such departure shall not be construed to be a change in this Ordinance. However, the spirit of this Ordinance shall be observed, public safety and welfare secured, and substantial justice done as follows:

1. Permit such modification of the height area and yard requirements as may be necessary to secure an appropriate improvement on a lot;
2. Permit the addition or enlargement of a non-conforming building, provided that such work complies with all height and area regulations of the zone in which it is located, and that the total aggregate floor area of such work does not exceed 50 percent of the floor area of the non-conforming building;
3. Permit the extension of an existing or proposed conforming use into an adjoining more restricted zone;
4. Permit the modification of the conditions under which specific uses are allowed in certain zones;
5. Permit the modification of the automobile parking or loading requirements where, in the particular instance, such modification will not be inconsistent with the purpose and intent of this Ordinance; and

6. Permit the repair of an existing non-conforming building as long as the value of the repairs do not exceed 50 percent of the appraised tax value.

The following adjustments must be present in order for the Board to grant a variance:

1. Such variance will not be contrary to public interest.
2. Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located
3. Such variance will not substantially or permanently injure the appropriate use of adjacent conforming property in the same district.
4. Such variance will not alter the essential character of the district in which it is located or the property for which the variance is sought.
5. Such variance will be in harmony with the spirit and purposes of this Ordinance.
6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to, or the result of, general conditions in the district in which the property is located.
7. The variance will not substantially weaken the general purposes of this Ordinance or the regulations herein established for the specific district.
8. The variance will not adversely affect the health, safety, and welfare of the public.

Sec. 125-47.B. Application Required

An application for a variance from the regulations of this Ordinance shall be filed with the Planning Department's established rules of procedure. An application may be filed by owner of the property or an authorized agent, or by the City Planner or designee.

Sec. 125-47.C. Fee Required

The appropriate filing fee shall accompany every application. No fee shall be charged for requests filed by the City Planner or designee.

Sec. 125-47.D. Notice

After receiving a proper application, the City Planner or designee will schedule a public hearing on the variance before the Board. At least 10 days prior to the hearing, written notice shall be sent to owners of real property lying within 500 feet of the property of which the variance is sought. Such notices shall be given in the same manner notice is given for a rezoning application.

Sec. 125-48 Reserved

Sec. 125-49 Text or Map Amendment (Rezoning)

Sections:

- 125-49.A. Application Required
- 125-49.B. Fee Required
- 125-49.C. Notice
- 125-49.D. Criteria for Considering Text or Map Amendments (Rezoning)
- 125-49.E. Planning and Zoning Commission Hearing and Recommendation
- 125-49.F. City Council Hearing and Action
- 125-49.G. Appeal
- 125-49.H. Limitation on Reapplication
- 125-49.I. Joint Hearings

Sec. 125-49.A. Application Required

Any proposal to amend, supplement or change the regulations or restrictions of this

Ordinance, or the boundaries of the zoning districts, shall be filed with the City. An application as provided and instructed by the City shall be filed by the owner of property or his authorized agent, or by the City Planner or designee. All applications shall include such submittal requirements as a statement of the reason(s) why the amendment (rezoning) is being requested, the legal description of the property including a copy of a plat or a survey, and other information or documentation necessary to process the application as required by the City Planner or designee, Planning and Zoning Commission, or the City Council.

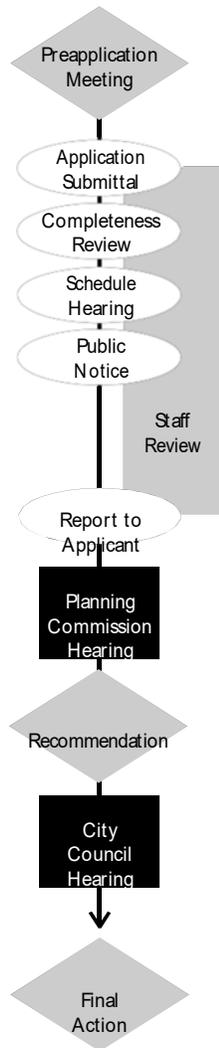
Sec. 125-49.B. Fee Required

Applications shall be accompanied by the appropriate filing fee. No fee shall be charged for proposals filed by the City Planner or designee.

Sec. 125-49.C. Notice

The City Council may from time to time amend, supplement or change, by ordinance, the regulations, restrictions or boundaries of such districts herein or subsequently established. A public hearing shall be held by the City Council before adopting any proposed amendment, supplement or change.

1. **Written Notice.**



- a. **Property owner or designated representative.** The property owner or designated representative shall meet with the property owners of real property lying within 500 feet of the boundaries of the property upon which the use is proposed prior to submittal of the application. The meeting announcement shall be delivered via U.S. mail. The city may provide the list of property owners as identified on the most recently approved municipal tax roll upon request. Documentation of the meeting in the form of a copy of the meeting announcement, the list of notified property owners and a list of the signatures from meeting attendants shall accompany the application. The meeting shall be held within five miles of the boundaries of the City of League City limits.
- b. **City.** Written notice of all public hearings before the Planning and Zoning Commission and City Council on proposed changes in zoning classification shall be sent to owners of real property lying within 500 feet of the property upon which the change in classification is proposed. Notice to be given not less than 21 days before the date set for hearing to all such owners who appear on the last approved City Tax Roll. Such notice may be served by depositing the notice, properly addressed and postage paid, in the United States Mail. When property lying within 500 feet of the property proposed to be changed is located in territory which was annexed to the City after the final date for making the renditions which are included on the last approved City Tax Roll, at least 21 days notice of the time and place of the public hearing shall be published in an official newspaper or a paper of general circulation in the City.

2. **Posted Notice (Signs).**

- a. The City Planner or designee shall direct the erection of at least 1 sign upon each property proposed to be rezoned. Where possible, such sign or signs shall be located in a conspicuous place or places upon such property at a point or points nearest any right-of-way, street, roadway or public thoroughfare adjacent to such property. The City shall be responsible for making, installing and removing such signs, the costs for which shall be included as part of the fees the City assesses to applicants persons for rezoning requests.
- b. Such sign or signs shall be so erected not less than 21 days before the date set for public hearing before the Planning and Zoning Commission. Any such sign or signs shall be removed subsequent to the occurrence of either final action by the City Council or withdrawal of the application for amendment.
- c. Such sign or signs shall substantially indicate that a zoning amendment is proposed and shall further set forth that additional information can be acquired by telephoning the number indicated thereon.
- d. Such erection and/or the continued maintenance of any such sign or signs shall not be deemed a condition precedent to the holding of any public hearing, to the recommendation concerning or adoption of any proposed

zoning amendment or to any other official action concerning any such amendment.

3. **Published Notice.** Notice of a public hearing before the City Council shall be given by publication one time in the official newspaper or a paper of general circulation in the municipality at least 21 days before the time of the hearing.

Sec. 125-49.D. Criteria for Considering Text or Map Amendments (Rezoning)

The Planning and Zoning Commission shall use, but not be limited to, the following criteria as reference in support of their recommendation for approval or denial:

1. Conformance of the proposed zoning and use with the City's Comprehensive Plan and other City policies;
2. The character of the surrounding area;
3. The zoning and use of nearby properties, and the extent to which the proposed zoning and use would be compatible;
4. The suitability of the property for the uses permitted by right in the proposed zoning district;
5. The extent to which approval of the application would detrimentally affect nearby properties;
6. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the street network or present parking problems in the vicinity of the property;
7. The extent to which approval of the application would harm the value of nearby properties;
8. The gain to public health, safety, and welfare due to denial of the application as compared to the hardship imposed upon the owner as a result of denial of the application; and
9. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

Sec. 125-49.E. Planning and Zoning Commission Hearing and Recommendation

The Planning and Zoning Commission shall hold public hearings on all properly filed proposals. After closing of the public hearing on a proposal, the Planning and Zoning Commission shall transmit to the City Council its recommendation on said proposal.

Sec. 125-49.F. City Council Hearing and Action

1. ***Proposal Recommended for Approval.*** Every proposal to amend a zoning boundary which is recommended favorably by the Planning and Zoning Commission and every proposed amendment to the regulations of this Ordinance shall be forwarded to the City Council for setting and holding of a public hearing thereon. No change, however, shall become effective until after the adoption of an ordinance for same and its publication as required by law.
2. ***Proposal Recommended for Denial.*** When the Planning and Zoning Commission determines that a proposal to amend a zoning boundary should be denied, it shall so report to the City Council. After receiving the final report from the Planning and Zoning Commission, the City Council may approve the proposal or deny the proposal, with or without prejudice as to re-filing, and that decision shall be final unless an appeal is filed with the City Secretary's Office within 12 days following City Council action.

Sec. 125-49.G. Appeal

1. ***Written Allegation Required.*** An appeal from the decision of the Planning and Zoning Commission may be taken by any person who is aggrieved by the action of the Planning and Zoning Commission on a specific proposal. The appeal shall be reduced to writing, showing that:
 - a. The Planning and Zoning Commission was prejudiced in its deliberation;
 - b. New information is available which was not considered by the Planning and Zoning Commission;
 - c. The Planning and Zoning Commission committed some error in its deliberation; or
 - d. For other reasons, the requested change should be granted.

The Secretary shall forward the appeal to the City Council with the regular report of Planning and Zoning Commission action on the subject proposal.

2. ***City Council Action.*** Upon receipt of written appeal, the City Council may:
 - a. Refer the original proposal and appeal to the Planning and Zoning Commission for a new hearing and a report and recommendation;
 - b. Schedule its own hearing on the proposal;
 - c. Deny the appeal in its entirety; or

- d. Deny the application without prejudice as to re-filing upon showing that unnecessary hardship will otherwise result and that the intent and spirit of the Ordinance will be observed.

Sec. 125-49.H. Limitation On Reapplication

When a proposal is denied by the City Council or when the applicant has withdrawn the proposal after the giving of public notice, no new applications of like nature shall be accepted by the City or scheduled for a hearing by the Planning and Zoning Commission within a period of 12 months of the date of denial or withdrawal unless the proposal is denied without prejudice; provided, however, on receipt of written request by the original applicant describing substantially changed conditions in the community since prior consideration of his proposal so as to justify an earlier review of this matter, the City Council may waive the mandatory delay period and authorize the acceptance of a new application.

Sec. 125-49.I. Joint Hearings

In conformance with the Local Government Code, the City Council may hold a joint public hearing with the Planning and Zoning Commission on a request for a change in zoning classification. In case of a joint hearing, The City Council must not act on the request until it receives the report from the Planning and Zoning Commission.

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Sec. 125-50 Special Use Permits

Sections:

- 125-50.A. General
- 125-50.B. Application Required
- 125-50.C. Fee Required
- 125-50.D. Notice
- 125-50.E. Planning and Zoning Commission Hearing and Recommendation
- 125-50.F. City Council Hearing and Action
- 125-50.G. Amendment to the Special Use Permit
- 125-50.H. Suspension or Revocation of Special Use Permit
- 125-50.I. Expiration and Extension of Special Use Permit
- 125-50.J. Limitation on Reapplication

Sec. 125-50.A. General

A special use permit may allow certain uses of land, buildings, or structures that may not be appropriate under all circumstances in any given zoning district, but may be appropriate where adequate measures can be taken to assure compatibility with surrounding uses, public need, and the City as a whole. It is the intent of this section to allow for such uses by the granting of a special use permit, subject to the procedures, which are applicable to rezoning, as stated herein. The City Council, upon recommendation of the Planning and Zoning Commission, may by ordinance, grant a special use permit for special uses that are otherwise prohibited by this Ordinance, and may impose appropriate conditions and safeguards to conserve and protect property and property values in the neighborhood.

Sec. 125-50.B. Application Required

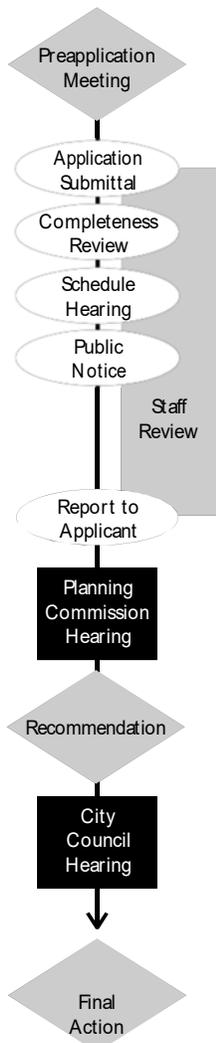
Any proposal for special use permit review shall be filed with the City. A completed application form as provided and instructed by the City shall be filed by the owner of the property or his authorized agent, or by the City Planner or designee.

Sec. 125-50.C. Fee Required

Applications shall be accompanied by the appropriate filing fee. No fee shall be charged for special use permit applications filed by the City Planner or designee.

Sec. 125-50.D. Notice

1. **Written Notice.**
 - a. **Property owner or designated representative.** The property owner or designated representative shall meet with the property owners of real



property lying within 500 feet of the boundaries of the property upon which the use is proposed prior to submittal of the application. The meeting announcement shall be delivered via U.S. mail. The city may provide the list of property owners as identified on the most recently approved municipal tax roll upon request. Documentation of the meeting in the form of a copy of the meeting announcement, the list of notified property owners and a list of the signatures from meeting attendants shall accompany the application. The meeting shall be held within five miles of the boundaries of the City of League City limits.

- b. **City.** Written notice of all public hearings before the Planning and Zoning Commission and City Council on proposed special use permits shall be sent to owners of real property lying within 500 feet of the subject property. Such notice shall be given not less than 21 days before the date set for hearing to all such owners who appear on the last approved City Tax Roll. Such notice may be served by depositing the notice, properly addressed and postage paid, in the United States Mail. When property lying within 500 feet of the subject property is located in territory which was annexed to the City after the final date for the last approved City Tax Roll, at least 21 days notice of the time and place of the public hearing shall be published in an official newspaper or a paper of general circulation in the City.

2. **Posted Notice. (Signs)**

- a. The City Planner or designee shall direct the erection of at least 1 sign on each property for which a special use permit has been requested. Where possible such sign or signs shall be located in a conspicuous place or places upon such property at a point or points nearest any right-of-way, street, roadway or public thoroughfare adjacent to such property. The City shall be responsible for making, installing, and removing such signs, the costs for which shall be included as a part of the fees the City assesses to applicants for special use permit requests.
- b. Such sign shall be so erected not less than 21 days before the date set for the public hearing before the Planning and Zoning Commission. Any such sign shall be removed subsequent to final action by the City Council on the special use permit application.
- c. Such sign shall indicate that a special use permit has been requested and shall further set forth that additional information can be acquired by telephoning the number indicated thereon.
- d. The erection and/or the continued maintenance of any such sign shall not be deemed a condition precedent to the holding of any public hearing or to any official action concerning such special use permit use.

Sec. 125-50.E. Planning and Zoning Commission Hearing and Recommendation

The Planning and Zoning Commission shall hold public hearings on all properly filed special use permit applications. After closing of the public hearing on an application, the Planning and Zoning Commission shall transmit to the City Council its recommendation on said application.

Sec. 125-50.F. City Council Hearing and Action

1. *Application recommended for approval.* Every special use permit application that is recommended favorably by the Planning and Zoning Commission shall be forwarded to the City Council for setting and holding of a public hearing thereon.
2. *Application Recommended for Denial* When the Planning and Zoning Commission determines that a special use permit should be denied, it shall so report to City Council. After receiving the final report from the Planning and Zoning Commission, the City Council may approve the proposal or deny the proposal, with or without prejudice as to refilling. And that decision shall be final unless an appeal is filed with the City Secretary's office within 12 days following City Council action.

Sec. 125-50.G. Amendment to the Special Use Permit

1. Upon review and recommendation by the Development Review Committee, the City Manager or designee may administratively authorize minor changes in the approved SUP if the activities proposed by the amendment are not materially different from the activities covered by the existing SUP.
2. Upon review and recommendation by the Development Review Committee, if the City Manager or designee determines that the amendment cannot be administratively authorized, then the same application and approval process described in this section shall apply as when the SUP was initially approved.

Sec. 125-50.H. Suspension or Revocation of Special Use Permit

1. Any operator or owner having a special use permit under the authority of this section is subject to immediate citation, injunction, abatement or any other remedy permitted by law. The special use permit is subject to suspension or revocation for any of the following reasons:
 - a. Noncompliance with any applicable federal, state or city code;
 - b. Noncompliance with any special condition imposed at the time of approval of the special use permit;
 - c. Violation of any provisions of the Code of Ordinances pertaining to the use of land, construction or uses of buildings structures or activities conducted on the premises; or

- d. Where conditions in the neighborhood or surrounding property have changed to the extent that approval of the permit would be clearly unwarranted if being applied for at the time of revocation.

2. ***Procedure for suspension or revocation.***

- a. When possible under the circumstance, the City shall give written notice to the owner or operator specifying the nature of the failure and giving the owner or operator a reasonable time to cure, taking into consideration the nature and extent of the failure, the extent of the efforts required to cure, and the potential impact on the health, safety, and welfare of the community.
- b. If the owner or operator fails to comply within ten (10) days after notice, or fails to comply immediately if there is an imminent health and safety issue, the City may suspend the Special Use Permit pursuant to the provisions of this Ordinance and recommend revocation to City Council.
- c. Revocation proceedings may be initiated by a majority vote of the City Council or the Planning and Zoning Commission.
- d. An appeal of any decision of the City Council to revoke a special use permit may be filed in the District Court of the appropriate county. Any appeal taken shall not suspend the order of revocation during the process of the appeals unless so ordered by the District Court.

Sec. 125-50.I. Expiration and Extension of Special Use Permit

1. Special Use Permits for oil and gas wells, pipelines and pump stations shall expire upon:
 - a. one (1) year after the date of City Council approval unless a permit has been issued pursuant to Chapter 42 of the Code of Ordinances; or
 - b. the expiration of a permit issued pursuant to Chapter 42 of the Code of Ordinances.
2. If a permit has not been issued pursuant to Chapter 42 of the Code of Ordinances, then one extension of a special use permit for oil and gas wells, pipelines and pump stations may be granted for not more than one (1) year from the date of expiration. Upon review and recommendation by the Development Review Committee, the City Manager or his designee may approve the request upon receipt of a written request showing good cause for the extension.

Sec. 125-50.J. Limitation on Reapplication

When a proposal is denied by the City Council or when the applicant has withdrawn his proposal after the giving of public notice, no new applications of like nature shall be accepted by the City or scheduled for a hearing by the Planning and Zoning Commission within a

period of 12 months of the date of denial or withdrawal. The Planning and Zoning Commission may waive the 12 month requirement after the applicant provides a written justification for their reason of withdrawal or there is a substantial change to the site that warrants new consideration of the application.

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Sec. 125-51 Certificates of Appropriateness

Sections:

- 125-51.A. Generally
- 125-51.B. Procedures 125-
- 51.C. Hardship Appeals

Sec. 125-51A. Generally

It shall be unlawful for any person to construct, reconstruct, significantly alter, restore, remove or demolish any building or architectural feature of a building within an Historic Conservation Overlay District unless the work complies with a certificate of appropriateness then in effect, including any conditions and restrictions imposed by the Commission. No other permits for such work may be issued unless a certificate, if required, has been issued. *Exception:* No certificate is required for work that only affects the interior of a building, not normally visible from a street.

The standards for issuance of certificates of appropriateness are as follows:

- a. All work must comply with applicable regulations of the preservation plan (including mandatory design guidelines) and this Ordinance.
- b. Rehabilitation work must comply with the most-current version *Standards for Rehabilitation of Historic Buildings* published by the United States Secretary of the Interior, including the following provisions (subject to any future revisions):
 1. Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object or site and its environment.
 2. The distinguishing original qualities or character of a building, structure, object or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
 3. All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
 4. Changes which may have taken place in course of time are evidence of the history and development of a building, structure, object or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object, or site shall be kept where possible.
 6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
 7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historical building materials shall not be undertaken.
 8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.
 9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.
 10. Whenever possible, new additions or alterations to buildings, structures, objects or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.
- c. For demolition or removal, the applicant must prove a preponderance of the following factors:
1. neither restoration nor repair is feasible, taking into account the condition of the building;
 2. the cost of restoration or repair is unreasonable;
 3. the building has little or no existing or potential usefulness, including economic usefulness;
 4. the building is not important for maintaining the character of the district or for achieving the historic preservation purposes of this Ordinance.

All development within the Historic District shall be subject to review by the Historic Commission. No person or entity shall construct, reconstruct, significantly alter, restore, remove or demolish any building or architectural feature of a building within a designated

Historic District unless application for a certificate of appropriateness has been made (*see* Ordinance 97-38).

Sec. 125-51B. Procedures

Only the owner of a building may apply for a certificate of appropriateness. The application must include drawings, plans and other descriptions sufficient to communicate the nature of the work, and they must meet criteria for form, number of copies and content as may be prescribed by the Historic Commission. This is no application fee. Each application must be filed with the Building Official, who shall forward a copy to the historic preservation officer and the presiding officer of the Historic Commission promptly. Before or during review of an application, the applicant may consult the Commission by appearing at a meeting.

The Commission shall hold a hearing on each application after giving at least ten working days written notice to the applicant. In addition, a notice shall be posted: (i) at least 14 days prior to the hearing, (ii) at or near the principal entrance to the affected property, and (iii) so that it is clearly legible by a person standing within a street or other public way. The historic preservation officer shall prescribe the form of all notices.

After reviewing an application, if the Commission finds the proposed work meets the standards for issuance, the commission shall issue a certificate of appropriateness. The Commission may impose conditions and restrictions on a certificate, to the extent reasonably necessary to meet the standards for issuance. Otherwise, the Commission shall disapprove the application. However, if the Commission neither issues a certificate nor disapproves an application by the decision deadline, the historic preservation officer shall issue a certificate covering all the work applied for, without conditions or restrictions. The decision deadline is the 45th day following the date the application is filed (or, in case of an application including any major demolition or removal, the 90th day). In this paragraph, “major demolition or removal” means demolition or removal of 250 square feet or more of building space, measured by the affected floor area.

All descriptions of the work provided by the applicant (and any other representations made by the applicant) are deemed to be included in each certificate, regardless of whether they are attached or referenced, but are subject to the certificate and any conditions or restrictions imposed.

The historic preservation officer shall promptly notify the applicant and the Building Official of the disposition of each application. Building permits and other approvals are usually required, in addition to a certificate of appropriateness.

A person aggrieved by any action of the Commission may appeal to the Zoning Board of Adjustment. Appeals must be in writing and filed with the historic preservation officer not later than the 30th day following the day the applicant is notified of the action. The Board shall give notices, hold a hearing and make a decision in the same manner as prescribed for Commission action under this section. For this purpose, decision deadlines are measured from the date an appeal is filed with the historic preservation officer.

Sec. 125-51C. Hardship Appeals

A certificate of appropriateness may be issued because of economic hardship only if the applicant clearly demonstrates, at a public hearing, all of the following:

- a. the applicant cannot earn a reasonable return on investment in the property (regardless of whether that return represents the most profitable return possible);
- b. neither the current owner nor any other owner or tenant can adapt the property to comply with general zoning regulations and allow a reasonable return on investment;
- c. the property owner had made diligent attempts to find a purchaser or tenant interested in acquiring or leasing the property and preserving it in compliance with historic preservation regulations, but all attempts have failed; and
- d. the applicant has worked in good faith with the Commission, any local preservation groups and other interested parties, in a diligent effort to seek an alternative that would result in preservation of the property.

[Sec. 125-52 to 125-59 Reserved]

Article II – Administration, Applications and Procedures

Division 1. Administration

Sec. 125-20	City Planner.....	II-1
Sec. 125-20.A.	Designation.....	II-1
Sec. 125-20.B.	Delegation	II-1
Sec. 125-20.C.	Designation.....	II-1
Sec. 125-20.D.	Powers and Responsibilities	II-1
Sec. 125-20.E.	Appeal	II-2
Sec. 125-21	Building Official.....	III-3
Sec. 125-21.A.	Designation.....	II-3
Sec. 125-21.B.	Delegation	II-3
Sec. 125-21.C.	Powers and Duties	II-3
Sec. 125-21.D.	Appeal	II-3
Sec. 125-22	Board of Adjustment	II-5
Sec. 125-22.A.	Membership.....	II-5
Sec. 125-22.B.	Meetings and Quorum	II-5
Sec. 125-22.C.	Authority of Board	II-6
Sec. 125-22.D.	Decision by Board of Adjustment.....	II-6
Sec. 125-22.E.	Appeal to Board of Adjustment.....	II-7
Sec. 125-22.F.	Limitation on Reconsideration	II-7
Sec. 125-22.G.	Appeal from Decisions by the Board of Adjustment	II-8
Sec. 125-23	Historic Commission.....	II-9
Sec. 125-23.A.	Creation, Members, Officers, Etc.....	II-9
Sec. 125-23.B.	Powers and Duties	II-10

Sec. 125-24	Planning and Zoning Commission	II-13
Sec. 125-24.A.	Creation.....	II-13
Sec. 125-24.B.	Members and Quorum	II-13
Sec. 125-24.C.	Powers and Duties.....	II-13
Sec. 125-24.D.	Appeals	II-14
Sec. 125-25	City Council.....	II-15
Sec. 125-25.A.	Powers and Duties.....	II-15
Sec. 125-25.B.	Appeal.....	II-15
Sec. 125-26	Remedies and Enforcement Powers.....	II-17
Division 2.	Applications and Procedures	
Sec. 125-40	General.....	II-19
Sec. 125-40.A.	Pre-application Conference.....	II-19
Sec. 125-40.B.	Application Forms and Fees	II-19
Sec. 125-41	Written Interpretation.....	II-21
Sec. 125-41.A.	Authority	II-21
Sec. 125-41.B.	Request for Interpretation	II-21
Sec. 125-41.C.	Interpretation by City Planner or designee	II-21
Sec. 125-41.D.	Official Record.....	II-21
Sec. 125-41.E.	Appeals	II-21
Sec. 125-42	Building Permit.....	II-23
Sec. 125-42.A.	Creation of Building Site	II-23
Sec. 125-42.B.	Construction.....	II-23
Sec. 125-42.C.	Significant Alterations, Reconstruction or Conversions.....	II-24

Sec. 125-43	Commercial and Industrial Operations Permit	II-25
Sec. 125-44	Flood Damage Prevention Permit	II-25
Sec. 125-45	Site Development Plan Review	II-27
Sec. 125-45.A.	Master Development Plan	II-27
Sec. 125-45.B.	Site Development Plan	II-29
Sec. 125-45.C.	Delegation of Approval Responsibility	II-32
125-45.D.	Processing Fees	II-32
Sec. 125-46	Sign Permit	II-33
Sec. 125-47	Variance	II-35
Sec. 125-47.A.	General	II-35
Sec. 125-47.B.	Application Required	II-36
Sec. 125-47.C.	Fee Required	II-36
Sec. 125-47.D.	Notice	II-36
Sec. 125-48	Reserved	III-37
Sec. 125-49	Text or Map Amendment (Rezoning)	III-37
Sec. 125-49.A.	Application Required	II-37
Sec. 125-49.B.	Fee Required	II-37
Sec. 125-49.C.	Notice	II-37
Sec. 125-49.D.	Criteria for Considering Text or Map Amendments (Rezoning)	II-39
125-49.E.	Planning and Zoning Commission Hearing and Recommendation	II-39
49.F.	City Council Hearing and Action	II-40
49.G.	Appeal	II-40
49.H.	Limitation On Reapplication	II-41
Sec. 125-49.I.	Joint Hearings	II-41

Sec. 125-50	Special Use Permits	II-43
Sec. 125-50.A.	General.....	II-43
Sec. 125-50.B.	Application Required	II-43
Sec. 125-50.C.	Fee Required	II-43
Sec. 125-50.D.	Notice.....	II-43
Sec. 125-50.E.	Planning and Zoning Commission Hearing and Recommendation	II-45
Sec. 125-50.F.	City Council Hearing and Action	II-45
Sec. 125-50.G.	Amendment to the Special Use Permit	II-45
Sec. 125-50.H.	Suspension or Revocation of Special Use Permit.....	II-45
Sec. 125-50.I.	Expiration and Extension of Special Use Permit	II-46
Sec. 125-50.J.	Limitation On Reapplication.....	II-46
Sec. 125-51	Certificates of Appropriateness	II-49
Sec. 125-51.A.	General.....	II-49
Sec. 125-51.B.	Procedures.....	II-51
Sec. 125-51.C.	Hardship Appeals.....	II-52

Article III – Zoning Regulations

Division 1. Applicability

Sec. 125-60 Zoning Districts and Mapping

Sections:

- 125-60.A. Purposes
- 125-60.B. Establishment of Base Zoning Districts
- 125-60.C. Establishment of Overlay Zoning Districts
- 125-60.D. Zoning District Map
- 125-60.E. Interpretation of Zoning District Boundaries
- 125-60.F. Zoning Upon Annexation

This section establishes the based and overlay zoning districts for this Article and outlines the rules for interpreting zoning district boundaries shown on the Official Zoning Map.

Sec. 125-60.A. Purposes

The purpose of this Section is to establish base and overlay zoning districts for the City of League City. These zoning districts are intended to:

- Regulate and manage the location and use of buildings and land for residence, commerce and trade, industry, transportation, communications and utilities, and other purposes;
- Regulate and manage the location, height and size of buildings and structures hereafter erected or structurally altered, the size of yards, setbacks, and other open spaces, and the density of population; and
- Establish site development and design standards, subdivision standards, and requirements for adequate public facilities and services.

Specific provisions related to the base and overlay districts are included in Division 2 and Division 3 of this Article, respectively.

Sec. 125-60.B. Establishment of Base Zoning Districts

For the purposes of this Ordinance, the City of League City is hereby divided into 15 base zoning districts. Base zoning districts and Section references are shown in Schedule 125-60.B below.

Schedule 125-60.B: Establishment of Base Zoning Districts

<i>Base Zoning Districts and Section Reference</i>	<i>Base District Name</i>
125-70 Residential Single Family Districts	Residential Single Family 20 (RSF-20) Residential Single Family 10 (RSF-10) Residential Single Family 7 (RSF-7) Residential Single Family 5 (RSF-5) Residential Single Family 2 (RSF-2)
125-71 Residential Multi-Family Districts	Residential Multi-Family 2 (RMF-2) Residential Multi-Family 2 (RMF-1.2)
125-72 Commercial and Mixed Use Districts	Neighborhood Commercial (CN) General Commercial (CG) Commercial Office (CO) Commercial Mixed Use (CM)
125-73 Industrial Districts	Limited Industrial (IL) General Industrial (IG)
125-74 Public and Semi-Public District	Public and Semi-Public (PS)
125-75 Open Space District	Open Space (OS)

Sec. 125-60.C. Establishment of Overlay Zoning Districts

For the purposes of this Ordinance, overlay zones may be applied to the base zoning districts established in Section 125-60.B above. Overlay zoning districts and Section references are shown in Schedule 125-60.C below.

Schedule 125-60.C: Establishment of Overlay Zoning Districts

<i>Overlay Zoning Districts and Section Reference</i>	<i>Overlay District Name</i>
125-80 Planned Unit Development Overlay District	Planned Unit Development (-PUD)
125-81 Residential Neighborhood Conservation Overlay District	Residential Neighborhood Conservation (-RNC)
125-82 Commercial Revitalization Overlay District	Commercial Revitalization (-CRC)
125-83 Traditional Neighborhood Development Overlay District	Traditional Neighborhood Development (-TND)
125-84 Major Activity Center Overlay District	Major Activity Center (-MAC)
125-85 Historic Conservation Overlay Districts	Historic Conservation (-HC)

Sec. 125-60.D. Zoning District Map

The boundaries of these base and overlay zoning districts are hereby established as shown on the Official Zoning Map, which accompanies and is made part of this Zoning Ordinance. The City Planner or designee shall be responsible for custody of the Official Zoning Map and

shall promptly make any changes approved by the City Council. The provisions of an ordinance establishing a district, amending a district classification, or amending a district

boundary shall control over any conflicting information shown on the Official Zoning Map. The Official Zoning Map, together with all notations, references, and other information shown thereon and all amendments thereto, shall be as much a part of this Ordinance as if fully set forth and described herein. The Official Zoning Map, properly attested, is on file in the office of the City Planner or designee and is fully accessible to the public during normal business hours.

Sec. 125-60.E. Interpretation of Zoning District Boundaries

Where uncertainty exists with respect to the boundaries of the various zoning districts as shown on the Official Zoning Map accompanying and made a part of this Zoning Ordinance, the following rules shall apply:

1. In cases where a zoning district boundary line is given a position adjoining, coincident with, or within a street or alley or non-navigable stream, it shall be deemed to be in the center of the street, alley or stream, and if the actual location of such street, alley or stream varies slightly from the location as shown on the district map, then the actual location shall control.
2. In cases where a zoning district boundary line is shown as being located a specific distance from a street line or other physical feature, this distance shall control.
3. In cases where a zoning district boundary line is shown adjoining or coincident with a railroad, it shall be deemed to be in the center of the railroad right-of-way and distances measured from a railroad shall be measured from the center of the designated mainline track.
4. Where the zoning district boundary lines are not otherwise indicated, and where the property has been or may hereafter be divided into blocks and lots, the zoning district boundaries shall be considered to be the lot lines, and where the zoning districts designated on the Official Zoning Map are bounded approximately by lot lines, said lot lines shall be considered to be the boundary of such zoning districts unless said boundaries are otherwise indicated on the Map or by ordinance.
5. In unsubdivided property, unless otherwise indicated, the zoning district boundary line on the Official Zoning Map shall be determined by the use of the scale contained on such map.
6. Zoning district boundary lines indicated as approximately following City Limits shall be considered to follow the City Limits.
7. All water areas within the City Limits are considered to be within a zoning district and controlled by applicable district regulations. Zoning district boundary lines over water areas are located by noted and scaled dimensions, by relation to physical features, by coincidence with the City Limit line, or by a straight line projection of the centerlines of streets as indicated on the district maps. Straight line district

boundaries over water areas shall be assumed to continue as straight line until they intersect with each other or with the City Limit line.

8. Zoning district boundary lines indicated as following shorelines shall be considered to follow such shorelines, and in the event of change in the shoreline, shall be considered as moving with the actual shoreline.
9. Where existing physical or natural features contradict those shown on the Official Zoning Map, or if case any other uncertainty exists, the location of zoning district boundaries shall be determined by the City Planner or designee in accordance with the provisions in Section 125-41 of this Zoning Ordinance.
10. The City Planner shall keep a record of interpretations made pursuant to this Section that will be available to the public. When an interpretation relates to the Official Zoning Map, a record of measures taken to correct the placement of the zoning district boundary line on the map in order to remove permanently any ambiguity also shall be included in the record of interpretations.

Sec. 125-60.F. Zoning Upon Annexation

Any new addition and annexation of land to the City of League City shall be zoned “RSF-7”, unless otherwise classified by the Planning and Zoning Commission and City Council at the time of annexation. The rezoning of annexed lands shall follow the procedures and requirements for the rezoning of other lands within the City as set forth in Section 125-49 of this Zoning Ordinance.

Division 2. Base Zoning District Regulations

Sec. 125-70 Residential Single Family Districts

Sections:

- 125-70.A. Purposes
- 125-70.B. Land Use Regulations
- 125-70.C. Development Regulations
- 125-70.D. Review of Plans

This section establishes regulations for 5 residential single family zoning district types: Residential Single Family 20 (RSF-20), Residential Single Family 10 (RSF-10), Residential Single Family 7 (RSF-7), Residential Single Family 5 (RSF-5), and Residential Single Family 2 (RSF-2). The development standards generally reflect current standards.

Sec. 125-70.A. Purposes

The specific purposes of the ***RSF Residential Single Family Districts*** are to create, maintain, and enhance neighborhood residential areas that are characterized by detached, single-unit structures with typical lot sizes ranging anywhere from 2,000 to 20,000 square feet in size. Future development must remain single family residential in nature, although some attached single-family units, small-scale public, and non-residential uses may be permitted in certain districts. Five ***RSF Residential Single Family Districts*** are established:

- ***RSF-20 Residential Single Family.*** This district reflects existing “large lot” single family areas of the City and is intended to provide for very low density suburban residential development. The minimum lot size is 20,000 square feet.
- ***RSF-10 Residential Single Family.*** This district reflects existing single family areas of the City and is intended to provide for low density suburban residential development. The minimum lot size is 10,000 square feet.
- ***RSF-7 Residential Single Family.*** This district reflects existing single family areas of the City and is intended to provide for medium density residential development. The minimum lot size is 7,000 square feet. This district is intended to replace the existing SD-R Suburban Development-Residential District in undeveloped areas of the City.
- ***RSF-5 Residential Single Family.*** This district reflects existing single family areas of the City and is intended to provide for medium density residential development. The minimum lot size is 5,000 square feet. Zero-lot line and attached single-family units are permitted. Mobile homes are conditionally permitted but are regulated as a special use in this district.

- **RSF-2 Residential Single Family.** This district is intended to provide for high density, small lot single family residential development with a minimum lot size of 2,000 square feet. Zero-lot line units are permitted.

Sec. 125-70.B. Land Use Regulations

Schedule 125-70.B below prescribes the land use regulations for **RSF Residential Single Family Districts**. The regulations for each district are established by letter designations as follows:

"P" designates permitted use classifications.

"L" designates use classifications that are permitted, subject to certain limitations prescribed by the additional use regulations in Article IV, Division 1: Standards for Specific Uses. Number designations refer to the specific limitations listed at the end of Schedule 125-70.B.

"S" designates use classifications permitted after review and approval of a Special Use Permit by the City Council. These uses are also subject to certain limitations in Article IV, Division 1: Standards for Specific Uses.

Use classifications are defined in Article V, Division I: Use Classifications. In cases where a specific land use or activity is not defined, the City Planner or designee shall assign the land use or activity to a classification that is substantially similar in character. Use classifications not listed in the Schedule below are prohibited.

Schedule 125-70.B: Use Regulations – Residential Single Family Districts

<i>Use Classifications</i>	<i>RSF-20</i>	<i>RSF-10</i>	<i>RSF-7</i>	<i>RSF-5</i>	<i>RSF-2</i>	<i>Additional Regulations</i>
Residential						
Child Care Family Homes						
<i>Listed Family Homes</i>	P	P	P	P	P	
<i>Registered Family Homes</i>	S	S	S	S	S	
Residential Dwellings						Refer to Section 125-90.B
<i>Single Family Dwelling</i>	P	P	P	P	P	
<i>Single Family with Secondary Dwelling</i>	L1	L1	S	S	S	
<i>Duplex</i>	—	—	—	S	P	
<i>Townhouse</i>	—	—	—	—	P	
<i>Manufactured/Modular Homes</i>	—	—	—	S, L2	—	
Group Residential Facilities						
<i>Disabled Group Dwelling</i>	L3	L3	L3	L3	L3	Refer to Section 125-90.J

Schedule 125-70.B: Use Regulations – Residential Single Family Districts

Public and Semipublic						
Cemeteries	S	S	S	S	S	
Cultural Institutions	S	S	S	S	S	
Parks and Recreation	P	P	P	P	P	
Public Safety Facilities	S	S	S	S	S	
Religious Assembly	L4	L4	L4,L5	L4,L5	L4,L5	
Schools, Public or Private	S	S	S	S	S	
Commercial						
Bed and Breakfast Establishment	S	S	—	—	—	
Food and Beverage Sales	—	—	—	S	S	
Recreation and Entertainment						
<i>Large-Scale</i>	S	S	S	S	S	
<i>Small-Scale</i>	S	S	S	S	S	
Transportation, Communication, and Utilities						
Transportation Facilities						
<i>Marinas, Docks</i>	P	P	P	P	P	
<i>Marinas, Private</i>	S	S	S	S	S	
Utility, Minor	P	P	P	P	P	
Agriculture and Extractive						
Crop and Animal Raising	L6	—	—	—	—	
Excavation and Mining	S	S	S	S	S	Refer to Chapter 98
Pipelines, Oil and Gas Wells						
Gas Well Drilling	S	S	S	S	S	Refer to Sec. 125-90.G.
Oil Well Drilling	S	S	S	S	S	Refer to Sec. 125-90.G.
Pipelines	S	S	S	S	S	Refer to Sec. 125-90.H.
Pump Stations	S	S	S	S	S	Refer to Sec. 125-90.I.
Specific Use Limitations						
L1 Rental property is prohibited as being used for a secondary dwelling.						L2 Mobile home skirting or lattice shall be installed. A state-required gas cutoff valve shall be located outside the mobile home skirt.
L3 Permissible if in accordance with Section 125-90.J.						L4 Minimum 20-foot wide landscaped buffer required along interior lot lines that abut a single-family lot.
L5 No accessory uses permitted.						L6 Permissible if in accordance with Chapter 18 of the League City Code of Ordinances.
Accessory Uses and Structures						See Article IV, Division 2
Temporary Uses						See Article IV, Division 3
Nonconforming Uses and Structures						See Article IV, Division 7

Sec. 125-70.C. Development Regulations

Schedule 125-70.C below prescribes the development regulations for **RSF Residential Single Family Districts**, including building density, building form and location, and vehicle accommodation. The number designations in right-hand column refer to the additional regulations listed at the end of Schedule 125-70.C. Refer also to Article IV: Regulations Applicable in All or Several Districts.

Schedule 125-70.C: Development Regulations – Residential Single Family Districts

<i>Development Standards</i>	<i>RSF-20</i>	<i>RSF-10</i>	<i>RSF-7</i>	<i>RSF-5</i>	<i>RSF-2</i>	<i>Additional Regulations</i>
<i>Building Density</i>						
Minimum Lot Area (sq. ft.)	20,000	10,000	7,000	5,000	2,000	
Maximum Lot Coverage (Percent)					50	(1)
Minimum Lot Width (ft.)	120	80	50	50	25	(2)
<i>Building Form and Location</i>						
Maximum Height (ft.)	42	42	42	42	42	
<i>Front</i>	30	25	25	20	20	(3)
<i>Side</i>	20	15	5	5	5 / 15	(4)
<i>Street Side (Corner Lot)</i>	20	15	10	10	15	(5)
<i>Rear</i>	30	25	10	10	10 / 15	(6)
<i>Vehicle Accommodation</i>						
Required Parking (per unit)	Yes	Yes	Yes	Yes	Yes	(7)
Driveway Restrictions	Yes	Yes	Yes	Yes	Yes	(8)
<i>Other Standards</i>						
Accessory Uses and Structures						See Article IV, Division 2
Off-Street Parking and Loading						See Article IV, Division 5
Landscaping and Buffer Yards						See Article IV, Division 6

1. **Lot Coverage.** For "RSF-20", "RSF-10", "RSF-7", and "RSF-5", any plat shall contain a table of allotted maximum (%) impervious surface for each lot represented; the maximum percent (%) impervious surface shall be derived from the hydrologic and the hydraulic report for the plat. The table shall delineate between percentages for building(s) and accessory structure(s).
2. **Lot Width.** Townhouses in “RSF-2” are permitted to have a minimum lot width of 20 feet.

3. **Front Yard.** The front yard setback may be reduced to 20 feet on lots that have frontage in a cul-de-sac or knuckle.
4. **Side Yard.** Zero-lot line, duplexes and townhouses are permitted in the RSF-2 districts. For such development, the yard requirement on the zero-lot line or attached side will be waived. In no case shall a distance of less than 10 feet separate dwelling units along the opposite side yard. A perpetual easement related to maintenance, eaves, and drainage of at least 4 feet shall be provided the lot adjacent to the zero-lot line property, which with the exception of walls and fences, shall be kept clear of structures. This easement shall be noted on the plat and incorporated into each deed transferring title to property. The 15-foot side yard setback shall apply to townhouses and duplexes only.
5. **Street Side Yard.** A zero-lot line dwelling unit shall not be built to the street side yard.
6. **Rear Yard.** In the RSF-7, RSF-5 and RSF-2 districts where a rear alley is provided, the rear yard setback for attached or detached garages may be reduced to 6 feet. Refer to Article IV, Division 2: Accessory Uses and Structures. The 15-foot rear yard setback shall apply to townhouses and duplexes only.
7. **Required Parking.** In all RSF districts, the side yard may be used for vehicle parking or access to the rear of the lot. No vehicle parking shall obstruct or encroach a public sidewalk.
8. **Driveway Restrictions.** Driveway access to a RSF Residential Single Family lot from a major or minor arterial is prohibited.

Sec. 125-70.D. Review of Plans

All development is subject to development review in accordance with the City’s applications and procedures, pursuant to Article II, Division 2: Applications and Procedures.

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Sec. 125-71 Residential Multi-Family Districts

Sections:

- 125-71.A. Purposes
- 125-71.B. Land Use Regulations
- 125-71.C. Development Regulations
- 125-71.D. Review of Plans

This section establishes regulations for 2 residential multi-family district types: Residential Multi-Family 2 (RMF-2) and Residential Multi-Family 1.2 (RMF-1.2). The development standards generally reflect current standards.

Sec. 125-71.A. Purposes

The specific purposes of the **RMF Residential Multi-Family Districts** are to create, maintain, and enhance neighborhood residential areas with multi-family housing that is typically located near the City's major arterial roads, is part of mixed use development, and is characterized by a mix of attached housing in small and large multi-unit buildings. While future development will be primarily residential in nature, some small-scale public and non-residential uses may be on the ground floor in a mixed use building on an arterial street may be permitted in certain districts. Two **RMF Residential Multi-Family Districts** are established:

- *Multi-Family Residential (RMF-2).* This district reflects existing multi-family areas of the City and is intended to provide for medium density residential development with a maximum density of 22 dwelling units per acre. Future development may take the form of two-family dwellings (duplexes), multiplexes, and townhouses.
- *Multi-Family Residential (RMF-1.2).* This district is intended to provide for high density multi-family residential development with a maximum density of 36 dwelling units per acre. Future development may take the form of multiplexes and apartments.

Sec. 125-71.B. Land Use Regulations

Schedule 125-71.B below prescribes the land use regulations for **RMF Residential Multi-Family Districts**. The regulations for each district are established by letter designations as follows:

"P" designates permitted use classifications.

"L" designates use classifications that are permitted, subject to certain limitations prescribed by the additional use regulations in Article IV, Division 1: Standards for Specific Uses. Number designations refer to the specific limitations listed at the end of Schedule 125-71.B.

"S" designates use classifications permitted after review and approval of a Special Use Permit by the City Council. These uses are also subject to certain limitations in Article IV, Division 1: Standards for Specific Uses.

Use classifications are defined in Article V, Division I: Use Classifications. In cases where a specific land use or activity is not defined, the City Planner or designee shall assign the land use or activity to a classification that is substantially similar in character. Use classifications not listed in the Schedule below are prohibited.

Schedule 125-71.B: Use Regulations – Residential Multi-Family Districts

<i>Use Classifications</i>	<i>RMF-2</i>	<i>RMF-1.2</i>	<i>Additional Regulations</i>
<i>Residential</i>			
Child Care Family Homes			
<i>Listed Family Homes</i>	P	P	
<i>Registered Family Homes</i>	S	S	
Residential Dwellings			Refer to Section 125-90.B
<i>Multi-Family Dwelling</i>	P	P	
<i>Condominium</i>	P	P	
<i>Duplex</i>	P	P	
<i>Townhouses</i>	P	P	
<i>Manufactured Homes</i>	S	S	
Group Residential Facilities			Refer to Section 125-90.J
<i>Assisted Living Facility</i>	P	P	
<i>Continuing Care Facility</i>	P	P	
<i>Disabled Group Dwelling</i>	P	P	
<i>Emergency Shelter</i>	P	P	
<i>Nursing Home</i>	P	P	
<i>Public and Semipublic</i>			
Cemeteries	S	S	
Cultural Institutions	S	S	
Day Care	S	S	
Parks and Recreation	P	P	
Public Safety Facilities	S	S	
Religious Assembly	L1	L1	
Schools, Public or Private	S	S	
<i>Commercial</i>			
Bed and Breakfast Establishment	P	P	
Food and Beverage Sales	L2	L2	

Schedule 125-71.B: Use Regulations – Residential Multi-Family Districts

Recreation and Entertainment			
<i>Large-Scale</i>	S	S	
<i>Small-Scale</i>	S	S	
<i>Transportation, Communication, and Utilities</i>			
Transportation Facilities			
<i>Marinas, Docks</i>	P	P	
<i>Marinas, Private</i>	P	P	
Utility, Minor	P	P	
<i>Agriculture and Extractive</i>			
Excavation and Mining	S	S	Refer to Chapter 98
<i>Pipelines, Oil and Gas Wells</i>			
Gas Well Drilling	S	S	Refer to Sec. 125-90.G.
Oil Well Drilling	S	S	Refer to Sec. 125-90.G.
Pipelines	S	S	Refer to Sec. 125-90.H.
Pump Stations	S	S	Refer to Sec. 125-90.I.
<i>Specific Use Limitations</i>			
L1 Minimum 20-foot wide landscaped buffer required along interior lot lines that abut a single-family lot.		L2 Corner stores less than 1,500 square feet.	
<i>Accessory Uses and Structures</i>		See Article IV, Division 2	
<i>Temporary Uses</i>		See Article IV, Division 3	
<i>Nonconforming Uses and Structures</i>		See Article IV, Division 7	

Sec. 125-71.C. Development Regulations

Schedule 125-71.C below prescribes the development regulations for ***RMF Residential Multi-Family Districts***, including building density, building form and location, open space, and vehicle accommodation. The number designations in right-hand column refer to the additional regulations listed at the end of Schedule 125-71.C. Refer also to Article IV: Regulations Applicable in All or Several Districts.

Schedule 125-71.C: Development Regulations – Residential Multi-Family Districts

<i>Development Standards</i>	<i>RMF-2</i>	<i>RMF-1.2</i>	<i>Additional Regulations</i>
<i>Building Density</i>			
Maximum dwelling units per acre	22	36	
Minimum Lot Width (ft.)	75	75	(1)

Minimum Unit Size (sq. ft.)	850	650
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Schedule 125-71.C: Development Regulations – Residential Multi-Family Districts

<i>Development Standards</i>	<i>RMF-2</i>	<i>RMF-1.2</i>	<i>Additional Regulations</i>
<i>Building Form and Location</i>			
Maximum Height (ft.)	42	48	
Minimum Yards (ft.)			
<i>Front</i>	20	25	(2)
<i>Side (1/2/3+stories)</i>	15/20/30	15/20/30	
<i>Street Side (Corner Lot)</i>	20	25	
<i>Rear (1/2/3+stories)</i>	15/20/30	20/25/30	(3)
<i>Open Space</i>			
Maximum Lot Coverage (Percent)	50	60	(4)
Minimum Common Open Space			(5)
<i>Other Standards</i>			
Accessory Uses and Structures			See Article IV, Division 2
Off-Street Parking and Loading			See Article IV, Division 5
Landscaping and Buffer Yards			See Article IV, Division 6

1. ***Minimum Lot Width.*** The minimum lot width may be reduced to 20 feet for, duplex, and townhouse dwellings.
2. ***Front Yard.*** The minimum front yard may be reduced to 20 feet for duplex, and townhouse dwellings.
3. ***Rear Yard.*** The minimum rear yard may be reduced to 10 feet for attached single family, two-family, and townhouse dwellings where a rear alley is provided
4. ***Maximum Lot Coverage.*** Includes buildings, parking areas, and driveways and maneuvering areas, but excludes common open space amenities and landscaped areas.
5. ***Common Open Space.*** See Article II, Chapter 102 of the City of League City Code of Ordinances (Parks Ordinance).

Sec. 125-71.D. Review of Plans

All development is subject to development review in accordance with the City’s applications and procedures, pursuant to Article II, Division 2: Applications and Procedures.

Sec. 125-72 Commercial and Mixed Use Districts

Sections:

- 125-72.A. Purposes
- 125-72.B. Land Use Regulations
- 125-72.C. Development Regulations
- 125-72.D. Review of Plans

This section establishes regulations for four commercial and mixed use district types: Neighborhood Commercial (CN), General Commercial (CG), Commercial Office (CO), and Commercial Mixed Use (CM).

Sec. 125-72.A. Purposes

The specific purposes of the *C Commercial and Mixed Use Districts* are to create, maintain, and enhance commercial and mixed use areas that serve as local activity centers for surrounding neighborhoods as well as regional centers serving city and area residents. Commercial and mixed use areas are typically located on or near the City’s major arterial roads and represent a range of development scales and intensities that may include residential uses where appropriate. Four *C Commercial and Mixed Use Districts* are established:

- ***CN Neighborhood Commercial.*** This district is intended to provide for areas of smaller-scaled and pedestrian-oriented neighborhood-serving commercial and mixed use development (typically with floorplates of less than 10,000 square feet) that includes retail, services, office, eating and drinking, housing, smaller-scaled public uses, etc.
- ***CG General Commercial.*** This district reflects existing and future areas of larger-scaled pedestrian- and auto-oriented commercial development (typically with floorplates of more than 10,000 square feet) located on the City’s major arterial roads and include a wide variety of community-serving uses that include retail, services, office, auto-related businesses, eating and drinking, recreation and entertainment, public and semi-public uses, etc. Residential uses are not permitted in this district.
- ***CO Commercial Office.*** This district is intended to provide for areas of large-scale integrated professional office development of quality design in a landscaped setting serving high technology, and research and development. Secondary support uses—such as business services and institutional uses—serving the development are encouraged.
- ***CM Commercial Mixed Use.*** This district is intended to provide for areas of large-scale pedestrian- and auto-oriented region-serving mixed use development that includes a mix of retail formats (both large and small), office and business services, commercial lodging, office-oriented research and development, recreation and entertainment, etc. Multi-family residential uses are permitted in this district. Development in this district will occur under a master development plan.

Sec. 125-72.B. Land Use Regulations

Schedule 125-72.B below prescribes the land use regulations for *C Commercial and Mixed Use Districts*. The regulations for each district are established by letter designations as follows:

"P" designates permitted use classifications.

"L" designates use classifications that are permitted, subject to certain limitations prescribed by the additional use regulations in Article IV, Division 1: Standards for Specific Uses. Number designations refer to the specific limitations listed at the end of Schedule 125-72.B.

"S" designates use classifications permitted after review and approval of a Special Use Permit by the City Council. These uses are also subject to certain limitations in Article IV, Division 1: Standards for Specific Uses.

Use classifications are defined in Article V, Division I: Use Classifications. In cases where a specific land use or activity is not defined, the City Planner or designee shall assign the land use or activity to a classification that is substantially similar in character. Use classifications not listed in the Schedule below are prohibited.

Non-retail Sales Tax Generating Business

Notwithstanding any provision in this chapter to the contrary, a use located in an area described by "b." below is subject to the restriction in "c." below:

- a. In this section, "non-retail sales tax generating business" shall mean a business or other nonresidential use that sells annually fewer than three (3) taxable items, as that term is defined by Texas Tax Code Section 151.010, annually at its location within this district.
- b. A non-retail sales tax generating business that locates in a newly constructed building, or a newly constructed portion of an existing building that has been added to, in these Commercial and Mixed Use Districts that has any portion of its premises, including its parking facilities, located within three hundred (300) feet of the edge of the right-of-way for Interstate 45, State Highway 96, State Highway 3, Farm to Market Road 270, Farm to Market Road 517, Farm to Market Road 2094, Farm to Market Road 518, or Farm to Market Road 646.
- c. To be located on the ground floor of any building in the area described in b. above, the use must obtain a special use permit,
- d. In this section, the term "newly constructed" means constructed pursuant to a building permit the application for which was submitted on or after January 1, 2017.

Schedule 125-72.B: Use Regulations – Commercial and Mixed Use Districts

<i>Use Classifications</i>	<i>CN</i>	<i>CG</i>	<i>CO</i>	<i>CM</i>	<i>Additional Regulations</i>
<i>Residential</i>					
Residential Dwellings					Refer to Section 125-90.B.
<i>Multi-Family Residential</i>	L1	—	—	L1	
<i>Single-Family Residential</i>	L1	—	—	—	
Group Residential Facilities					Refer to Section 125-90.J
<i>Assisted Living Facility</i>	P	P	P	P	
<i>Continuing Care Facility</i>	P	P	P	P	
<i>Disabled Group Dwelling</i>	P	P	P	P	
<i>Emergency Shelter</i>	P	P	P	P	
<i>Homeless Shelter</i>	—	S	—	S	
<i>Nursing Home</i>	P	P	P	P	
<i>Public and Semipublic</i>					
Clubs or Lodges	S	P	S	P	
Colleges, Public or Private	S	P	P	P	
Cultural Institutions	P	P	P	P	
Day Care	P	P	P	P	
Educational Research and Development	—	P	P	P	

Schedule 125-72.B: Use Regulations – Commercial and Mixed Use Districts

<i>Use Classifications</i>	<i>CN</i>	<i>CG</i>	<i>CO</i>	<i>CM</i>	<i>Additional Regulations</i>
Government Offices and Facilities					
<i>Large-Scale</i>	—	P	P	P	
<i>Small-Scale</i>	P	P	P	P	
Hospitals	S	P	P	P	
Parks and Recreation	P	P	P	P	
Public Maintenance Facilities	—	S	—	—	Refer to Section 125-90.D.
Public Safety Facilities	P	P	P	P	
Religious Assembly	L2	P	P	P	
Schools, Public or Private	P	P	P	P	
Commercial					
Alcoholic Beverage Sales					
<i>On-Premise Consumption</i>	S, L3	S, L3	S, L3	S, L3	
<i>Off-Premise Consumption</i>	—	P, L3	—	—	
Ambulance Services	—	P	P	P	
Animal Sales and Services	S	P	—	S	
Automobile/Vehicle/Equipment Sales and Services					
<i>Automobile/Vehicle/Equipment Sales and Rental</i>	—	P	—	S	
<i>Automobile Rentals</i>	L4	P	L4	P	
<i>Car Wash</i>	—	P	—	P	
<i>Gas and Service Stations</i>	—	P	—	S	
<i>Light Vehicle Service</i>	S	P	—	S	
<i>Auto Repair and Other Heavy Vehicle Service</i>	—	S	—	—	
Banks and Other Financial Institutions	L5	P	P	P	Refer to Section 125-90.A.
Bed and Breakfast Establishment	P	P	—	P	
Building Materials Sales and Services	—	P	—	P	Refer to Section 125-90.D.
Business Services	P	P	P	P	
Catering Business	S	P	P	P	
Convention Center	—	P	P	P	
Eating and Drinking Establishments					
<i>Full Service</i>	P	P	S	P	
<i>Limited Service</i>	P	P	S	P	
<i>With Drive-Through Facilities</i>	S, L5	P	S	P	Refer to Section 125-90.A.
<i>With Live Entertainment</i>	S	P	S	S	

Schedule 125-72.B: Use Regulations – Commercial and Mixed Use Districts

<i>Use Classifications</i>	<i>CN</i>	<i>CG</i>	<i>CO</i>	<i>CM</i>	<i>Additional Regulations</i>
With Outdoor Seating	L6	L6	S	L6	
Food and Beverage Sales	P	P	—	P	
Home Improvement Sales and Services	L7	P	—	P	Refer to Section 125-90.C.
Hotels and Commercial Lodging					Refer to Section 125-90.F.
<i>Full Service Hotel</i>	—	P	S	S	
<i>Limited Service Hotel</i>	S	P	S	S	
<i>Residence Hotel</i>	—	P	S	S	
Laboratory, Commercial	S	P	P	P	
Maintenance and Repair Services	P	P	P	P	
Massage Establishments and Massage Services	P	P	P	P	
Nurseries and Garden Supply Stores	P	P	—	P	Refer to Section 125-90.C.
Offices	P	P	P	P	
Parking Facilities		P	P	P	
Pawn Shops	—	L8	—	S	
Personal Instructional Services	P	P	—	P	
Personal Services		P	S	P	
Recreation and Entertainment					
Large-Scale	S	P	S	S	
Small-Scale	S	P	S	P	
Recreational Vehicle Park	—	S	—	—	
Retail Sales	P	P	—	P	Refer to Section 125-90.E.
Self Storage	—	P	—	P	Refer to Section 125-90.C.
Undertaking, Funeral and Interment Services	S	P	—	P	Refer to Section 125-90.D.

Industrial

Production Industry					
<i>Artisan</i>	S	S	S	S	Refer to Section 125-90.D.
<i>Limited</i>	—	P	—	S	
Research and Development	—	S	S	S	
Warehousing and Storage					
<i>Indoor Storage</i>	—	P	S	S	Refer to Section 125-90.D.
Wholesaling and Distribution					
<i>With Store Facilities</i>	—	P	—	P	Refer to Section 125-90.D.

Non-Store Facilities

—

P

S

S

Refer to Section 125-90.D.

Schedule 125-72.B: Use Regulations – Commercial and Mixed Use Districts

<i>Use Classifications</i>	<i>CN</i>	<i>CG</i>	<i>CO</i>	<i>CM</i>	<i>Additional Regulations</i>
<i>Transportation, Communication, and Utilities</i>					
Communication Towers and Structures	—	L9	L9	L9	
Transportation Facilities					
<i>Marinas, Docks</i>	P	—	—	P	
<i>Marinas, Private</i>	P	P	—	P	
<i>Marinas, Public</i>	P	P	—	P	
<i>Transportation Passenger Terminals</i>	S	P	P	P	
Utility, Minor	P	P	P	P	
<i>Agriculture and Extractive</i>					
Excavation and Mining	S	S	S	S	Refer to Chapter 98
<i>Pipelines, Oil and Gas Wells</i>					
Gas Well Drilling	S	S	S	S	Refer to Sec. 125-90.G.
Oil Well Drilling	S	S	S	S	Refer to Sec. 125-90.G.
Pipelines	S	S	S	S	Refer to Sec. 125-90.H.
Pump Stations	S	S	S	S	Refer to Sec. 125-90.I.
<i>Specific Use Limitations</i>					
L1 Permissible if not a ground floor use. The ground floor use shall not be an accessory use to the multi-family.				L2 If the total floor plate of all accessory uses exceeds 50 percent of the floor plate of the sanctuary, then a Special Use Permit is required.	
L3 Permissible if in accordance with Section 10 of the City of League City Code of Ordinances and the Texas Alcoholic Beverage Commission (TABC) Code.				L4 No outdoor storage or washing of vehicles.	
L5 If property adjoins non-residential zoning district, submit traffic impact analysis to be approved by the City Engineer and Special Use Permit is not required.				L6 Hours of operation may be limited.	
L7 Floorplates limited to a maximum of 10,000 square feet.				L8 Permissible if in accordance with the Texas Pawnshop Act (Texas Finance Code, Title 4, Chapter 371).	
L9 Permissible if in accordance with the Communications Towers and Structures Ordinance and requires SUP.					
<i>Accessory Uses and Structures</i>				See Article IV, Division 2	
<i>Temporary Uses</i>				See Article IV, Division 3	
<i>Nonconforming Uses and Structures</i>				See Article IV, Division 7	

Sec. 125-72.C. Development Regulations

Schedule 125-72.C below prescribes the development regulations for **C Commercial and Mixed Use Districts**, including building scale, building form and location, pedestrian orientation, vehicle accommodation, and open space and landscaping. The letter designations in right-hand column refer to the additional regulations listed at the end of Schedule 125-72.C. Refer also to Article IV: Regulations Applicable in All or Several Districts.

Schedule 125-72.C: Development Regulations -- Commercial and Mixed Use Districts

<i>Development Standards</i>	<i>CN</i>	<i>CG</i>	<i>CO</i>	<i>CM</i>	<i>Additional Regulations</i>
<i>Building Scale – Intensity of Use</i>					
Minimum Lot Area (sq. ft.)	5,000	10,000	10,000	25,000	
Minimum Lot Dimensions (ft.)					
<i>Width</i>	25	75	75	100	
<i>Frontage</i>	25	75	75	100	
<i>Building Form and Pedestrian Orientation</i>					
Maximum Height (ft.)	30	125	60	125	
Minimum Yards (ft.)					
<i>Front</i>	--	20	20	--	
<i>Side (Nonresidential/Residential)</i>	10/15	15/30	10/20	20/40	
<i>Street Side (Corner Lot)</i>	10	15	10	15	
<i>Rear (Nonresidential/Residential)</i>	15/20	20/40	15/30	20/40	
Maximum Lot Coverage (Percent)	90	85	80	80	(1)
Limitations on Blank Walls	Yes	Yes	Yes	Yes	(2)
Minimum Storefront Continuity (Percent)	25	25	--	25	(3)
Building Transparency (Percent)	25	25	25	25	(4)
<i>Choose Option A or B:</i>					
<u>Option A</u>					
Minimum Build-to Lines (Percent)	50	50	50	50	(5)
Location of Parking and Loading	Yes	Yes	Yes	Yes	(6)
<u>Option B</u>					
Landscape Setback (ft.)	10	10	10	10	(7)
<i>Open Space and Landscaping</i>					
<i>Other Standards</i>					
Accessory Uses and Structures					See Article IV, Division 2
Off-Street Parking and Loading					See Article IV, Division 5
Landscaping and Buffer Yards					See Article IV, Division 6

1. **Maximum Lot Coverage.** Includes buildings, parking areas, and driveways and maneuvering areas, but excludes common open space amenities and landscaped areas.
2. **Blank Walls.** No blank walls greater than 15 feet in length, excluding garage doors, shall be permitted on all street frontages excluding alleys. Building surfaces shall include an offset, recess, or projection providing shadows or visual interest for at least 25 percent of the frontage.
3. **Storefront Continuity.** Ground floor of retail buildings shall have a storefront appearance along all street frontages excluding alleys.
4. **Building Transparency.** Ground floor of buildings shall have views into occupied space provided by windows, displays, or doors along the primary street frontage.
5. **Minimum Build-to Lines.** Ground floor of buildings shall be built to the sidewalk along the primary street frontage.
6. **Location of Parking and Loading.** Parking shall be located behind or at the side of buildings, except for passenger drop-off areas which may be located at the building entry. Loading areas shall be screened so as not to be visible from public streets. Where the building abuts a residential district, the preferred location of loading facilities shall be the side away from the residential district boundary.
7. **Landscape Setback.** A minimum 10-foot-wide landscaped area shall be located between all portions of the parking lot and the street and shall contain both (a) and (b) below:
 - a. One shade tree for every 30 feet of linear street frontage, excluding driveways. Trees may be planted in clusters or spaced linearly rather than being on 30-foot centers. The minimum size of the tree should be 1 ½ - inch caliper (15 gallons) upon installation.
 - b. A continuous hedge consisting of shrubs that are not less than 3 feet or more than 4 feet in height and planted in 3- or 5-gallon container stocks upon installation. The landscape hedge shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle.
 - c. In lieu of a landscape hedge noted in (b) above, a berm measuring not less than 3 feet or more than 4 feet in height from finish grade of the parking lot may be utilized. The berm shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle.

Sec. 125-72.D. Review of Plans

All development is subject to development review in accordance with the City's applications and procedures, pursuant to Article II, Division 2: Applications and Procedures.

Sec. 125-73 Industrial Districts

Sections:

- 125-73.A. Purposes
- 125-73.B. Land Use Regulations
- 125-73.C. Development Regulations
- 125-73.D. Review of Plans

This section establishes regulations for two industrial district types: Limited Industrial (IL) and General Industrial (IG).

Sec. 125-73.A. Purposes

The specific purposes of the ***I Industrial Districts*** are to create, maintain, and enhance industrial areas that serve as important employment generators while protecting the function of such industrial areas from the encroachment of potentially incompatible land uses, and protecting adjacent land use from adverse impacts from industrial uses. Industrial areas are typically located on or near the City's major arterial roads and may require rail access. Two ***I Industrial Districts*** are established:

- ***IL Limited Industrial.*** This district is intended to provide for areas of large-scale industrial development with limited off-site impacts, including research and development, high technology, biotechnology, small-scale distribution, and activities requiring flexible floorspace. Secondary support uses—such as office, business services, and institutional uses—are encouraged. Such development will be screened and buffered from adjacent commercial and residential districts. Development in this district will occur under a unified plan.
- ***IG General Industrial.*** This district is intended to provide for areas of large-scale industrial development with potentially significant off-site impacts, including manufacturing, processing, and assembly; warehouse and distribution; large equipment supply and sales; etc. Such uses may occur outside buildings and may require heavy truck and/or rail access. Such development will be screened and buffered from adjacent commercial and residential districts.

Sec. 125-73.B. Land Use Regulations

Schedule 125-73.B below prescribes the land use regulations for ***I Industrial Districts***. The regulations for each district are established by letter designations as follows:

"P" designates permitted use classifications.

"L" designates use classifications that are permitted, subject to certain limitations prescribed by the additional use regulations in Article IV, Division 1: Standards for

Specific Uses. Number designations refer to the specific limitations listed at the end of Schedule 125-73.B.

"S" designates use classifications permitted after review and approval of a Special Use Permit by the City Council. These uses are also subject to certain limitations in Article IV, Division 1: Standards for Specific Uses.

Use classifications are defined in Article V, Division I: Use Classifications. In cases where a specific land use or activity is not defined, the City Planner or designee shall assign the land use or activity to a classification that is substantially similar in character. Use classifications not listed in the Schedule below are prohibited.

Schedule 125-73.B: Use Regulations – Industrial Districts

<i>Use Classifications</i>	<i>IL</i>	<i>IG</i>	<i>Additional Regulations</i>
<i>Residential</i>			
Residential Dwellings			
<i>Caretaker Unit</i>	P	P	
Group Residential Facilities			Refer to Section 125-90.J
<i>Halfway House</i>	S	S	
<i>Homeless Shelter</i>	S	S	
<i>Public and Semipublic</i>			
Clubs or Lodges	S	—	
Colleges, Public or Private	L1	—	
Cultural Institutions	L1	—	
Day Care	L2	—	
Educational Research and Development	P	—	
Government Offices and Facilities			
<i>Large-Scale</i>	P	—	
<i>Small-Scale</i>	P	—	
Parks and Recreation	P	P	
Public Maintenance Facilities	P	P	Refer to Section 125-90.D.
Public Safety Facilities	P	P	
Religious Assembly	P	P	
<i>Commercial</i>			
Ambulance Services	P	P	
Automobile/Vehicle/Equipment Sales and Services			
<i>Automobile Rentals</i>	P	P	
<i>Car Wash</i>	P	—	
<i>Gas and Service Stations</i>	P	—	
<i>Light Vehicle Service</i>	P	—	

Schedule 125-73.B: Use Regulations – Industrial Districts

<i>Use Classifications</i>	<i>IL</i>	<i>IG</i>	<i>Additional Regulations</i>
<i>Auto Repair and Other Heavy Vehicle Service</i>	P	P	
Building Materials Sales and Services	P	P	Refer to Section 125-90.D.
Business Services	P	—	
Catering Business	P	P	
Food and Beverage Sales	L2	L2	
Home Improvement Sales and Services	P	—	Refer to Section 125-90.D.
Laboratory, Commercial	P	P	
Maintenance and Repair Services	P	P	
Nurseries and Garden Supply Stores	P	—	Refer to Section 125-90.C.
Offices	P	L2	
Recreation and Entertainment			Refer to Section 125-90.E.
<i>Large-Scale</i>	S	S	
<i>Small-Scale</i>	S	S	
Retail Sales	L2	—	Refer to Section 125-90.C.
Self Storage	P	P	Refer to Section 125-90.D.
Sexually Oriented Businesses	L3	L3	
Temporary Sales and Uses	L4	L4	
<i>Industrial</i>			
Contractor’s Storage	P	P	Refer to Section 125-90.D.
Production Industry			Refer to Section 125-90.D.
<i>Artisan</i>	P	—	
<i>General</i>	P	P	
<i>Limited</i>	P	P	
Recycling Collection	P	P	
Research and Development	P	P	
Warehousing and Storage			
<i>Indoor Storage</i>	P	P	
<i>Outdoor Storage</i>	P	P	Refer to Section 125-90.D.
Wholesaling and Distribution			Refer to Section 125-90.D.
<i>With Store Facilities</i>	P	S	
<i>Non-Store Facilities</i>	P	P	
<i>Transportation, Communication, and Utilities</i>			
Communications Facilities	P	S	
Communication Towers and Structures	L5	L5	
Transportation Facilities			

Schedule 125-73.B: Use Regulations – Industrial Districts

<i>Use Classifications</i>	<i>IL</i>	<i>IG</i>	<i>Additional Regulations</i>
<i>Airports and Heliports</i>	S	S	
<i>Freight/Truck Terminal and Warehouse</i>	P	P	
<i>Transportation Passenger Terminals</i>	P	—	
<i>Truck Weight Stations</i>	S	P	
Utility Major	S	P	
Utility, Minor	P	P	
<i>Agriculture and Extractive</i>			
Excavation and Mining	S	S	Refer to Chapter 98
Plant Nursery	P	P	
<i>Pipelines, Oil and Gas Wells</i>			
Gas Well Drilling	S	S	Refer to Sec. 125-90.G.
Oil Well Drilling	S	S	Refer to Sec. 125-90.G.
Pipelines	S	S	Refer to Sec. 125-90.H.
Pump Stations	S	S	Refer to Sec. 125-90.I.
<i>Specific Use Limitations</i>			
L1 Permitted in instances where use includes activities of an industrial nature.	L2 Permitted only as an accessory use within the district.		
L3 Permissible if in accordance with the Sexually Oriented Businesses Ordinance.	L4 Permissible if in accordance Section 125-130 of this Chapter.		
L5 Permissible if in accordance with the Communications Towers and Structures Ordinance.			
<i>Accessory Uses and Structures</i>	See Article IV, Division 2		
<i>Temporary Uses</i>	See Article IV, Division 3		
<i>Nonconforming Uses and Structures</i>	See Article IV, Division 7		

Sec. 125-73.C. Development Regulations

Schedule 125-73.C below prescribes the development regulations for ***I Industrial Districts***, including building scale, building form and location, pedestrian orientation, vehicle accommodation, and open space and landscaping. The letter designations in right-hand column refer to the additional regulations listed at the end of Schedule 125-73.C. Refer also to Article IV: Regulations Applicable in All or Several Districts.

Schedule 125-73.C: Development Regulations -- Industrial Districts

<i>Development Standards</i>	<i>IL</i>	<i>IG</i>	<i>Additional Regulations</i>
Minimum Lot Area (sq. ft.)	25,000	25,000	
Minimum Lot Dimensions (ft.)			
<i>Width</i>	100	100	
<i>Frontage</i>	100	100	
<i>Building Form and Location</i>			
Maximum Height (ft.)	125	125	
Minimum Yards (ft.)			
<i>Front</i>	20	20	
<i>Side (Nonresidential/Residential)</i>	15/60	20/100	
<i>Street Side (Corner Lot)</i>	20	25	
<i>Rear (Nonresidential/Residential)</i>	15/60	20/100	
Maximum Lot Coverage	80	80	(1)
Minimum Building Separation (ft.)	20	20	
<i>Building Form and Pedestrian Orientation</i>			
Limitations on Blank Walls	Yes	--	(2)
<i>Choose Option A or B:</i>			
<u>Option A</u>			
Location of Parking and Loading	Yes	Yes	(3)
<u>Option B</u>			
Landscape Setback (ft.)	10	10	(4)
<i>Open Space and Landscaping</i>			
Minimum Landscaped Area (Percent)	10	--	
<i>Other Standards</i>			
Accessory Uses and Structures			See Article IV, Division 2
Off-Street Parking and Loading			See Article IV, Division 5
Landscaping and Buffer Yards			See Article IV, Division 6

1. **Maximum Lot Coverage.** Includes buildings, parking areas, and driveways and maneuvering areas, but excludes common open space amenities and landscaped areas.
2. **Blank Walls.** No unadorned blank walls greater than 50 feet in length, excluding garage doors, shall be permitted on the primary street frontage. Building surfaces shall include an offset, recess, or projection providing shadows or visual interest for at least 25 percent of the frontage.
3. **Location of Parking and Loading.** Parking shall be located behind or at the side of buildings, except for passenger drop-off areas which may be located at the building entry. Loading areas shall be screened so as not to be visible from public streets. Where the building abuts a residential district, the preferred location of loading facilities shall be the side away from the residential district boundary.
4. **Landscape Setback.** A minimum 10-foot-wide landscaped area shall be located between all portions of the parking lot and the street and shall contain the following:
 - a. One shade tree for every 30 feet of linear street frontage, excluding driveways. Trees may be planted in clusters or spaced linearly rather than being on 30-foot centers. The minimum size of the tree should be 1 ½ - inch caliper (15 gallons) upon installation.
 - b. A continuous hedge consisting of shrubs that are not less than 3 feet or more than 4 feet in height and planted in 3- or 5-gallon container stocks upon installation. The landscape hedge shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle.
 - c. In lieu of a landscape hedge, a berm measuring not less than 3 feet or more than 4 feet in height from finish grade of the parking lot may be utilized. The berm shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle. The maximum slope shall not exceed 4:1.

Sec. 125-73.D. Review of Plans

All development is subject to development review in accordance with the City's applications and procedures, pursuant to Article II, Division 2: Applications and Procedures.

Sec. 125-74 Public and Semi-Public District

Sections:

- 125-74.A. Purposes
- 125-74.B. Land Use Regulations
- 125-74.C. Development Regulations
- 125-74.D. Review of Plans

This section establishes regulations for a PS Public and Semi-Public District, which would replace the existing Public Facilities and Institutions District.

Sec. 125-74.A. Purposes

The specific purpose of the *PS Public and Semipublic District* is to provide for a range of public and institutional development, including government facilities, park and recreation facilities, hospitals, educational facilities, cultural and institutional facilities, and other similar and supporting uses. This district also applies to City, State, and federal lands.

Sec. 125-74.B. Land Use Regulations

Schedule 125-74.B below prescribes the land use regulations for the *PS Public and Semipublic District*. The regulations for the district are established by letter designations as follows:

"P" designates permitted use classifications.

"L" designates use classifications that are permitted, subject to certain limitations prescribed by the additional use regulations in Article IV, Division 1: Standards for Specific Uses. Number designations refer to the specific limitations listed at the end of Schedule 125-74.B.

"S" designates use classifications permitted after review and approval of a Special Use Permit by the City Council. These uses are also subject to certain limitations in Article IV, Division 1: Standards for Specific Uses.

Use classifications are defined in Article V, Division I: Use Classifications. In cases where a specific land use or activity is not defined, the City Planner or designee shall assign the land use or activity to a classification that is substantially similar in character. Use classifications not listed in the Schedule below are prohibited.

Schedule 125-74.B: Use Regulations – Public and Semi-Public District

<i>Use Classifications</i>	<i>PS</i>	<i>Additional Regulations</i>
<i>Public and Semipublic</i>		
Cemeteries	S	
Clubs or Lodges	P	
Colleges, Public or Private	P	
Cultural Institutions	P	
Day Care	P	
Educational Research and Development	P	
Government Offices and Facilities		
<i>Large-Scale</i>	P	
<i>Small-Scale</i>	P	
Hospitals	P	
Parks and Recreation	P	
Public Maintenance Facilities	S	Refer to Section 125-90.D.
Public Safety Facilities	P	
Religious Assembly	P	
Schools, Public or Private	P	
<i>Commercial</i>		
Ambulance Services	P	
Convention Center	P	
Eating and Drinking Establishments		
<i>Full Service</i>	L1	
<i>Limited Service</i>	L1	
<i>With Outdoor Seating</i>	L1	
Food and Beverage Sales	L1	
Laboratory, Commercial	P	
Massage Establishments and Massage Services	P	
Offices	P	
Parking Facilities	P	
Recreation and Entertainment		
<i>Large-Scale</i>	P	Refer to Section 125-90.E.
Retail Sales	L1	
Temporary Sales and Uses	L2	
Undertaking, Funeral and Interment Services	P	
<i>Industrial</i>		
Research and Development	S	

Schedule 125-74.B: Use Regulations – Public and Semi-Public District

<i>Use Classifications</i>	<i>PS</i>	<i>Additional Regulations</i>
<i>Transportation, Communications, and Utilities</i>		
Communication Towers and Structures	L3	
Transportation Facilities		
<i>Airports and Heliports</i>	L4	
<i>Marinas, Public</i>	P	
<i>Transportation Passenger Terminals</i>	P	
Utility Major	S, L5	
Utility, Minor	P	
<i>Agriculture and Extractive</i>		
Crop and Animal Raising	S	
Excavation and Mining	S	Refer to Chapter 98
<i>Pipelines, Oil and Gas Wells</i>		
Gas Well Drilling	S	Refer to Section 125-90.G.
Oil Well Drilling	S	Refer to Section 125-90.G.
Pipelines	S	Refer to Section 125-90.H.
Pump Stations	S	Refer to Section 125-90.I.
<i>Specific Use Limitations</i>		
L1 Permitted only as an accessory use within the district.	L2 Permissible if in accordance with Section 125-130 of this Chapter.	
L3 Permissible if in accordance with the Communications Towers and Structures Ordinance.	L4 May be permitted if accessory to a hospital or similar emergency health services facility upon approval of a Special Use Permit.	
L5 Flood control, drainage, and water distribution facilities do not require a Special Use Permit.		
<i>Accessory Uses and Structures</i>	See Article IV, Division 2	
<i>Temporary Uses</i>	See Article IV, Division 3	
<i>Nonconforming Uses and Structures</i>	See Article IV, Division 7	

Sec. 125-74.C. Development Regulations

Schedule 125-74.C below prescribes the development regulations for the ***PS Public and Semipublic District***, including building scale, building form and location, pedestrian orientation, vehicle accommodation, and open space and landscaping. The letter designations in right-hand column refer to the additional regulations listed at the end of Schedule 125-74.C. Refer also to Article IV: Regulations Applicable in All or Several Districts.

Schedule 125-74.C: Development Regulations – Public and Semi-Public District

<i>Development Standards</i>	<i>PS</i>	<i>Additional Regulations</i>
<i>Building Scale – Intensity of Use</i>		
Minimum Lot Area (sq. ft.)	5,000	
Minimum Lot Dimensions (ft.)		
<i>Width</i>	50	
<i>Frontage</i>	50	
<i>Building Form and Location</i>		
Maximum Height (ft.)	80	See Article IV, Division 4, Sec. 125-140.J. Projections above Height Limits
If Adjacent to Residential Zoning:		
0 – 50 feet from Residential Zoning	42	(1)
51 – 75 feet from Residential Zoning	55	(1)
Greater than 75 feet from Residential Zoning	81	(1)
Minimum Yards (ft.)		
<i>Front</i>	20	
<i>Side (Nonresidential/Residential)</i>	15/30	
<i>Street Side (Corner Lot)</i>	15	
<i>Rear (Nonresidential/Residential)</i>	20/40	
Maximum Lot Coverage (Percent)	80	(2)
Minimum Building Separation (ft.)	20	
<i>Pedestrian Orientation and Vehicle Accommodation</i>		
Building Transparency (Percent)	25	(3)
Limitations on Blank Walls	Yes	(4)
<i>Choose Option A or B:</i>		
<u>Option A</u>		
Location of Parking and Loading	Yes	(5)
<u>Option B</u>		
Landscape Setback (ft.)	10	(6)
<i>Open Space and Landscaping</i>		
Minimum Landscaped Area (Percent)	10	
<i>Other Standards</i>		
Accessory Uses and Structures		See Article IV, Division 2
Off-Street Parking and Loading		See Article IV, Division 5
Landscaping and Buffer Yards		See Article IV, Division 6

1. **Maximum Height.** Buildings located adjacent to residential zoning shall be regulated by height maximums based on the distance between the building(s) and the neighboring residential zoning district.
2. **Maximum Lot Coverage.** Includes buildings, parking areas, and driveways and maneuvering areas, but excludes common open space amenities and landscaped areas.
3. **Building Transparency.** Ground floor of buildings shall have views into occupied space provided by windows, displays, or doors along the primary street frontage. This requirement may be reduced to 50 percent to accommodate non-retail frontage occupied by entertainment or outdoor eating areas. Unadorned blank walls greater than 15 feet in length are prohibited along the primary street frontage.
4. **Blank Walls.** No unadorned blank walls greater than 15 feet in length, excluding garage doors, shall be permitted on the primary street frontage. Building surfaces shall include an offset, recess, or projection providing shadows or visual interest for at least 25 percent of the frontage.
5. **Location of Parking and Loading.** Loading areas shall be screened so as not to be visible from public streets. Where the building abuts a residential district, the preferred location of loading facilities shall be the side away from the residential district boundary.
6. **Landscape Setback.** A minimum 10-foot-wide landscaped area shall be located between all portions of the parking lot and the street and shall contain the following:
 - a. One shade tree for every 30 feet of linear street frontage, excluding driveways. Trees may be planted in clusters or spaced linearly rather than being on 30-foot centers. The minimum size of the tree should be 1 ½ - inch caliper (15 gallons) upon installation.
 - b. A continuous hedge consisting of shrubs that are not less than 3 feet or more than 4 feet in height and planted in 3- or 5-gallon container stocks upon installation. The landscape hedge shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle.
 - c. In lieu of a landscape hedge, a berm measuring not less than 3 feet or more than 4 feet in height from finish grade of the parking lot may be utilized. The berm shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle. The maximum slope shall not exceed 4:1.

Sec. 125-74.D. Review of Plans

All development is subject to development review in accordance with the City's applications and procedures, pursuant to Article II, Division 2: Applications and Procedures.

Sec. 125-75 Open Space District

Sections:

- 125-74.A. Purposes
- 125-74.B. Land Use Regulations
- 125-74.C. Development Regulations
- 125-74.D. Review of Plans

This section establishes regulations for a new OS Open Space District.

Sec. 125-75.A. Purposes

The specific purpose of the ***OS Open Space District*** is to identify existing public and private open space in the City and to provide for appropriate use and development within lands zoned as such in the future. Such lands include undeveloped open space, drainage ways, and utility easements. Future open space set-asides resulting from new development, excluding City parkland requirements, will be zoned ***OS Open Space District***.

Sec. 125-75.B. Land Use Regulations

Schedule 125-75.B below prescribes the land use regulations for the ***OS Open Space District***. The regulations for the district are established by letter designations as follows:

"P" designates permitted use classifications.

"L" designates use classifications that are permitted, subject to certain limitations prescribed by the additional use regulations in Article IV, Division 1: Standards for Specific Uses. Number designations refer to the specific limitations listed at the end of Schedule 125-75.B.

"S" designates use classifications permitted after review and approval of a Special Use Permit by the City Council. These uses are also subject to certain limitations in Article IV, Division 1: Standards for Specific Uses.

Use classifications are defined in Article V, Division I: Use Classifications. In cases where a specific land use or activity is not defined, the City Planner or designee shall assign the land use or activity to a classification that is substantially similar in character. Use classifications not listed in the Schedule below are prohibited.

Schedule 125-75.B: Use Regulations – Open Space District

<i>Use Category / Specific Category</i>	<i>OS</i>	<i>Additional Regulations</i>
<i>Public and Semipublic</i>		
Cemeteries	S	
Clubs or Lodges	L1	
Cultural Institutions	L1	
Day Care	L1	
Government Offices and Facilities		
<i>Large-Scale</i>	S	
<i>Small-Scale</i>	S	
Parks and Recreation	P	
<i>Commercial</i>		
Eating and Drinking Establishments		
<i>Full Service</i>	L1	
<i>Limited Service</i>	L1	
<i>With Outdoor Seating</i>	L1	
Recreation and Entertainment		
<i>Large-Scale</i>	P	Refer to Section 125-90.E.
Temporary Sales and Uses	L2	
<i>Transportation, Communications, and Utilities</i>		
Communication Towers and Structures	S	
Transportation Facilities		
<i>Marinas, Docks</i>	P	
<i>Marinas, Private</i>	P	
<i>Marinas, Public</i>	P	
Utility Major	S	
Utility, Minor	P	
<i>Agriculture and Extractive</i>		
Crop and Animal Raising	P	
Excavation and Mining	S	Refer to Chapter 98
Plant Nursery	P	
<i>Pipelines, Oil and Gas Wells</i>		
Gas Well Drilling	S	Refer to Section 125-90.G.
Oil Well Drilling	S	Refer to Section 125-90.G.
Pipelines	S	Refer to Section 125-90.H.
Pump Stations	S	Refer to Section 125-90.I.

Specific Use Limitations	
L1 Permitted only as an accessory use within the district.	L2 Permissible if in accordance with Section 125-130 of this Chapter.
Accessory Uses and Structures	See Article IV, Division 2
Temporary Uses	See Article IV, Division 3
Nonconforming Uses and Structures	See Article IV, Division 7

Sec. 125-75.C. Development Regulations

Schedule 125-75.C below prescribes the development regulations for the **OS Open Space District**, including building scale, building form and location, pedestrian orientation, vehicle accommodation, and open space and landscaping. The letter designations in right-hand column refer to the additional regulations listed at the end of Schedule 125-75.C. Refer also to Article IV: Regulations Applicable in All or Several Districts.

Schedule 125-75.C: Development Regulations – Open Space District

<i>Development Standards</i>	<i>OS</i>	<i>Additional Regulations</i>
Building Form and Location		
Maximum Height (ft.)	35	
Minimum Yards (ft.)		
<i>Front</i>	20	
<i>Side</i>	10	
<i>Street Side (Corner Lot)</i>	15	
<i>Rear</i>	20	
Maximum Lot Coverage (Percent)	10	(1)
Minimum Building Separation (ft.)	20	
Vehicle Accommodation		
<i>Choose Option A or B:</i>		
<u>Option A</u>		
Location of Parking and Loading	Yes	(2)
<u>Option B</u>		
Landscaping Setback (ft.)	10	(3)
Open Space and Landscaping		
Minimum Landscaped Area (Percent)	50	
Other Standards		
Accessory Uses and Structures		See Article IV, Division 2
Off-Street Parking and Loading		See Article IV, Division 5
Landscaping and Buffer Yards		See Article IV, Division 6

1. **Maximum Lot Coverage.** Includes buildings, parking areas, and driveways and maneuvering areas, but excludes common open space amenities and landscaped areas.
2. **Location of Parking and Loading.** Parking shall be located behind or at the side of buildings, except for passenger drop-off areas which may be located at the building entry. Loading areas shall be screened so as not to be visible from public streets. Where the building abuts a residential district, the preferred location of loading facilities shall be the side away from the residential district boundary.
3. **Landscape Setback.** A minimum 10-foot-wide landscaped area shall be located between all portions of the parking lot and the street and shall contain the following:
 - a. One shade tree for every 30 feet of linear street frontage, excluding driveways. Trees may be planted in clusters or spaced linearly rather than being on 30-foot centers. The minimum size of the tree should be 1 ½ - inch caliper (15 gallons) upon installation.
 - b. A continuous hedge consisting of shrubs that are not less than 3 feet or more than 4 feet in height and planted in 3- or 5-gallon container stocks upon installation. The landscape hedge shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle.
 - c. In lieu of a landscape hedge, a berm measuring not less than 3 feet or more than 4 feet in height from finish grade of the parking lot may be utilized. The berm shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle. The maximum slope shall not exceed 4:1.

Sec. 125-75.D. Review of Plans

All development is subject to development review in accordance with the City's applications and procedures, pursuant to Article II, Division 2: Applications and Procedures.

Division 3. Overlay Zoning District Regulations

Sec. 125-80 –PUD Planned Unit Development Overlay District

Sections:

- 125-80.A. Purposes
- 125-80.B. Zoning Map Designator
- 125-80.C. Applicability
- 125-80.D. Land Use Regulations
- 125-80.E. Development Regulations
- 125-80.F. Initiation
- 125-80.G. Criteria for Consideration of -PUD Overlay District Application
- 125-80.H. Procedures for PUD Overlay District Application
- 125-80.I. Required Plans and Materials
- 125-80.J. Review of Plans

This section establishes regulations for the -PUD Planned Unit Development Overlay District. These regulations clarify the City’s existing regulations.

Sec. 125-80.A. Purposes

The *-PUD Planned Unit Development Overlay District* is intended to encourage high quality development in the City by providing additional flexibility in the planning and development of projects. Such flexibility is intended to result in development that is more efficient, environmentally sensitive, visually pleasing, safe, and socially integrated than traditional zoning might provide. The -PUD Overlay District is also meant to provide the City with the ability to better manage development in areas that are adjacent to residential development. The specific purposes of the –PUD Overlay District are to:

- Establish a procedure for the development of land under unified controls to increase flexibility from the strict application of land use regulations, development standards, and procedures intended primarily for individual lots;
- Ensure orderly and thorough review procedures that will result in quality design, protection of open space and sensitive areas, and the creation and improvement of common open space and pedestrian and bicycle circulation, particularly in residential areas;
- Achieve efficient land use patterns while permitting creative and innovative approaches to the development of urban and suburban residential, commercial, and industrial land;

- Encourage mixed development patterns, architectural styles, and building forms to avoid monotony in large developments by allowing greater freedom in selecting the means to provide access light, open space, amenities; and
- Provide for flexibility in the strict application of certain of the land use regulations and performance standards found in the base zoning districts to take advantage of special site characteristics, location, and/or land uses.
- Consider the impact on adjacent developed properties, particularly residential areas, and enter into a documented dialog to address their issues and concerns.
- All -PUD Overlay Districts shall have an underlying zoning designation.

Sec. 125-80.B. Zoning Map Designator

A -PUD Overlay District will be combined with the base zoning district(s) applied to the area and will be shown on the Zoning Map by a -PUD designator applied to the base district(s) designation.

Sec. 125-80.C. Applicability

The applicability of the -PUD Overlay District shall be as follows:

1. **Allowable Locations.** No -PUD Overlay District may be applied to an area of the City that is not served by critical infrastructure, such as potable water, sanitary sewer, storm sewer, and paved streets, except where one or more of such services not currently in place is included in the City’s master plan for installation or construction within a 3-year period from the date of the application for a Planned Unit Development. In addition, no -PUD Overlay District may be applied to an area that is located more than 1-mile from a major arterial street, as designated by the City Planner or designee, or shown on the Master Transportation Plan.
2. **Minimum Area.** No –PUD Overlay district may be applied to a land area less than 5-acres for residential development and 2-acres for non-residential development.

Sec. 125-80.D. Land Use Regulations

Any use authorized in Article III, Division 2: Base District Regulations, may be included in a -PUD Overlay District, provided such use is consistent with the land use concepts in the Comprehensive Plan for the area to be included in the -PUD Overlay District, and is not disruptive or inconsistent with current neighboring development, particularly residential areas. Existing uses are permitted and may continue. All uses in the -PUD Overlay District shall be in accordance with the Master Plan approved for the District (refer to Section 125-80.H).

Sec. 125-80.E. Development Regulations

The total number of dwelling units in a -PUD Overlay District shall not exceed that permitted by the Comprehensive Plan density for the total area of parcels designated for residential use. Other development regulations, such as for building scale, building form and location, pedestrian orientation, parking accommodation, open space and landscaping, and other standards shall be as prescribed by the Development Plan approved for the District and may depart from conformance with the standards specified in the base zoning district where the -PUD Overlay District is applied if specifically approved by the Planning and Zoning Commission and/or City Council.

Sec. 125-80.F. Initiation

A -PUD Overlay District may be initiated by a property owner or authorized agent, the Planning and Zoning Commission, or the City Council. If the property is not under a single ownership, then all owners shall join in the application and a map showing the extent of ownerships shall be submitted with concept plans and materials.

Sec. 125-80.G. Criteria for Consideration of -PUD Overlay District Application

The Planning and Zoning Commission shall consider an application for rezoning to a -PUD Overlay District as prescribed under Section 125-49 and shall at the same time consider a proposed Concept Plan for the area. A recommendation of the Planning and Zoning Commission to rezone to a -PUD Overlay District shall be accompanied by a resolution recommending approval of the Concept Plan. In addition to the criteria for considering an application for a zoning map amendment under Section 125-49, the Planning and Zoning Commission shall recommend approval or conditional approval of the Concept Plan to the City Council upon finding that:

1. The Concept Plan is consistent with the adopted Comprehensive Plan and other applicable policies and is compatible with surrounding development;
2. The Concept Plan will enhance the potential for superior urban design and amenities in comparison with the development under the base district regulations that would apply if the Concept Plan were not approved;
3. Deviations from the base district regulations that otherwise would apply are justified by compensating benefits of the Concept Plan; and
4. The Concept Plan includes adequate provisions for utilities, services, and emergency vehicle access; and public service demands will not exceed the capacity of existing and planned systems. See the Adequate Public Facilities Ordinance for these requirements.

Refer to Section 125-80.I for the requirements of a Concept Plan.

Sec. 125-80.H. Procedures for -PUD Overlay District Application

In addition to the procedures for an application for a zoning map amendment under Section 125-49, an application for rezoning to a -PUD Overlay District shall be processed in the following manner.

1. ***Pre-Application Conference.*** Prior to submitting an application for a Planned Unit Development, the prospective applicant shall request a review by the City Planner or designee and representatives from other City departments, as appropriate, to discuss the prospective development with respect to compatibility with existing and anticipated land uses in the vicinity and the City's adopted planning rationale. The pre-application conference is intended to guide the prospective applicant in the preparation of a Concept Plan to be submitted for Planning and Zoning Commission consideration and City Council approval. There is no fee associated with a request for a pre-application conference; however, additional requests for a pre-application conference for the same site within a period of 1-year from the date of the initial conference may incur a fee associated with any City costs to do so.
2. ***Submission and Approval of Concept Plan.*** The applicant shall submit a Concept Plan (bubble plan) as part of the application for rezoning to a –PUD Overlay District, the required contents of which are noted in Section 125-80.I below. The City Planner or designee shall prepare a written report on the Concept Plan that will summarize the anticipated impacts of the proposed development on planning goals, utilities, emergency services, vehicular traffic, taxes, and properties within a 500-foot distance of the site for which the development is proposed. The Concept Plan, a list of requested variances, and report by the City Planner or designee shall be submitted for consideration by the Planning and Zoning Commission and recommendation to City Council. Upon approval by City Council of the Concept Plan, the applicant may proceed with the preparation of a Master Plan and proceed to subsequent steps for approval with reasonable assurance that if the agreed upon concept is carried forth, then preliminary and final plat approvals will be granted by the City. Following approval of the Concept Plan by City Council, the applicant shall prepare a Master Plan, the required contents of which are noted in Section 125-80.I below. Recommendation for approval or denial of a -PUD Overlay District shall be made by the Planning and Zoning Commission and approved or denied by City Council.
3. ***Approval of Master Plan.*** After City Council has approved the -PUD Overlay District, then the applicant shall submit a Master Plan for consideration and approval by the Planning and Zoning Commission. The applicant may proceed with platting after approval of the Master Plan. The Master Plan must not have more than a 15 percent change in the land use or a significant change in geographic location from the previously approved Concept Plan for the –PUD Overlay District. Changes that alter the uses permitted by more than 15 percent and/or have a significant change in geographic location shall require submittal of a revised Concept Plan to be considered and approved by the Commission and City Council via a public hearing and notified in the same manner as a text or map amendment. When determining

whether or not a "PUD" development has exceeded 15 percent and should be considered by City Council, each of the following shall be considered:

- a. *The total acreage change in the "PUD" development based on the original Concept Plan document.* The Concept Plan establishes the land use acreages, and represents the baseline in determining the percentage of change. (Example: In a 100-acre "PUD", an increase of 10 acres of residential and a decrease of 10 acres of commercial is still a total change of 10 acres and the percentage of change of the total acreage is 10 percent.)
 - b. *Percentage of change (increased or decreased) within each land use category based on the original Concept Plan document.* For residential uses, the density units per acre shall also be calculated. (Example: In a 100-acre "PUD", a decrease from 15 to 10 acres in the residential land use category represents a 5 percent change in acreage. However, an increase in density units per acre (dua) from 100 dua to 150 dua represents a 50 percent density increase.)
 - c. *Intangibles* such as re-locating a thoroughfare shown on the Transportation Plan, changing the general concept or changing the location of uses that may not necessarily have anything to do with the acreage of land uses per se, but may be just as important in evaluating whether or not a "PUD" should be reconsidered by the Commission and City Council.
4. ***Lapse of Approval and Renewal of Master Plan.*** A Master Plan shall be effective on the date the ordinance creating the -PUD Overlay District is approved and shall expire after 2 years unless a building permit has been issued and a vested right established. An approved Master Plan may specify a development staging program exceeding 2 years. The Planning and Zoning Commission may recommend, and the City Council may renew, a Master Plan for a period of up to 2 years if it finds the renewal consistent with the purposes of this Section. Application for renewal shall be made in writing to the City Planner or designee not less than 30 days or more than 120 days prior to expiration.
 5. ***Revisions to Master Plan.*** Changes to the Master Plan that do not alter the basic relationship of the proposed development to adjacent property; do not alter the uses permitted or increase the density, building height or coverage of the site; do not decrease the off-street parking ratio or reduce the yards provided at the boundary of the site; and do not significantly alter the landscape plans or signage as indicated on the approved development may be recommended by the City Planner or designee and approved by the Planning and Zoning Commission. The Master Plan must not have more than a 15 percent change in the land use or a significant change in geographic location from the previously approved Concept Plan for the –PUD Overlay District. Changes that alter the uses permitted by more than 15 percent and/or have a

significant change in geographic location shall require submittal of a revised Concept Plan to be considered and approved by the Commission and City Council via a public hearing and notified in the same manner as a text or map amendment. When determining whether or not a "PUD" development has exceeded 15 percent and should be considered by City Council, each of the following shall be considered:

- a. *The total acreage change in the "PUD" development based on the original Concept Plan document.* The Concept Plan establishes the land use acreages, and represents the baseline in determining the percentage of change. (Example: In a 100-acre "PUD", an increase of 10 acres of residential and a decrease of 10 acres of commercial is still a total change of 10 acres and the percentage of change of the total acreage is 10 percent.)
 - b. *Percentage of change (increased or decreased) within each land use category based on the original Concept Plan document.* For residential uses, the density units per acre shall also be calculated. (Example: In a 100-acre "PUD", a decrease from 15 to 10 acres in the residential land use category represents a 5 percent change in acreage. However, an increase in density units per acre (dua) from 100 dua to 150 dua represents a 50 percent density increase.)
 - c. *Intangibles* such as re-locating a thoroughfare shown on the Transportation Plan, changing the general concept or changing the location of uses that may not necessarily have anything to do with the acreage of land uses per se, but may be just as important in evaluating whether or not a "PUD" should be reconsidered by the Commission and City Council.
6. **Annual Report.** The developer shall submit an annual progress report to the City Planner by September 1 of each year for review and acceptance. The report shall contain a discussion of the development schedule and any deviations from the originally approved schedule. The City Planner shall refer the annual report to the Planning and Zoning Commission and the City Council for review. Acceptance of the annual report by the City Planner or designee is required prior to any staff review of any aspect of the -PUD Overlay District project, including building permits and revisions.

Sec. 125-80.I. Required Plans and Materials

An application for rezoning to a -PUD Overlay District requires the approval of a Concept Plan by City Council and approval of a Master Plan by the Planning and Zoning Commission. This section outlines the information required for each plan.

1. **Concept Plan.** The Concept Plan shall include the following information:

- a. A site inventory analysis showing existing vegetation, natural watercourses or standing water, flood prone areas, and any other known hazard areas. This analysis shall include graphic and textural materials indicating how the proposed development will affect such natural features and identify what, if any, trees intended for removal.
- b. An accurate survey of the subject property showing the existing topographical contour intervals of not more than five feet, and a plan showing the proposed topography at minimum five-foot contour intervals and significant change in drainage.
- c. A summary of the proposed development program, including: detailed tabulation showing the proposed acreage of each land use and underlying zoning districts; description of the open space program, including the location and function of developed and/or improved open space, its relationship to any natural or historic values on the site, and its status as either public or private open space.
- d. A traffic impact analysis as required in Article I, Chapter 102 of the City of League City Code of Ordinances (Subdivision and Development Regulations).
- e. A scale drawing showing the proposed street and circulation system design, including a layout diagram, landscaping, and pedestrian amenities; building sites or lots; areas reserved for use as parks, playgrounds, utility easements, and school sites; lands to be dedicated to the City; general location and description of existing and proposed utility services (including size of water and wastewater mains); and the existing zoning classification and underlying zoning districts, if applicable, of all abutting properties.
- f. A determination that adequate public facilities exist to service the proposed development (road, sewerage, water, fire suppression, and storm drainage) as determined by the City Engineer and/or by the City's Adequate Public Facilities Ordinance.
- g. An estimate of the projected population within the -PUD Overlay District to assist the City and the applicable School District(s) in determining future needs.
- h. A summary of requested variance(s) from any provision in the League City Code of Ordinances.
- i. A development schedule indicating the rate of anticipated development to completion from the date on which construction begins. As part of the PUD Plan, the development schedule shall be adhered to by the owner, applicant, and any successor in interest.

- j. Perspective illustrations, either hand drawn or computer generated, indicating the general form and character of development, including representative examples of residential and non-residential buildings.
 - k. A statement explaining the reasons that justify use of a -PUD Overlay District for the project in relation to the findings required by Section 125-80.G.
 - l. Verbal and/or illustrative plans on the specific architectural and aesthetic elements to be included in the development project that must be substantially more generous than the underlying zoning requires.
2. **Master Plan.** In addition to presenting the final form of the various elements required in the Concept Plan above, the Master Plan shall include the following information:
- a. A description of proposed governance institute or institutions, such as homeowner’s associations, and initial governance documents, if applicable.
 - b. A plot plan showing adherence to the Buffer Yards requirements (refer to Section 125-190.C.)
 - c. A depiction of existing surface drainage patterns and proposed retention and detention areas is required. Depict historical flows and proposed flows along with the existing flows.

Sec. 125-80.J. Review of Plans

All development is subject to development review in accordance with the City’s applications and procedures, pursuant to Article II, Division 2: Applications and Procedures, and shall be in accordance with the adopted Master Plan for the area.

Sec. 125-81 –RNC Residential Neighborhood Conservation Overlay District

Sections:

125-81.A.	Purposes
125-81.B.	Zoning Map Designator
125-81.C	Applicability
125-81.D.	Land Use Regulations
125-81.E.	Exceptions to Development Regulations
125-81.F.	General Site Disposition
125-81.G	Parking and Accessory Structures
12-81.H	Site and Architectural Details
12-81.I	Township Subdivision and Historic District Architectural Styles

Sec. 125-81.A. Purposes

The *-RNC Residential Neighborhood Conservation Overlay District* is intended to encourage the conservation of the existing areas within the RNC Overlay District which possesses distinctive features, identity, and character worthy of retention and enhancement. The use regulations and development standards included in the -RNC Overlay District will facilitate neighborhood maintenance, upgrading, and the development of vacant or underutilized lots while reducing the potential for incompatible land uses.

The specific purposes of the -RNC Overlay District are:

- ☐ To protect and enhance the historic and cultural character and traits of the area which make it unique, defined as an intimate scale, walkable neighborhoods, strong connectivity, and mixture of uses and public spaces that invite interaction and activity.
- ☐ To preserve the old town culture and atmosphere and foster safe public use of the area through responsible public access planning, by encouraging beneficial use of public properties, and by establishing site design and architectural standards.

Sec. 125-81.B. Zoning Map Designator

The -RNC Overlay District will be combined with the base zoning district(s) and will be shown on the Zoning Map by an -RNC designator applied to the base district(s) designation. The RNC Overlay is includes sub-areas in which more restrictive requirements apply (refer to Sections 125-81.F, et. seq.). The boundaries of those sub-areas shall be shown on the Zoning Map, and they shall be considered separate districts under this Ordinance and Chapter 211 of the Texas Local Government Code.

Sec. 125-81.C. Applicability

- a. Except as otherwise noted in this Section, the regulations of the underlying base zoning district(s), and any other applicable overlay district, shall only apply to property in the -RNC Overlay District. In the case of a conflict between the provisions of an underlying base zoning district and the -RNC Overlay District, the provisions of the -RNC Overlay District shall govern.
- b. In case of conflict with regulations applicable within a Historic Conservation Overlay District, the more restrictive regulations shall apply, except for non-mandatory guidelines and design recommendations. However, if a preservation plan makes specific exceptions from other regulations (or specifically relaxes other regulations), such specific provisions shall control over the other regulations.
- c. The Historic Commission may recommend to the Planning & Zoning Commission and City Council to allow development in accordance with the RNC Overlay District or the underlying base zoning rather than as specified in the Preservation Plan if the Commission and Council find that the Preservation Plan is unlikely to be implemented for the site in question and if limitations on development of the site have not been recorded as a condition of approval of development elsewhere in the Preservation Plan.

Sec. 125-81.D. Land Use Regulations

Schedule 125-81.D below prescribes the land use regulations for the -RNC Residential Neighborhood Conservation Overlay District. The regulations for the RNC district are established by letter designations as follows:

"P" designates permitted use classifications.

"L" designates use classifications that are permitted, subject to certain limitations prescribed by the additional use regulations in Article IV, Division 1: Standards for Specific Uses. Number designations refer to the specific limitations listed at the end of Schedule 125-81.D.

"S" designates use classifications permitted after review and approval of a Special Use Permit by the City Council. These uses are also subject to certain limitations in Article IV, Division 1: Standards for Specific Uses.

Use classifications are defined in Article V, Division I: Use Classifications. In cases where a specific land use or activity is not defined, the City Planner or designee shall assign the land use or activity to a classification that is substantially similar in character. Use classifications not listed in the Schedule below are prohibited. Commercial uses permitted in Schedule 125-81.D shall only be allowed if currently permitted in the base zoning district, with the exception of Bed and Breakfast establishments which shall be permitted in any base zoning district.

Schedule 125-81.D: Use Regulations – Residential Neighborhood Conservation Overlay District

<i>Use Classifications</i>	<i>RNC</i>	<i>Additional Regulations</i>
<i>Residential</i>		
Child Care Family Homes		
<i>Listed Family Homes</i>	P	
<i>Registered Family Homes</i>	P	
Residential Dwellings		Refer to Section 125-90.B.
<i>Single Family Dwelling</i>	P	
<i>Single Family with Secondary Dwelling</i>	P	
Attached Single Family Dwelling	P	
<i>Duplex</i>	S	
<i>Multi-Family Residential</i>	S	
Group Residential Facilities		Refer to Section 125-90.J
<i>Disabled Group Dwelling</i>	P	
<i>Public and Semipublic</i>		
Cultural Institutions	P	
Day Care	S	
Government Offices and Facilities		
<i>Small-Scale</i>	P	
Parks and Recreation	P	
Public Safety Facilities	S	
<i>Commercial</i>		
Banks and Other Financial Institutions	S	
Bed and Breakfast Establishment	P	
Business Services	P	
Catering Business	P	
Eating and Drinking Establishments		
<i>Full Service</i>	L2	
<i>With Live Entertainment</i>	L1, L2	
<i>With Outdoor Seating</i>	L1, L2	
Food and Beverage Sales	L4	
Offices	P	
Personal Services	P	
Retail Sales	P	
Temporary Sales	S	
Undertaking, Funeral and Interment Services	S	

Schedule 125-81.D: Use Regulations – Residential Neighborhood Conservation Overlay District

<i>Use Classifications</i>	<i>RNC</i>	<i>Additional Regulations</i>
<i>Transportation, Communications, and Utilities</i>		
Utility, Minor	P	
<i>Agriculture and Extractive</i>		
Excavation and Mining	S	Refer to Chapter 98
<i>Pipelines, Oil and Gas Wells</i>		
Gas Well Drilling	S	Refer to Section 125-90.G.
Oil Well Drilling	S	Refer to Section 125-90.G.
Pipelines	S	Refer to Section 125-90.H.
Pump Stations	S	Refer to Section 125-90.I.
<i>Specific Use Limitations</i>		
L1 Hours of operation may be limited to ensure compliance with City Noise ordinance.	L2 Less than 3,000 square feet including all seating areas.	
L3 Maximum of four units per structure.	L4 Corner stores less than 1,500 square feet.	
<i>Accessory Uses and Structures</i>		See Article IV, Division 2
<i>Temporary Uses</i>		See Article IV, Division 3
<i>Nonconforming Uses and Structures</i>		See Article IV, Division 7

Sec. 125-81.E. Exceptions to Development Regulations

- a. Any site or development requirement established in the RNC Residential Neighborhood Conservation Overlay District may be replaced by the prevailing measure of a block face if determined appropriate by the City Planner.
- b. Minor deviations from the requirements of this section that allow for improved design but maintain the RNC Residential Neighborhood Conservation Overlay District’s sense of character may be approved by the City Planner, except those that may impact a Certificate of Appropriateness from the Historic Commission.
- c. If the City Planner or applicant determines that a deviation is needed and it does not require a Certificate of Appropriateness from the Historic Commission, the deviation may be treated as a master plan amendment and shall be submitted to the Planning and Zoning Commission for approval.
- d. The Historic Commission shall review any request for deviation on property located within the Historic District and may provide comment for consideration by the Planning & Zoning Commission.

Sec. 125-81.F. General Site Disposition

- a. Schedule 125-81.F and Image 1 below prescribe the development regulations for the - RNC Residential Neighborhood Conservation Overlay District related to general site disposition.

Schedule 125-81.F:- Development Regulations

<i>Development Disposition</i>	RNC	Township Subdivision	Historic District		
			Residential	Commercial	
				Main	Off- Main
Density per Acre	3.7	3.7	3.7	4.2	3.7
Open Space	20%	20%	20%	10%	20%
Average Lot Size	Range: 5,000-10,000 SF				
Lot					
Max Building Coverage	45%	55%	40%	50%	50%
Minimum Green Space	40%	40%	45%	20%	30%
Building					
Build to Range	15'-30'	20'-35'	0 - 15' from front property line		
Percentage of front façade in build to range	50%	30%	50%		
Side Setback	5'	5'	5'		
Rear Setback	10'	10'	10'		
Gap Between Primary Buildings	15'	10'	15' min	10' min	15' min
Height Maximum	35 feet	35 feet	35 feet		
Front porches are allowed to encroach the front yard setback by a maximum of 6 feet.					
Other Standards					
Accessory Uses and Structures	See Article IV, Division 2				
Off-Street Parking and Loading	See Article IV, Division 5				
Landscaping and Buffer Yards	See Article IV, Division 6				

- b. A secondary dwelling unit shall not be included in calculating density, however it shall be considered when calculating impacts on infrastructure and in all other requirements.
- c. In addition to the development requirements established in Schedule 125-81.F, all new development shall meet the following:
 - 1. The front façade and primary entrance of all primary buildings shall face the public street.

2. The longest axis of the primary building shall be perpendicular to the same public street as the front façade on no less than 75% of primary buildings along a single block face.
3. Parcels that abut Clear Creek shall be permitted to:
 - a. Place 100% of the primary building more than 30 feet from the front property line to reflect the relationship between the structure and Clear Creek.
 - b. Face the front façade of the primary building toward Clear Creek if the building is set back from the front property line by a distance of greater than 100 feet.

Image 1. Site and Building Disposition



Sec. 125-81.G. Parking and Accessory Structures

- a. Schedule 125-81.G and Image 2 prescribe parking regulations including the location and placement of accessory structures and garages for the -RNC Residential Neighborhood Conservation Overlay District. A driveway associated with a single family detached home is permitted in Layer 1.

Schedule 125-81.G: Parking, Accessory Structures, and Garage Options

Parking/Accessory Structure	RNC	Township	Historic District		
			Residential		Commercial
			Main	Off-Main	
Layer 1 (See Image 2)	No	Yes	No	10% max	10% max
Layer 2	Yes	Yes	Yes	30% max	30% max
Layer 3	Yes	Yes	Yes	Yes	Yes

Image 2. Site Layers



- b. In regards to new construction with garages, only semi-flush/recessed, side-loaded, alley/rear-loaded, detached, and carriage court garage types shall be permitted in the –RNC Residential Neighborhood Conservation Overlay District, with the exception that less than 50% of all garages along a block face may be flush with the front façade of the house if attached and integrated into the front facade. Garage doors that extend in front of the house shall not be permitted with the exception of properties located within the Township Subdivision.
- c. In regards to new construction with the exception of properties within the Township Subdivision, all garage doors and walls shall be positioned 5 or more feet behind the front wall plane of the house, with the exception that less than 50% of all garages along a block face may be flush with the front façade of the house if attached and integrated into the front facade. No existing garage shall be expanded toward the front façade in a manner that will allow garage doors or walls to be positioned within 5 feet of the front facade of the house.
- d. In addition, the following restrictions apply based upon garage type:

- i. Flush or semi-flush/recessed. Garage doors must not exceed 19.5 feet in width.
- ii. Side-loaded. Windows must cover at least 15 percent of any garage wall facing the street and must also be consistent in size, scale and horizontal plane to windows located on the front façade of the primary building.
- iii. Alley/rear-loaded. Garage must be set back 5 feet or more from the street or alley right-of-way. If available, parking shall access a site through an alley.
- iv. Detached. Garage shall be separated from the primary building by a minimum of 5 feet.
- v. Carriage Court. Garage doors are oriented perpendicular to the street, and the garage is located entirely in front of the house.
- vi. Protruding Garages. Garage may be allowed to extend past the front façade of the primary building. Garage door must not exceed 19.5 feet. Allowed in the Township Subdivision only.
- e. Accessory structures and garages that are separate from the primary building shall complement the architectural character of the primary building, including:
 - i. No accessory structure or garage that is separate from the primary building shall exceed the height of the primary building and shall not exceed 50 percent of the total mass of the primary building.
 - ii. Accessory structures and garages shall be comprised of materials, roof material and pitch, and architectural design similar to the primary structure.
- f. No new driveway access shall be permitted from a major or minor arterial.
- g. Commercial service, utility areas and trash bins shall be screened from adjoining walkways and from the street view using landscaping, decorative dividers or similar features.

Sec. 125-81.H. Site and Architectural Details

- a. All development within the Residential Neighborhood Conservation Overlay District shall follow the site and architectural detail requirements noted in Schedule 125-81.H.

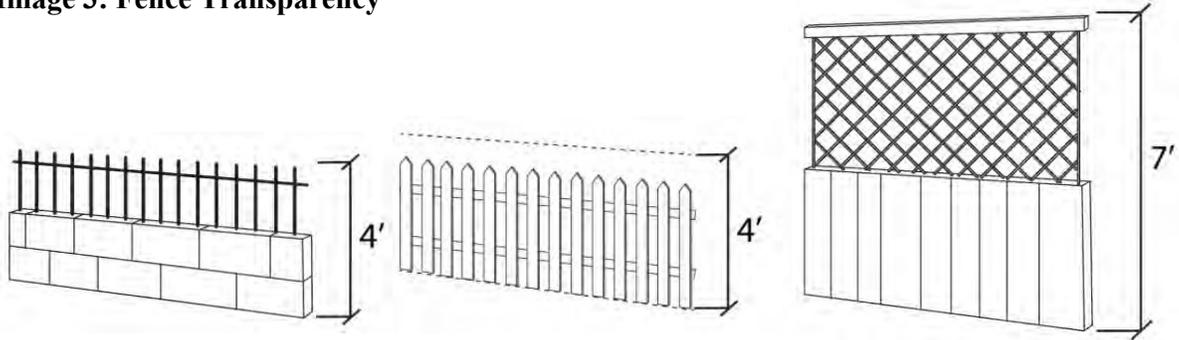
Schedule 125-81.H: Design Standards

	RNC	Township Subdivision	Historic District		
			Residential	Commercial	
Frontages				Main	Off-Main
Minimum Porch Depth	6'	6'	8'	8'	8'
Minimum Percentage of Primary front elevation as Porch	25%	50%	50%		
Transparency of Front Façade (does not include front loaded garages)					
(min)	20%	20%	30%	40%	40%
(max)				85%	85%
Transparency requirements shall be measured below the top plate of the roofline.					
Fences					
Maximum Height					
Layer 1 (see Image 2)	4' max	4' max	4' max	No Fence	No Fence
Layers 2 and 3	7' max	7' max	7' max	7' max	7' max
Minimum Transparency					
Layer 1	50%	50%	50%		
Layers 2 and 3	N/A	N/A	50%	20%	20%
Exterior Materials					
Siding & Trim	Wood, fiber cement boards, in lap, flush, drop, butt, or batten configurations.				
Brick	Period or antique.				
Stone	Austin or river.				
Roof					
Form	Gable, hip, or combination of gable and hip.				
Material	Standing seam metal, cement fiber, composition (dimensional), or awning fabric.				
Windows and Doors					
Windows	Single or double hung, awning or casement type, or divided lite.				
Frame Materials	Wood, wood clad, vinyl, vinyl clad wood, or metal				
Doors	Wood, metal, fiberglass panel, with or without glazing.				

b. Additional Fence Requirements.

1. Fence transparency requirements may be achieved through use of multiple materials or design as noted by example in Image 3.
2. Chain link fences are not permitted in Layer 1.

Image 3: Fence Transparency



- c. All primary buildings in the RNC District shall incorporate one of four frontage types, including Common Yard, Porch & Fence, Terrace or Light Courtyard, or Shop Front & Awning as described in Image 4.

Image 4. Frontages

<p>Common Yard: A frontage where the facade is built within the build-to-range behind the right-of-way. The front yard is visually continuous with common landscape without fencing.</p>		
<p>Porch & Fence: Within the build-to-line, an attached porch is permitted. A fence may be located on the private frontages clear away from the right-of way.</p>		
<p>Terrace or Light Courtyard: Within the build-to-line, an elevated terrace or light courtyard may be built.</p>		
<p>Shop Front & Awning: This frontage is typically used for commercial buildings. It may be built over a sidewalk and entry way.</p>		

- d. All development in the RNC Residential Neighborhood Conservation Overlay District shall meet the following additional Site and Architectural Detail requirements:

1. All windows along any façade of the primary building shall be consistent in size, scale and height with the exception of minor deviations that add to the architectural character of the structure.
 - a. A maximum of two different window styles are permitted on each building facade provided that one style is consistent on each façade of the building. Dormer windows, transoms, gable windows and glass block windows are exceptions to this requirement provided that they are consistent in character with other windows on the building.
 - b. Deviations may only be permitted if approved by the City Planner.
2. Buildings that have a greater width along the front façade than the average of the buildings on the same block should break up the mass of the structure with articulation of the structure. Insets and setbacks intended to assist in conforming to surrounding scale should be no less than five feet.
3. If the width of the lot is greater than the average lot width within the block then the width of the structure may be greater than the average structure within the block by the percentage equal to the difference.
4. Exterior materials should be similar and as closely matched as possible to existing materials commonly used in the surrounding block face.
5. Glass must be clear to provide visibility between the street and building interior.
6. Single family residential buildings that have the same front façade shall be at least 5 lots distant from each other along either side of the street.

Sec. 125-81.I. Township Subdivision and Historic District Architectural Styles

- a. The characteristics and features of the architectural styles in the surrounding neighborhood should be incorporated in all new residential development and redevelopment activity in the Township Subdivision and Historic District. To ensure protection of the historic character of the area, every structure should incorporate details from one of the following architectural styles.

National Folk

Entries	Covered stoop or porch
Roofs	Low-pitched hipped or gabled roof
Windows	Single or double hung
Exterior Materials	Wood clapboard, cement fiber siding, brick, stone, or metal
Facades	Flat, typically with minimal ornamentation
Porch	Covered, with columns and/or railings
Form	Simple rectilinear

Victorian

Entries	Covered porch, often with pediment
Roofs	Steep irregular roofs, pent roofs enclosing gable
Windows	Single or double hung, large panes bounded by smaller panes or divided lites
Exterior Materials	Wood clapboard, cement fiber siding, square cut shingles, fish scale shingles, untextured Stucco or metal
Facades	Asymmetrical and varied, , and ornate with optional tower
Porch	Full length or wraparound porch with eave or awning, includes columns and railings and may include ornamentation
Form	Varies in form, but possesses many layers

Colonial Revival

Entries	Central entrance with accentuated front door
Roofs	Hipped or gabled roof with narrow boxed eaves
Windows	Single or double hung
Exterior Materials	Wood clapboard, cement fiber siding, brick, untextured stucco, concrete, or metal
Facades	Symmetrical with central entrance and columns
Porch	Partial or full porches typically centered on façade
Form	Cubic or rectilinear shape

Arts & Crafts

Entries	Covered entry
Roofs	Low pitched, hipped or gabled with deep eaves and exposed rafters
Windows	Single or double hung, multiple panes on top of one large pane on bottom, or divided (or undivided) lites
Exterior Materials	Wood clapboard, cement fiber siding, square cut shingles, brick, stone, untextured stucco, or metal
Facades	Covered porches with battered columns, typically with railing
Porch	Low covered, full length porches
Form	Typically symmetrical and rectilinear

Farmhouse

Entries	Covered entry, may borrow elements of Colonial, Folk or Victorian style
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Roofs	Hip or gable, often with dormers, may borrow elements of Colonial, Folk or Victorian
Windows	Single or double hung, with or without multiple panes or divided lites, typically includes transoms, dormer windows or gable windows
Exterior Materials	Wood clapboard, cement fiber siding, square cut shingles, fish scale shingles, may include accents or partial covering of brick, stone, or metal
Facades	Simple rectilinear façade with focus on porch, may include towers, bays or various other features if borrowing elements from Colonial, Folk or Victorian style
Porch	Minimum partial porch, typically full length or wraparound, includes columns and railings
Form	Rectilinear, sometimes with multiple layers if borrowing from Victorian style
<hr/>	
<i>Neo-American Bungalow (Township Only)</i>	
Entries	Covered entry
Roofs	Low pitched, hipped or gabled
Windows	Single or double hung
Exterior Materials	Wood clapboard, cement fiber siding, brick, stone, untextured stucco or metal
Facades	Covered porch
Porch	Low covered, full length, partial length or wraparound, typically with columns and/or railing
Form	Square or rectilinear, sometimes with multiple layers
<hr/>	

- b. Floor plans and elevations submitted for construction in the Township Subdivision granted a prior Certificate of Appropriateness by the Historic District shall be considered appropriate.



City of League City, Texas

1 inch = 500 feet

Residential Neighborhood Conservation District

Legend

- Township
- Historic District Boundaries
- RNC Boundaries

The City of League City, Texas, is not responsible for the use of the map.

Sec. 125-82 –CRC Commercial Revitalization Overlay District

Sections:

- 125-82.A. Purposes
- 125-82.B. Zoning Map Designator
- 125-82.C. Applicability
- 125-82.D. Land Use Regulations
- 125-82.E. Development Regulations
- 125-82.D. Review of Plans

This section establishes regulations for a new -CRC Commercial Revitalization Overlay District to apply to FM 518 between Pecan Drive and FM 270.

Sec. 125-82.A. Purposes

The **-CRC Commercial Revitalization Overlay District** is intended to preserve the character of an established commercial corridor while providing opportunities for infill development that is consistent with and enhances the prevailing built character. The -CRC Overlay District applies to commercial development on the FM 518 corridor between Pecan Drive and FM 270, including the section of the corridor included in the -RNC Residential Neighborhood Conservation Overlay district established in Section 125-81, and encourages small-scale commercial uses to locate nearer the street with parking located to the rear or side of buildings. The use regulations and development standards included in the -CRC Overlay District will facilitate neighborhood maintenance, upgrading, and the development of vacant or underutilized lots while reducing the potential for incompatible land uses. Circulation and access in the district will be consistent with the FM 518 Corridor Access Management Plan.

Sec. 125-82.B. Zoning Map Designator

The –CRC Overlay District will be combined with the base zoning district(s) applied to the area and will be shown on the Zoning Map by a –CRC designator applied to the base district(s) designation.

Sec. 125-82.C. Applicability

Except as otherwise noted in this Section, the regulations of the underlying base zoning district(s), and any other applicable overlay district, shall apply to property in the –CRC Overlay District. In the case of a conflict between the provisions of an underlying base zoning district or other applicable overlay district and the –CRC Overlay District, the provisions of the –CRC Overlay District shall govern.

Sec. 125-82.D. Land Use Regulations

Schedule 125-82.D below prescribes the land use regulations for the ***–CRC Commercial Revitalization Overlay District***. The regulations for the district are established by letter designations as follows:

“P” designates permitted use classifications.

“L” designates use classifications that are permitted, subject to certain limitations prescribed by the additional use regulations in Article IV, Division 1: Standards for Specific Uses. Number designations refer to the specific limitations listed at the end of Schedule 125-82.D.

“S” designates use classifications permitted after review and approval of a Special Use Permit by the City Council. These uses are also subject to certain limitations in Article IV, Division 1: Standards for Specific Uses.

Use classifications are defined in Article V, Division I: Use Classifications. In cases where a specific land use or activity is not defined, the City Planner or designee shall assign the land use or activity to a classification that is substantially similar in character. Use classifications not listed in the Schedule below are prohibited.

Schedule 125-82.D: Use Regulations – Commercial Revitalization Overlay District

<i>Use Classifications</i>	<i>CRC</i>	<i>Additional Regulations</i>
<i>Public and Semipublic</i>		
Clubs or Lodges	P	
Colleges, Public or Private	S	
Cultural Institutions	P	
Educational Research and Development	S	
Government Offices and Facilities		
<i>Small-Scale</i>	P	
Parks and Recreation	P	
Public Safety Facilities	P	
Religious Assembly	P	
Schools, Public or Private	S	
<i>Commercial</i>		
Alcoholic Beverage Sales	S	
Animal Sales and Services	P	
Automobile/Vehicle/Equipment Sales and Services		
<i>Automobile/Vehicle/Equipment Sales and Rental</i>	S	
<i>Automobile Rentals</i>	S	

Schedule 125-82.D: Use Regulations – Commercial Revitalization Overlay District

<i>Use Classifications</i>	<i>CRC</i>	<i>Additional Regulations</i>
<i>Car Wash</i>	S	
<i>Gas and Service Stations</i>	S	
<i>Light Vehicle Service</i>	S	
Banks and Other Financial Institutions	P	Refer to Section 125-90.A.
Building Materials Sales and Services	P	Refer to Section 125-90.D.
Business Services	P	
Catering Business	P	
Eating and Drinking Establishments		
<i>Full Service</i>	P	
<i>Limited Service</i>	P	
<i>With Drive-Through Facilities</i>	P	Refer to Section 125-90.A.
<i>With Live Entertainment</i>	P	
<i>With Outdoor Seating</i>	L1	
Food and Beverage Sales	P	
Home Improvement Sales and Services	P	Refer to Section 125-90.C.
Hotels and Commercial Lodging	P	
<i>Full Service Hotel</i>	S	
<i>Limited Service Hotel</i>	S	
<i>Residence Hotel</i>	S	
Laboratory, Commercial	P	
Maintenance and Repair Services	P	
Massage Establishments and Massage Services	P	
Offices	P	
Parking Facilities	S	
Pawn Shops	L2	
Personal Instructional Services	P	
Personal Services	P	
Recreation and Entertainment		
<i>Large-Scale</i>	L3	Refer to Section 125-90.E.
<i>Small-Scale</i>	P	
Retail Sales	P	
Temporary Sales and Uses	L4	
Undertaking, Funeral and Interment Services	P	
<i>Industrial</i>		
Production Industry		

Schedule 125-82.D: Use Regulations – Commercial Revitalization Overlay District

<i>Use Classifications</i>	<i>CRC</i>	<i>Additional Regulations</i>
<i>Artisan</i>	S	Refer to Section 125-90.D.
Communications Facilities	P	
Transportation Facilities		
<i>Transportation Passenger Terminals</i>	P	
Utility, Minor	P	
<i>Agriculture and Extractive</i>		
Excavation and Mining	S	Refer to Chapter 98
<i>Pipelines, Oil and Gas Wells</i>		
Gas Well Drilling	S	Refer to Section 125-90.G.
Oil Well Drilling	S	Refer to Section 125-90.G.
Pipelines	S	Refer to Section 125-90.H.
Pump Stations	S	Refer to Section 125-90.I.
<i>Specific Use Limitations</i>		
L1 Hours of operation may be limited.	L2 Permitted if in accordance with the Texas Pawnshop Act (Texas Finance Code, Title 4, Chapter 371).	
L3 Fitness and recreation sports centers permitted only.	L4 Permissible if in accordance with Section 125-130 of this Chapter.	
<i>Accessory Uses and Structures</i>		See Article IV, Division 2
<i>Temporary Uses</i>		See Article IV, Division 3
<i>Nonconforming Uses and Structures</i>		See Article IV, Division 7

Sec. 125-82.E. Development Regulations

Schedule 125-82.E below prescribes the development regulations for the –***CRC Commercial Revitalization Overlay District***, including building density, building form and location, and vehicle accommodation. The letter designations in right-hand column refer to the additional regulations listed at the end of Schedule 125-82.E. Refer also to Article IV: Regulations Applicable in All or Several Districts.

Schedule 125-82.E: Development Regulations – Commercial Revitalization Overlay District

<i>Development Standards</i>	<i>-CRC</i>	<i>Additional Regulations</i>
<i>Building Scale – Intensity of Use</i>		
Minimum Lot Area (sq. ft.)	5,000	
Minimum Lot Dimensions (ft.)		
<i>Width</i>	50	
<i>Frontage</i>	50	

Building Form and Location		
Maximum Height (ft.)	45	
Minimum Yards (ft.)		
<i>Front</i>	--	
<i>Side (Nonresidential/Residential)</i>	10/15	
<i>Street Side (Corner Lot)</i>	10	
<i>Rear (Nonresidential/Residential)</i>	15/20	
Maximum Lot Coverage (Percent)	85	(1)
Minimum Build-to Lines (Percent)	50	(2)
Pedestrian Orientation and Vehicle Accommodation		
Minimum Storefront Continuity (Percent)	25	(3)
Minimum Building Transparency (Percent)	25	(4)
Limitations on Blank Walls	Yes	(5)
Driveways	Yes	(6)
<i>Choose Option A or B:</i>		
<u>Option A</u>		
Location of Parking and Loading	Yes	(7)
<u>Option B</u>		
Landscape Setback (ft.)	10	(8)
Open Space and Landscaping		
Minimum Landscaped Area (Percent)	15	
Other Standards		
Accessory Uses and Structures		See Article IV, Division 2
Off-Street Parking and Loading		See Article IV, Division 5
Landscaping and Buffer Yards		See Article IV, Division 6

1. **Maximum Lot Coverage.** Includes buildings, parking areas, and driveways and maneuvering areas, but excludes common open space amenities and landscaped areas.
2. **Minimum Build-to Lines.** Ground floor of buildings shall be built to the sidewalk along the primary street frontage.
3. **Storefront Continuity.** Ground floor of retail buildings shall have a storefront appearance along the primary street frontage.

4. **Building Transparency.** Ground floor of buildings shall have views into occupied space provided by windows, displays, or doors along the primary street frontage. This requirement may be reduced to 50 percent to accommodate non-retail frontage occupied by entertainment or outdoor eating areas.
5. **Blank Walls.** No unadorned blank walls greater than 15 feet in length, excluding garage doors, shall be permitted on the primary street frontage. Building surfaces shall include an offset, recess, or projection providing shadows or visual interest for at least 25 percent of the frontage.
6. **Driveways.** The number and location of driveways shall comply with the FM 518 Corridor Access Management Plan.
7. **Location of Parking and Loading.** The preferred location of parking shall be behind or at the side of buildings, except for passenger drop-off areas which may be located at the building entry. Loading areas shall be screened so as not to be visible from public streets. Where the building abuts a residential district, the preferred location of loading facilities shall be the side away from the residential district boundary.
8. **Landscape Setback.** A minimum 10-foot-wide landscaped area shall be located between all portions of the parking lot and the street and shall contain the following:
 - a. One shade tree for every 30 feet of linear street frontage, excluding driveways. Trees may be planted in clusters or spaced linearly rather than being on 30-foot centers. The minimum size of the tree should be 1 ½ - inch caliper (15 gallons) upon installation.
 - b. A continuous hedge consisting of shrubs that are not less than 3 feet or more than 4 feet in height and planted in 3- or 5-gallon container stocks upon installation. The landscape hedge shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle.
 - c. In lieu of a landscape hedge, a berm measuring not less than 3 feet or more than 4 feet in height from finish grade of the parking lot may be utilized. The berm shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle. The maximum slope shall not exceed 4:1.

Sec. 125-82.F. Review of Plans

All development is subject to development review in accordance with the City's applications and procedures, pursuant to Article II, Division 2: Applications and Procedures.

Sec. 125-83 –TND Traditional Neighborhood Development Overlay District

Sections:

125-83.A.	Purposes
125-83.B.	Zoning Map Designator
125-83.C.	Applicability
125-83.D.	Land Use Regulations
125-83.E.	Land Use Distribution
125-83.F.	Building Types
125-83.G.	Development Regulations – All Building Types
125-83.H.	Development Regulations – Mixed Use Buildings
125-83.I.	Development Regulations – Apartment Buildings
125-83.J.	Development Regulations – Townhouse Buildings
125-83.K.	Development Regulations – Duplex Buildings
125-83.L.	Development Regulations – Single Family Buildings
125-83.M.	Development Regulations – Public and Semi-Public Buildings
125-83.N.	Open Space and Landscaping
125-83.O.	Circulation
125-83.P.	Procedures for –TND Overlay District Application
125-83.Q.	Required Plans and Materials
125-83.R.	Review of Plans

This chapter establishes regulations for a new –TND Traditional Neighborhood Development Overlay District (TND) and the three sub-districts that comprise it: -NC Neighborhood Center; -NR Neighborhood Residential; and –NOS Neighborhood Open Space. This overlay is intended to be applied in new areas of the City and provide the flexibility of the –PUD Overlay and the certainty of a base zoning district.

Sec. 125-83.A. Purposes

The specific purposes of the *–TND Traditional Neighborhood Development Overlay District* are to:

- Organize future large-scale residential development in the form of compact neighborhoods to discourage sprawl;
- Design future residential development to ensure continuity in the Citywide circulation network and connectivity between adjacent neighborhoods and major activity centers;

- Encourage the development of neighborhood commercial centers proposed in the Comprehensive Plan and the associated residential development necessary to economically and socially support these centers;
- Allow neighborhood-serving commercial uses to be within walking distance of the neighborhoods they serve;
- Provide a range of housing types developed within close proximity so that a single neighborhood provides housing opportunities for all City residents;
- Encourage built forms that add to the vitality and sense of place of the City’s new neighborhoods and enhance business opportunities and property values;
- Design neighborhood circulation systems and streetscapes that are safe, efficient, and pleasant for pedestrians, bicyclists, transit riders, and automobile drivers;
- Provide well designed, centrally located open space and public facilities of sufficient quantity and size to support the needs of neighborhood residents; and
- Seamlessly integrate the private realm of businesses and dwellings with the public realm of streets, open space, and public and semi-public buildings to create cohesive neighborhoods.

Three sub-districts are established under the -TND Overlay District. The additional purposes of each sub-district are:

- ***Neighborhood Center (TND-NC)***. This sub-district provides opportunities for traditional small-scale “Main Street” retail and residential development. Development is scaled to the street and the pedestrian and is focused on a civic open space amenity, such as a square, plaza, boulevard, mall, common, or green. Neighborhood serving-retail activities continuously line pedestrian-oriented streets and allow residents to easily walk to multiple businesses; parking is provided on-street and/or behind buildings. Small-scale residential and office uses may be located on the upper stories of these buildings or in appropriately scaled single-use buildings at the edges of the sub-district.
- ***Neighborhood Residential (TND-NR)***. This sub-district provides a mixture of single-, two-, and small-scale multi-family housing opportunities in the residential areas surrounding the Neighborhood Center. Housing is permitted in a variety of forms to allow occupancy by different household types and sizes. Residential architecture serves to frame, engage, and enliven the residential streets in a manner that adds to quality of life, personal safety, and property values.
- ***Neighborhood Open Space (TND-NOS)***. This sub-district reflects a requirement that 10 percent of a -TND Overlay District be established as open space. Open space should be provided both as a centrally located civic amenity, such as within the Neighborhood Center, as well as passive and active recreational amenities throughout the -TND Overlay District, such as squares, tot lots, greenways, play fields, and natural and preserves.

Sec. 125-83.B. Zoning Map Designator

A -TND Overlay District will be combined with the base zoning district(s) applied to the area and will be shown on the Zoning Map by a -TND designator applied to the base district(s) designation.

Sec. 125-83.C. Applicability

A -TND Overlay District may be applied as an alternative to future residential subdivision of any undeveloped or existing underutilized area designated for RSF Residential Single Family development that is between 40 and 260 acres in size. For land areas larger than 260 acres, additional -TND Overlay Districts will be required. In the case of a conflict between the provisions of an underlying base zoning district and the –TND Overlay District, the provisions of the –TND Overlay District shall govern.

Sec. 125-83.D. Land Use Regulations

Schedule 125-83.D below prescribes the land use regulations for the –*TND Traditional Neighborhood Development Overlay District* by sub-district. The regulations for each sub-district are established by letter designations as follows:

“P” designates permitted use classifications.

“L” designates use classifications that are permitted, subject to certain limitations prescribed by the additional use regulations in Article IV, Division 1: Standards for Specific Uses. Number designations refer to the specific limitations listed at the end of Schedule 125-83.D.

“S” designates use classifications permitted after review and approval of a Special Use Permit by the City Council. These uses are also subject to certain limitations in Article IV, Division 1: Standards for Specific Uses.

Use classifications are defined in Article V, Division I: Use Classifications. In cases where a specific land use or activity is not defined, the City Planner or designee shall assign the land use or activity to a classification that is substantially similar in character. Use classifications not listed in the Schedule below are prohibited.

Schedule 125-83.D: Use Regulations – Traditional Neighborhood Development Overlay District

<i>Use Classifications</i>	<i>NC</i>	<i>NR</i>	<i>NOS</i>	<i>Additional Regulations</i>
<i>Residential</i>				
Child Care Family Homes				
<i>Listed Family Homes</i>	—	P	—	
<i>Registered Family Homes</i>	—	P	—	
Residential Dwellings				Refer to Section 125-90.B.

Schedule 125-83.D: Use Regulations – Traditional Neighborhood Development Overlay District

<i>Use Classifications</i>	<i>NC</i>	<i>NR</i>	<i>NOS</i>	<i>Additional Regulations</i>
<i>Single Family Dwelling</i>	—	P	—	
<i>Single Family with Secondary Dwelling</i>	—	P	—	
<i>Attached Single Family Dwelling</i>	—	P	—	
<i>Two Family Dwelling</i>	—	P	—	
<i>Multi-Family Residential</i>	P	P	—	
Group Residential Facilities				Refer to Section 125-90.J
<i>Assisted Living Facility</i>	P	—	—	
<i>Continuing Care Facility</i>	P	—	—	
<i>Disabled Group Dwelling</i>	P	P	—	
<i>Nursing Home</i>	P	—	—	
<i>Public and Semipublic</i>				
Cultural Institutions	P	—	S	
Day Care	P	—	—	
Government Offices and Facilities				
<i>Small-Scale</i>	P	—	—	
Parks and Recreation	P	p	P	
Public Safety Facilities	S	—	—	
Religious Assembly	P	L1	—	
Schools, Public or Private	—	P	—	
<i>Commercial</i>				
Alcoholic Beverage Sales	S	—	—	
Animal Sales and Services	P	—	—	
Automobile/Vehicle/Equipment Sales and Services				
<i>Automobile Rentals</i>	L2, L3	—	—	
Banks and Other Financial Institutions	L4	—	—	
Bed and Breakfast Establishment	P	S	—	
Business Services	P	—	—	
Catering Business	P	—	—	
Eating and Drinking Establishments				
<i>Full Service</i>	P	—	—	
<i>Limited Service</i>	P	—	S	
<i>With Live Entertainment</i>	S	—	S	
<i>With Outdoor Seating</i>	L5	—	S	
Food and Beverage Sales	P	—	L2	

Schedule 125-83.D: Use Regulations – Traditional Neighborhood Development Overlay District

<i>Use Classifications</i>	<i>NC</i>	<i>NR</i>	<i>NOS</i>	<i>Additional Regulations</i>
Hotels and Commercial Lodging	S	—	—	
Maintenance and Repair Services	P	—	—	
Offices	L6	—	—	
Parking Facilities	S	—	—	
Personal Instructional Services	L6	—	—	
Personal Services	P	—	—	
Retail Sales	P	—	—	
Temporary Sales and Uses	L7	—	L7	
<i>Transportation, Communications, and Utilities</i>				
Transportation Facilities		—		
<i>Marinas, Docks</i>	P	P	P	
<i>Marinas, Private</i>	P	P	P	
<i>Marinas, Public</i>	S	—	S	
<i>Transportation Passenger Terminals</i>	S	—	—	
Utility, Minor	P	P	P	
<i>Agriculture and Extractive</i>				
Excavation and Mining	S	S	S	Refer to Chapter 98
<i>Pipelines, Oil and Gas Wells</i>				
Oil Well Drilling	S	S	S	Refer to Section 125-90.G
Pipelines	S	S	S	Refer to Section 125-90.H
Pump Stations	S	S	S	Refer to Section 125-90.I
<i>Specific Use Limitations</i>				
L1 A minimum 10-foot wide landscaped buffer required along interior lot lines abutting a single-family dwelling.		L2 Permitted only as an accessory use within the district.		
L3 No outdoor storage or washing of vehicles.		L4 Drive-through facilities not permitted.		
L5 Hours of operation may be limited.		L6 Preferred location above street level.		
L7 Permissible if in accordance with Section 125-130 of this Chapter.				
<i>Accessory Uses and Structures</i>				See Article IV, Division 2
<i>Temporary Uses</i>				See Article IV, Division 3
<i>Nonconforming Uses and Structures</i>				See Article IV, Division 7

Sec. 125-83.E. Land Use Distribution

Development within a -TND Overlay District shall be distributed across each of three sub-districts that comprise the District, including –NC Neighborhood Center, –NR Neighborhood Residential, and –NOS Neighborhood Open Space. Schedule 125-83.E specifies the minimum proportion of the total -TND Overlay District area to be allocated to each sub-district.

Schedule 125-83.E: Sub-district Distribution – Traditional Neighborhood Development Overlay District

	<i>NC</i>	<i>NR</i>	<i>NOS</i>	<i>Additional Regulations</i>
Sub-district Distribution (Percent of total TND District area)	Greater than 5 but less than 10	Less than 85	More than 10	(1)

1. **Sub-district Distribution.** The –NC Neighborhood Center sub-district shall be a single contiguous sub-district located within the –TND Overlay District in order to maximize its geographic proximity to all neighborhood residents. The –NR Neighborhood Residential sub-district shall generally surround the –NC Neighborhood Center sub-district. The –NOS Neighborhood Open Space sub-district need not be contiguous. At least 10 percent of the required open space shall be fully bounded by the –NC Neighborhood Center sub-district. All open space provided to satisfy the minimum requirement shall be accessible to the general public (refer to Section 125-83.N.).

Sec. 125-83.F. Building Types

The –TND Overlay District uses building types to regulate development instead of land use designations. The following building types are permitted within the -TND Overlay District sub-districts as indicated in parenthesis:

- **Mixed Use (–NC):** A building containing retail, office, civic, residential, or a combination of these uses, and that actively addresses the street through transparency and little or no setback from the sidewalk and neighboring buildings. Non-residential uses are required on the ground floor; these uses are also permitted on upper floors. Mixed use buildings may face or abut on any side: apartment buildings, public and semi-public buildings, and neighborhood open space. Mixed use buildings may abut at the rear only: townhouse buildings, duplex buildings, and single family buildings.
- **Apartment (–NR):** A residential building containing three or more dwelling units on a single lot. Units may have individual exterior entrances or have interior entrances accessed from one or more exterior entrances. Apartment buildings may face or abut on any side: mixed use buildings, townhouse buildings, public and semi-public buildings, and neighborhood open space. Apartment buildings may abut at a corner or rear only: duplex buildings, and single family buildings.

- **Townhouse (-NR):** A dwelling unit on a single lot that is attached to or directly abuts similar adjacent houses so as to create a consistent street wall. Townhouse buildings may face or abut on any side: duplex buildings, public and semi-public buildings, and neighborhood open space. Townhouse buildings may face and abut at the rear only: apartment buildings. Townhouse buildings may abut at the rear only: mixed use buildings, and single family buildings.
- **Duplex (-NR):** Two dwelling units attached at one lot line on separate lots, or vertically as two stacked flats on a single lot. Duplex buildings may face or abut on any side: townhouse buildings, single family buildings, and neighborhood open space. Duplex buildings may abut at the rear only: mixed use buildings, apartment buildings, and public and semi-public buildings.
- **Single Family (-NR):** A single unattached dwelling unit on a single lot. Single family buildings may face or abut on any side: duplex buildings, and neighborhood open space. Single family buildings may abut at the rear only: mixed use buildings, apartment buildings, townhouse buildings, and public and semi-public buildings.
- **Public and Semi-Public (-NC, -NR, -NOS):** One or more buildings on single lot devoted to a public or semi-public purpose whose location, siting, and form express its purpose. Public and semi-public buildings may face or abut on any side: mixed use buildings, apartment buildings, townhouse buildings, and neighborhood open space. Public and semi-public buildings may abut at a corner or rear only: duplex buildings, and single family buildings.

In order to create greater diversity, the Master Plan for the District (refer to Section 125-83.R below) may identify additional building types consistent with but more specific than the regulations of this Section.

Sec. 125-83.G. Building Type Distribution

The distribution of some building types is required within developable sub-districts. Schedule 125-83.G specifies the minimum distribution of non-residential building types as a proportion of land area and the minimum distribution of residential building types as a proportion of dwelling units. These requirements are intended to provide flexibility for the applicant while ensuring the diversity of building types necessary to support a viable neighborhood and neighborhood center. If development within a -TND Overlay District is completed in phases, each phase must meet the proportional distribution requirements presented in Schedule 125-83.G.; “proportional” shall be determined by the City Planner or designee.

Schedule 125-83.G: Building Type Distribution – Traditional Neighborhood Development Overlay District

<i>Building Type</i>	<i>NC (percent total floor area)</i>	<i>NR (percent total units)</i>	<i>Additional Regulations</i>
Mixed Use	Greater than 90	—	

Schedule 125-83.G: Building Type Distribution – Traditional Neighborhood Development Overlay District

Apartment	—	Greater than 10	
Townhouse	—	Greater than 10	
Duplex	—	Greater than 10	
Single Family	—	Less than 60	(1)
Public and Semi-Public	Less than 10		

1. **Single Family Residential.** Single family residential development within the –NR Neighborhood Residential sub-district shall reflect a range of building types. Although Section 125-83.G does not establish a minimum distribution of single-family residential building types, a variety of building types are permitted, including small-lot and patio homes. The Master Plan for the District (refer to Section 125-83.R below) shall identify the single family residential building types proposed and their proportion of the total number of single family residential units to be provided.

Sec. 125-83.H. Development Regulations – All Building Types

Schedule 125-83.H below prescribes the development regulations for the –TND Overlay District. The development regulations address building scale, building form and location, and other standards. No explicit standards are provided for stand-alone Public and Semi-Public buildings, although these will be established by the approved Master Plan for the District (refer to Section 125-83.R below). Open space and other portions of the public realm, such as streets, landscaping, and parking, are regulated in the following sections. The number designations in right-hand column refer to the additional regulations listed at the end of Schedule 125-83.H.

Schedule 125-83.H: Development Regulations – All Building Types

<i>Development Standards</i>	<i>Mixed Use</i>	<i>Apartment</i>	<i>Townhouse</i>	<i>Duplex</i>	<i>Single Family</i>	<i>Public-Semi Public</i>	<i>Additional Regulations</i>
<i>Building Scale – Intensity of Use</i>							
Minimum Lot Area (sq. ft.)	1,500	4,000	1,500	2,000	4,000	--	
Maximum Lot Area (sq. ft.)	10,000	6,000	3,500	4,000	7,000	--	
Minimum Frontage (ft.)	25	35	20	25	40	--	(1)
Maximum Frontage (ft.)	75	75	35	40	50	--	(2)
<i>Building Form and Location</i>							
Minimum Building Height (stories)	2	2	2	--	--	--	(3)
Maximum Building Height (ft.)	45	45	35	35	35	--	

Schedule 125-83.H: Development Regulations – All Building Types

<i>Development Standards</i>	<i>Mixed Use</i>	<i>Apartment</i>	<i>Townhouse</i>	<i>Duplex</i>	<i>Single Family</i>	<i>Public-Semi Public</i>	<i>Additional Regulations</i>
Maximum Lot Coverage (percent)	75	65	65	55	55	--	
Yards (ft.)							
<i>Front (Minimum)</i>	--	--	--	20	20	--	(4)
<i>Front (Maximum)</i>	10	10	15	25	25	--	(5)
<i>Side (Minimum)</i>	--	5	--	5	5	--	(6)
<i>Side (Maximum)</i>	--	--	--	--	--	--	(7)
<i>Rear (Minimum)</i>	5	15	10	5	5	--	
<i>Additional Regulations</i>							
Articulation and Visual Interest	Yes	Yes	Yes	Yes	Yes	Yes	(8)
Entrance Orientation	Yes	Yes	Yes	Yes	Yes	Yes	(9)
Façade Consistency	Yes	Yes	Yes	Yes	Yes	Yes	(10)
Equipment Screening	Yes	Yes	Yes	Yes	Yes	Yes	(11)
Fencing	Yes	Yes	Yes	Yes	Yes	Yes	(12)
<i>Other Standards</i>							
Accessory Uses and Structures				See Article IV, Division 2			
Off-Street Parking and Loading				See Article IV, Division 5			
Landscaping and Buffer Yards				See Article IV, Division 6			

1. ***Minimum Frontage.*** Frontage refers to the length of the lot immediately adjacent to a public right-of-way, excluding alleys and rear service lanes. The minimum frontage standard shall apply separately to each public right-of-way adjacent to a lot.
2. ***Maximum Frontage.*** The maximum frontage standard shall apply separately to each public right-of-way adjacent to a lot.
3. ***Minimum Building Height.*** Mixed Use, Apartment, and Townhouse buildings shall be a minimum of two above-ground stories to provide a consistent street wall and a sense of enclosure of the public realm.
4. ***Yards, Front (Minimum).*** In locations where a lot is adjacent to two public right-of-ways (e.g. a corner lot), the minimum front yard shall apply to both frontages. Stairs, stoops, porches, verandas, porticos, and other permanently unenclosed ground-level encroachments attached to primary building, including screened porches but excluding carports, porte cocheres, and other vehicular accommodations, are permissible and are encouraged in front yards. For building types with no minimum yard requirement, building features, such as awnings, porticos, bay windows, etc., may encroach into the adjacent public right-of-way provided that the encroachment

does not interfere with the free movement of the public. A –TND Overlay District Master Plan may define how and where these encroachments may occur.

5. ***Yards, Front (Maximum).*** At least 70 percent of a mixed use building shall be built to the front property line. Mixed use buildings may be setback up to 20 feet to permit outdoor seating areas for eating and drinking establishments or outdoor merchandise display areas.
6. ***Yards, Side (Minimum).*** Single family zero-lot line homes, also referred to as “side-yard” or “patio” homes, may have a 0-foot side yard on one side provided a 10-foot minimum side yard exists on the opposite side. A zero-lot line home’s large side yard shall be adjacent to another zero-lot-line home or a public right-of-way. A perpetual easement related to maintenance, eaves, and drainage of at least 4 feet shall be provided the lot adjacent to the zero-lot line property which, with the exception of walls and fences, shall be kept clear of structures.
7. ***Yards, Side (Maximum).*** For mixed use buildings, the side yard shall be no larger than necessary to accommodate vehicular access onto the site.
8. ***Articulation and Visual Interest.*** Buildings shall be articulated both horizontally and vertically to break up of the façade and provide visual interest when viewed from the sidewalk. Structural and ornamental buildings features extending or retreating from the primary façade plane shall be designed to be substantial enough to cast shadows and provide visual depth.
9. ***Entrance Orientation.*** The primary entrance to all buildings shall be along the front façade of a building. Primary entrances shall be emphasized through entry features, such as porches, stoops, and awnings, building articulation, or other architectural techniques. If a building is setback from the front property line, a path shall be provided from the sidewalk to the front entry.
10. ***Façade Consistency.*** All façades visible from a public street shall have an appearance consistent with the front façade in terms of architectural form, material, and articulation.
11. ***Equipment and Garbage Screening.*** All building systems and equipment shall be screened from public view by being located at the rear of a building, located on the roof out of public view, or being fully screened by the same materials as used in the primary façade.
12. ***Fencing.*** Only non-opaque fencing shall be used, such as picket or rail fences where space is provided between fence pickets and/or rails, when visible from the street; such fencing shall be no taller than 4 feet and shall not continue across lot lines. Chain link fences shall only be permissible when not visible from a public street. Fences with barbs, razors, or spikes shall be prohibited.

Sec. 125-83.I. Development Regulations – Mixed Use Buildings

The following regulations apply specifically to **Mixed Use** buildings.

1. **Maximum Floorplate.** Floorplate refers to the usable floor area of a building's ground floor; a maximum floor-plate of 6,000 square feet consistent with the types of retail and other commercial uses within the –NC Neighborhood Center sub-district.
2. **Mixed Use Storefront Continuity.** A minimum 70 percent of ground floor building space along the principal building frontage shall have a retail storefront appearance. This requirement represents an average of the complete perimeter. At the edges of the –NC Neighborhood Center sub-district, this requirement may be waived to permit buildings with a non-retail character on the ground floor; no more than 20 percent of development as measured by square feet of usable space within the –NC Neighborhood Center sub-district shall be of this development type.
3. **Transparency.** At least 50 percent of the ground floor façade shall be transparent. Views shall be provided by windows, window displays at least 3 feet deep, or doors in a zone of transparency of between 2 and 8 feet above grade. Glass block shall not be considered transparent. Building transparency may be reduced by 10 percent where building frontage exceeds of 50 feet. This requirement may be waived at the edge of the –NC Neighborhood Center sub-district.
4. **Non-Retail Space.** In Mixed Use Buildings, non-retail, non-pedestrian-oriented uses, such as residences and professional offices shall be located on upper floors, in separate structures located at the rear of a retail building, or on the ground floor provided streetfront retail space with a minimum depth of 20 feet is provided. This requirement may be waived at the edge of the –NC Neighborhood Center sub-district.
5. **Blank Walls.** No blank walls greater than 15 feet in length, excluding garage doors, are permitted on the streetfront. Building surfaces shall include an offset, recess, or projection providing shadows or visual interest for at least 25 percent of the frontage.
6. **Signage.** Signage shall be scaled to pedestrians and attached to buildings as follows:
 - a. Signage letters and other elements attached to a building façade below the second floor elevation.
 - i. A single projecting sign over a sidewalk provided sign shall not be larger than 3 square feet on each side.
 - ii. Signage letters and other elements imprinted onto an awning extending over a sidewalk.
 - iii. No flashing, moving, or rear lit-signs are permitted.

5. ***Driveway Restrictions.*** Access shall be from a side street or rear service lane or alley wherever possible, but not from a residential street if alternate access is available. If access is not provided from a rear service lane or alley, a sole vehicular access point shall provide entrance to all parking facilities sufficient to accommodate necessary vehicular movement.
6. ***Location of Parking.*** If provided on-site, parking shall be located at the rear of the site or at the side of the building, except for drop-off areas which may be at the entry. Parking requirements may be satisfied through shared parking facilities.
7. ***Parking Lot Landscaping.*** Shade trees shall be provided at a ratio of 1 tree for every 6 spaces. A minimum of 10 percent of a surface parking lot shall be landscaped accompanied by an irrigation system that is permanent, below-grade, and activated by automatic timing controls. See also Section 125-170: Off-street Parking and Loading.
8. ***Truck Docks; Loading and Service Areas.*** These facilities shall be located at the side of buildings or in the rear of the site and screened so as not to be visible from public streets. Where a building abuts residential buildings, the preferred location of these facilities shall be a side away from the residential buildings.

Sec. 125-83.J. Development Regulations – Apartment Buildings

The following regulations apply specifically to **Apartment** buildings.

1. ***Building Form and Appearance.*** Despite their greater height and bulk, apartment buildings shall complement the form and appearance of single family homes and other neighboring buildings.
2. ***Multiple Entrances.*** Apartment buildings are encouraged to have multiple primary entrances for different groups of dwelling units.
3. ***Blank Walls.*** No unadorned blank walls greater than 15 feet in length, excluding garage doors, are permitted on the streetfront. Building surfaces over 24 feet in height or 50 feet in length shall include an offset, recess, or projection providing shadows or visual interest for at least 25 percent of the frontage.
4. ***Location of Driveways and Parking.*** Vehicular access to apartment buildings shall be from a rear alley or a street driveway or garage entrance. If access is not provided from a rear service lane or alley, a sole vehicular access point shall provide entrance to all parking facilities and shall be as narrow as possible to accommodate necessary vehicular movement. Parked vehicles shall be screened so as not to be visible from public streets or private open space provided for apartment residents. Rear garages may be attached or unattached.

Sec. 125-83.K. Development Regulations – Townhouse Buildings

The following regulations apply specifically to **Townhouse** buildings.

1. ***Vehicular Access and Location of Parking.*** The preferred vehicular access to townhouse buildings shall be from a rear service lane or alley. Rear garages may be attached or unattached.

Sec. 125-83.L. Development Regulations – Duplex Buildings

The following regulations apply specifically to **Duplex** buildings.

1. ***Building Form.*** Duplex buildings shall be of a similar form and appearance to single family homes; duplexes on single lots shall not be distinguishable from single family homes except for the presence of an additional exterior entrance.
2. ***Vehicular Access and Location of Parking.*** The preferred vehicular access point is from a rear alley, although street access may be provided under certain conditions. If street access is provided, garages shall be located at the rear of the primary dwelling and may be either attached or unattached. If street access is provided, driveways shared by adjacent lots shall be encouraged.

Sec. 125-83.M. Development Regulations – Single Family Buildings

The following regulations apply specifically to **Single Family** buildings.

1. ***Vehicular Access and Location of Parking.*** The preferred vehicular access point is from a rear alley, although street access may be provided under certain conditions. If street access is provided, garages shall be located at the rear of the primary dwelling and may be either attached or unattached. If street access is provided, driveways shared by adjacent lots shall be encouraged. If street access is provided, driveways shared by adjacent lots are encouraged.

Sec. 125-83.N. Development Regulations – Public and Semi-Public Buildings

The following regulations apply specifically to **Public and Semi-Public** buildings.

1. ***Location.*** Public and Semi-Public buildings shall be given prominent locations within the –TND Overlay District, such as at the termination of a major street, the intersection of major thoroughfares, or within or adjacent to a public open space. Buildings should be framed by or serve to frame an important view corridor.
2. ***Building Siting and Form.*** Building siting and form, such as height, bulk, articulation, materials, etc., shall reinforce the importance of a public or semi-public building and distinguish it from private development. Unique set backs, greater heights, interesting forms, distinctive materials and/or design techniques shall serve to establish the visual identity of a public or semi-public building. Standards for public and semi-public buildings shall be established on a case-by-case basis in response to the building’s purpose and surroundings within the Master Plan for the District.

Sec. 125-83.O. Open Space and Landscaping

Improved open space shall be provided for the benefit of residents and the surrounding community in an amount greater than 10 percent of the total land area of the –TND Overlay District. A –NOS Neighborhood Open Space sub-district shall be established in the following manner:

1. ***Public Access and Maintenances.*** Open space provided to satisfy the minimum 10 percent open space requirement shall be open to the public. Such open space shall either be deeded to the City of League City or a perpetual easement shall be established to guarantee reasonable public access at a manner that does not differ from that provided to residents of the district. The applicant shall be responsible for providing all open space improvements listed within the Master Plan for the District and necessary to make the open space suitable for its intended public use. If title is transferred to the City, the City shall assume the maintenance of such lands and facilities.
2. ***Consistency with City Goals.*** Open space shall be provided in a manner consistent with the City of League City Parks Master Plan, Comprehensive Plan, and any subsequently adopted plans.
3. ***Open Space Resource Inventory.*** The Master Plan shall include an inventory of significant open space features on the site, including vegetation and animal communities, sensitive habitats, heritage trees, views, water features, geologic formations, soils, and other relevant attributes. The –NOS Neighborhood Open Space sub-district shall include as many existing open space features as possible.
4. ***Role of Open Space.*** Open space shall be framed by development and shall interconnect buildings, streets, and sub-districts of the –TND Overlay District. Open space shall be provided in a manner that allows convenient non-automotive access by all residents and shall located throughout the –TND Overlay District as multiple open space features. Open space shall be designed to complement buildings and vice versa.
5. ***Central Open Space Feature.*** The –NC Neighborhood Center sub-district shall be anchored by a central open space feature of at least ¼-acre. Development may be directly adjacent to the feature or may be separated by a street. The open space feature shall serve both as a public amenity as well as a means of attracting customers to surrounding buildings. This open space feature may take the form of a square, circle, green, commons, plaza, pedestrian mall, pedestrian boulevard, or other suitable urban open space feature. This open space feature may satisfy the requirement for –NC Neighborhood Center sub-district–bounded open space (refer to Section 125-83.E.).
6. ***Other Potential Open Space Features.*** The following open space features may be included within a –TND Overlay District to satisfy the open space requirements.

- a. *Squares, Plazas, and Commons.* Formal central open space features that are primarily designed for passive recreation. Development shall front upon such features either directly or across a street. These features may include children’s play facilities or small active recreational facilities, such as a basketball or volleyball court.
 - b. *Tot Lots and Pocket Parks.* Small passive parks or children’s play areas that are no larger than two average adjoining parcels and that are interspersed within residential areas to provide highly localized open space, allow through pedestrian access, and/or break up development monotony.
 - c. *Small Athletic Fields.* Small active recreation facilities designed to fit within the context of surrounding compact development, such as a single soccer field or a pair of basketball courts where required parking can be accommodated on an adjacent street frontage. Small athletic fields shall be located and designed to allow neighborhood children to safely travel to and from the field unaccompanied.
 - d. *Greenways and Parkways.* Linear open space features which allow walking, running, and bicycling for both recreation and everyday transportation. Greenways are non-automotive while parkways allow for automotive travel. Development shall front onto greenways and parkways. Greenways shall only be counted toward the open space requirement if they have an average width of 50 feet and a minimum width of 20ft. Parkways shall only be counted toward the open space requirement if they have an average width of 100 ft. and a minimum width of 50 ft. excluding automotive travel and parking lanes.
 - e. *Natural Preserves.* Passive recreation areas for the preservation wildlife or agricultural resources. Trails and small interpretative display shall allow for public access and understanding; temporary or permanent access restrictions may be necessary to protect sensitive resources.
7. ***Open Space Connectivity.*** Open Space features shall be connected, when feasible, with existing open space features outside of the –TND Overlay District as well as other newly created open space features within the District. Connections may be provided through greenways, paths, boulevards, etc.
8. ***Streetscapes.*** Streets provide one of the largest forms of un-built space within a –TND Overlay District, and while not open space, streets shall be appropriately appointed so as to provide an attractive environment for pedestrians and drivers. The –TND Overlay District Master Plan shall designate guidelines for the following:
- a. *Street Trees.* Location, species, caliper size, planting boxes, spacing, etc. In general, street trees shall be provided on all streets and shall form a canopy over the street and sidewalk; no understory tree species shall be used.

- b. *Other Planting Areas.* Location, species, etc.
- c. *Street Lighting.* Size, frequency, and type of luminaries. Guidelines shall ensure that street lighting is scaled and directed to both sidewalks as well as travel lanes.
- d. *Street Amenities.* Spaces, such as corners, bulb-outs, etc. and furniture, such as benches, refuse receptacles, newspaper boxes, etc.
- e. Streets shall not be used to satisfy the open space requirement.

Sec. 125-83.P. Circulation

A –TND Overlay District shall provide a range of circulation options for residents and visitors and establish the circulation system as a key part of a District’s public realm. In order to promote a circulation system consistent with the District’s built form, the following regulations apply.

1. ***Arterial Roads.*** A –TND Overlay District shall not be bisected by a Major Arterial Road.
2. ***Gates and Entry Signage.*** All streets within a –TND Overlay District shall be dedicated to the City of League City. No gates, guard houses, or other obstructions shall be used to restrict public access to a –TND Overlay District. While temporary signage at the entries to a –TND Overlay District are permitted during the initial sale of properties, no signs, except as permitted below, shall permanently mark the entrance to a –TND Overlay District. Public art, special roadway features, or entry monuments may be used to visually define the entrance to a –TND Overlay District provided they are scaled and oriented to both pedestrians and automobile drivers; all text on monuments at a given entry shall cover an area of less than 4 square feet.
3. ***Street Connectivity.*** The circulation system within a –TND Overlay District shall be highly interconnected to ease non-automotive travel, efficiently distribute traffic throughout the district, and improve the efficiency of public services, such as emergency response, solid waste collection, and utilities. The traditional orthogonal street grid of early American cities exemplifies such a system, although streets within a –TND Overlay District need not be either straight or meet at right angles. Additionally:
 - a. A –TND Overlay District shall meet a minimum connectivity ratio of at least 1.5 street links:1 street node (refer to figure 125-83.O). A street node is the intersection of 3 or more street links (excepting cul-de-sacs), where street links are segments of street extending from such an intersection and terminating at the next node (excepting at arterials). Intersections with arterials and links extending out from such intersections beyond a –TND Overlay District shall not be counted. Stub streets shall only be counted as

segments if four or more parcels directly front upon the stub street. Cul-de-sacs shall be counted as links and their termini shall be counted as nodes. Rear service lanes and alleys shall neither be considered street links nor be used to constitute a node.

- b. The circulation system of a –TND Overlay District shall not only connect internally but also with surrounding development. Where abutting existing development, the street system shall be integrated with the existing street pattern at all possible current or future connection points. Where immediately abutting undeveloped land that has the potential to be developed, the District street system shall provide potential connection points, such as publicly dedicated lots or stub streets, so that future development can connect to the District at the same degree that streets within the District are connected. Connections to arterial roads adjacent to the development shall be provided so that no such connection is farther than 1,250 feet from another such connection.
 - c. Street alignments shall serve to create and terminate views, give prominence to important buildings and places, and control traffic speeds. Cul-de-sacs and other dead-end streets shall not be permitted unless required because of topography or natural resources as determined by the City; if permitted, such streets shall be no longer than 200 feet and shall allow, if feasible, the through travel of non-motorized modes.
4. **Block Length.** Blocks within a –TND Overlay District shall be scaled to the pedestrian and facilitate street connectivity. No block face shall be longer than 650 feet. A block face shall be measured as the length of the boundary between the public right-of-way and subdivided parcels from a point closest to the center of an intersection to the point closest to the center of the next closest intersection (refer to Figure 125-83.O). Rear alleys shall not be considered when calculating block lengths. A mid-block alley or pedestrian right-of-way is required on any block longer than 500 feet.
 5. **Rear Alleys.** Rear alleys shall be the preferred means for providing vehicular access to properties within a –TND Overlay District; the Master Plan for the District shall include all alleys within its circulation diagram.
 6. **Street Standards.** Street standards and designs within a –TND Overlay District shall reflect slower design speeds, on-street parking, and the presence of pedestrians and bicyclists. The City Engineer may approve context-sensitive street widths, lane widths, and turning radii that are smaller than otherwise permitted within the City. Context-sensitive street designs shall be consistent with current professional understanding of traffic engineering best practices for neo-traditional urban development; for example, refer to the Institute of Transportation Engineers “Traditional Neighborhood Street Design” (1999), or the City of Austin, TX, “Traditional Neighborhood District Criteria Manual” (1997). Approved street designs

shall permit adequate police, fire, and other emergency response; emergency access on narrow streets and turning radii may be provided limiting on-street parking at intersections or appropriate other means. Reduced street widths shall serve to discourage non-local through-traffic while reducing applicant costs and water quality issues associated with higher street connectivity.

7. **Sidewalks.** Sidewalks shall be required on both sides of all streets within a –TND Overlay District, except on parkways. Sidewalks shall be at least 6 feet wide and shall include a planting strip in the –NR Neighborhood Residential sub-district or a planting zone within the –NC Neighborhood Center sub-district of at least 3 feet between the sidewalk and street curb to accommodate required street trees. Street furniture are permitted within the planting strip or zone.
8. **Public Right-of-Ways.** The minimum public right-of-way for a given street shall be the sum of the widths of vehicular travel lanes, parking lanes, sidewalks, planting strips and any utilities necessary to adequately serve a particular street and the surrounding development; the minimum right-of-way requirements of the Subdivision Ordinance shall not apply.
9. **Traffic Calming.** Traffic calming measures, such as bulb-outs, neck-downs, chicanes, deflectors, traffic humps, raised crosswalks, special paving, medians, roundabouts and traffic circles shall be encouraged as appropriate within a –TND Overlay District provided they are approved by the City Engineer. Traffic calming measures shall be used to reduce non-local through-traffic on the interconnected street system.
10. **Bicycle Travel.** A circulation system for bicycle travel shall be provided throughout the –TND Overlay District; the system may include dedicated or shared bicycle paths, on-street bicycle lanes, or bicycle routes marked through signage or pavement markings. Within the –NC Neighborhood Center sub-district, adequate on-street bicycle parking shall be provided.
11. **On-Street Parking.** On-street parking shall be provided on all streets within a –TND Overlay District. Within the –NC Neighborhood Center sub-district, on-street parking shall be provided on both sides of a street and individual stalls shall be marked. Within the –NR Neighborhood Residential sub-district, on-street parking shall be provided on at least one side of a street. Street tree boxes, bulb-outs, and other traffic calming encroachments are permitted within the parking lane.
12. **Parking Plan.** The Master Plan for the District shall identify how required parking shall be provided within the –NC Neighborhood Center sub-district through an included Parking Plan. Parking lots shall be encouraged to be shared by adjacent properties or throughout the entire –NC Neighborhood Center sub-district. Shared off-site lots or parking structures, which may be privately or publicly owned, shall be located behind buildings, on side-streets or alleys, or in the middle of a block. Shared off-site lots shall not be adjacent to the central open space feature. On-street parking spaces directly and entirely in front of a property may be counted toward satisfying its off-street parking requirement. Individual parking lots for individual businesses

shall be discouraged. The City Engineer may reduce minimum parking requirements established elsewhere in this ordinance based upon the efficiencies gained through shared parking arrangements and higher rates of non-automotive travel within a –TND Overlay District. In no case shall there be more than 120 percent of the required parking spaces within a –TND Overlay District.

13. **Truck Routes.** Truck routes be designated and marked to minimize truck travel through the –NR Neighborhood Residential sub-district.

Sec. 125-83.Q. Procedures for -TND Overlay District Application

In addition to the procedures for an application for a zoning map amendment under Section 125-49, an application for rezoning to a -TND Overlay District shall be processed in the following manner.

1. **Pre-Application Conference.** Prior to submitting an application for a Traditional Neighborhood Development, the prospective applicant shall request a review by the City Planner or designee and representatives from other City departments, as appropriate, to discuss the prospective development with respect to compatibility with existing and anticipated land uses in the vicinity and the City’s adopted planning rationale. The pre-application conference is intended to guide the prospective applicant in the preparation of a Concept Plan to be submitted for Planning and Zoning Commission consideration and City Council approval. There is no fee associated with a request for a pre-application conference; however, additional requests for a pre-application conference for the same site within a period of 1-year from the date of the initial conference may incur a fee associated with any City costs to do so.
2. **Submission and Approval of Concept Plan.** The applicant shall submit a Concept Plan (bubble plan) as part of the application for rezoning to a –TND Overlay District, the required contents of which are noted in Section 125-83.P below. The City Planner or designee shall prepare a written report on the Concept Plan that will summarize the anticipated impacts of the proposed development on planning goals, utilities, emergency services, vehicular traffic, taxes, and properties within a 200-foot distance of the site for which the development is proposed. The Concept Plan and report by the City Planner or designee shall be submitted for consideration by the Planning and Zoning Commission and recommendation to City Council. Upon approval of the Concept Plan by City Council, the applicant may proceed with the preparation of a Master Plan, the required contents of which are noted in Section 125-83.R. below, and proceed to subsequent steps for approval with reasonable assurance that if the agreed upon concept is carried forth, then preliminary and final plat approvals will be granted by the City.
3. **Approval of Master Plan.** After City Council has approved the -TND Overlay District, then the applicant shall submit a Master Plan for consideration and approval by the Planning and Zoning Commission. The applicant may proceed with platting after approval of the Master Plan. The Master Plan must not have more than a 15

percent change in the land use or a significant change in geographic location from the previously approved Concept Plan for the –TND Overlay District. Changes that alter the uses permitted by more than 15 percent and/or have a significant change in geographic location shall require submittal of a revised Concept Plan to be considered and approved by the Commission and City Council via a public hearing and notified in the same manner as a text or map amendment. When determining whether or not a "TND" development has exceeded 15 percent and should be considered by City Council, each of the following shall be considered:

- a. *The total acreage change in the "TND" development based on the original Concept Plan document.* The Concept Plan establishes the land use acreages, and represents the baseline in determining the percentage of change. (Example: In a 100-acre "TND", an increase of 10 acres of residential and a decrease of 10 acres of commercial is still a total change of 10 acres and the percentage of change of the total acreage is 10 percent.)
 - b. *Percentage of change (increased or decreased) within each land use category based on the original Concept Plan document.* For residential uses, the density units per acre shall also be calculated. (Example: In a 100-acre "TND", a decrease from 15 to 10 acres in the residential land use category represents a 5 percent change in acreage. However, an increase in density units per acre (dua) from 100 dua to 150 dua represents a 50 percent density increase.)
 - c. *Intangibles* such as re-locating a thoroughfare shown on the Transportation Plan, changing the general concept or changing the location of uses that may not necessarily have anything to do with the acreage of land uses per se, but may be just as important in evaluating whether or not a "TND" should be reconsidered by the Commission and City Council.
4. ***Lapse of Approval and Renewal of Master Plan.*** A Master Plan shall be effective on the date the ordinance creating the -TND Overlay District is approved and shall expire after 2 years unless a building permit has been issued and a vested right established. An approved Master Plan may specify a development staging program exceeding 2 years. The Planning and Zoning Commission may recommend, and the City Council may renew, a Mater Plan for a period of up to 2 years if it finds the renewal consistent with the purposes of this Section. Application for renewal shall be made in writing to the City Planner or designee not less than 30 days or more than 120 days prior to expiration.
 5. ***Revisions to Master Plan.*** Changes to the Master Plan that do not alter the basic relationship of the proposed development to adjacent property; do not alter the uses permitted or increase the density, building height or coverage of the site; do not decrease the off-street parking ratio or reduce the yards provided at the boundary of

the site; and do not significantly alter the landscape plans or signage as indicated on the approved development may be recommended by the City Planner or designee and approved by the Planning and Zoning Commission. The Master Plan must not have more than a 15 percent change in the land use or a significant change in geographic location from the previously approved Concept Plan for the –TND Overlay District. Changes that alter the uses permitted by more than 15 percent and/or have a significant change in geographic location shall require submittal of a revised Concept Plan to be considered and approved by the Commission and City Council via a public hearing and notified in the same manner as a text or map amendment. When determining whether or not a "TND" development has exceeded 15 percent and should be considered by City Council, each of the following shall be considered:

- a. *The total acreage change in the "TND" development based on the original Concept Plan document.* The Concept Plan establishes the land use acreages, and represents the baseline in determining the percentage of change. (Example: In a 100-acre "TND", an increase of 10 acres of residential and a decrease of 10 acres of commercial is still a total change of 10 acres and the percentage of change of the total acreage is 10 percent.)
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- c. *Intangibles* such as re-locating a thoroughfare shown on the Transportation Plan, changing the general concept or changing the location of uses that may not necessarily have anything to do with the acreage of land uses per se, but may be just as important in evaluating whether or not a "TND" should be reconsidered by the Commission and City Council.

Sec. 125-83.R. Required Plans and Materials

An application for rezoning to a -TND Overlay District requires the approval of a Concept Plan by City Council and approval of a Master Plan by the Planning and Zoning Commission. This section outlines the information required for each plan.

1. **Concept Plan.** The Concept Plan shall include the following information:
 - a. A site inventory analysis showing existing vegetation, natural watercourses or standing water, flood prone areas, and any other known hazard areas. This analysis shall include graphic and textural materials indicating how the

proposed development will affect such natural features and identify what, if any, trees intended for removal.

- b. An accurate survey of the subject property showing the existing topographical contour intervals of not more than five feet, and a plan showing the proposed topography at minimum five-foot contour intervals and significant change in drainage.
- c. A summary of the proposed development program, including: detailed tabulation showing the proposed acreage of each land use; the approximate size and number of residential units; the approximate square footage of non-residential buildings; description of the open space program, including the location and function of developed and/or improved open space, its relationship to any natural or historic values on the site, and its status as either public or private open space.
- d. The location of –TND Overlay District sub-districts, land uses, and building types. Analysis showing compliance with sub-district, land use, and building minimum provision requirements.
- e. A scale drawing showing the proposed street and circulation system design, including a layout diagram, street changes (including the location and width of all curb cuts), width of travel lanes, landscaping, and pedestrian amenities; building sites or lots; areas reserved for use as parks, playgrounds, utility easements, and school sites; lands to be dedicated to the City; general location and description of existing and proposed utility services (including size of water and wastewater mains); and the existing zoning classification of all abutting properties.
- f. A determination that adequate public facilities exist to service the proposed development (road, sewerage, water, fire suppression, and storm drainage) as defined by the City’s Adequate Public Facilities Ordinance.
- g. An estimate of the projected population within the -TND Overlay District to assist the City and the applicable School District(s) in determining future needs.
- h. A summary of requested variance(s) from any provision in the League City Code of Ordinances.
- i. A development schedule indicating the rate of anticipated development to completion from the date on which construction begins. As part of the -TND Plan, the development schedule shall be adhered to by the owner, applicant, and any successor in interest.
- j. Perspective illustrations, either hand drawn or computer generated, indicating the general form and character of development, including representative examples of residential and non-residential buildings.

2. **Master Plan.** In addition to presenting in final form the various elements required in the Concept Plan above, the Master Plan shall include the following information:
 - a. A description of proposed governance institute or institutions, such as homeowners associations, and initial governance documents, if applicable.
 - b. A plot plan showing adherence to the Buffer Yards requirements (refer to Section 125-190.C.)
 - c. A depiction of existing surface drainage patterns and proposed retention and detention areas is required.

Sec. 125-83.S. Review of Plans

All development is subject to development review in accordance with the City's applications and procedures, pursuant to Article II, Division 2: Applications and Procedures, and shall be in accordance with the adopted Master Plan for the area.

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Sec. 125-84 –MAC Major Activity Center Overlay District

Sections:

- 125-84.A. Purposes
- 125-84.B. Zoning Map Designator
- 125-84.C. Applicability
- 125-84.D. Land Use Regulations
- 125-84.E. Land Use Distribution
- 125-84.F. Development Regulations
- 125-84.G. Procedures for -MAC Overlay District Application
- 125-84.H. Required Plans and Materials
- 125-84.I. Review of Plans

This chapter establishes regulations for a new –MAC Major Activity Center Overlay District and the three sub-districts that comprise it: -MFR Mixed Format Retail; -LFR Large Format Retail; and -OI Office/Institutional. This overlay is intended to be applied in new areas of the City and provide the flexibility of the –PUD Overlay and the certainty of a base zoning district.

Sec. 125-84.A. Purposes

The specific purposes of the *–MAC Major Activity Center Overlay District* are to:

- Encourage the development of major activity centers in new areas of the City as prescribed in the Comprehensive Plan that provide opportunities for shopping, employment, and entertainment for residents of both the City and region;
- Ensure that major activity centers are convenient and beneficial to City residents and are designed to accommodate both auto- and pedestrian-orientation in their location, access, layout, scale, and design;
- Provide for a range of commercial, public and semi-public, and residential uses and activities that encourage interest, vitality, and social interaction in the area and create a sense of place; and
- Provide for circulation systems and streetscapes that are safe, efficient, and pleasant for pedestrians, bicyclists, transit riders, and automobile drivers.

Three sub-districts are established under the -MAC Overlay District. The additional purposes of each sub-district are:

- ***Mixed Format Retail (MFR)***. This sub-district provides opportunities for an active mix of retail-oriented uses in a “Main Street” format that balances vehicular and pedestrian

access. Development in the sub-district will result in a pedestrian-friendly environment in terms of building orientation and scale, pedestrian circulation, and outdoor amenity. A range of building sizes are encouraged in this sub-district with floorplates generally ranging between 1,500 and 25,000 square feet so as to accommodate a variety of retail uses, such as deli/coffee, gifts, books/news, music/video, restaurant, clothing/linens, housewares/furniture, electronics, and hardware. Offices and related business services may also be accommodated on upper floors and will generally take the form of small-scale professional practices, such as medical and legal offices, although larger-scale office developments are possible provided they contain pedestrian-oriented retail uses on the ground floor. Residential uses on upper floors may also be permitted.

Buildings in this sub-district must establish a well-defined street wall through the consistent placement of retail storefronts and will be at least 2 stories tall. Careful articulation of the buildings and storefronts should be used in conjunction with wide sidewalks to create interesting, pedestrian-scaled outdoor spaces that provide opportunities for seating areas, water features, sculpture, as well as protection from the elements. Such outdoor spaces may be provided where there is a small break in the storefronts. Such breaks in the storefront should be used as paseos or mid-block connections via paths, ramps or stairs to rear parking areas. With the exception of on-street parking, parking must be located behind the buildings. Landscaping, lighting, and signage should be subdued and present a unified appearance and theme. It is important that development in this sub-district provide connections to neighboring sub-districts to allow easy pedestrian movement within the –MAC Overlay District.

- **Large Format Retail (LFR).** This sub-district is intended to accommodate retail land uses requiring larger floorplates – generally in excess of 25,000 square feet and up to 150,000 square feet. Accessory uses are also permitted, including garden centers, tire centers, deli/coffee, and ATM. This sub-district encourages the creation of a unique and integrated form of large format retail development by requiring buildings to establish a consistent street wall that includes pedestrian amenities and provides opportunities for shoppers to walk from store to store along the sidewalk. Building facades must meet requirements for transparency and articulation and should create opportunities for outdoor spaces for seating and other amenities. Mid-block connections to parking areas are encouraged.

Development in this sub-district is intended to complement development in neighboring sub-districts and will incorporate many design elements from the smaller-scaled –**MFR Mixed Format Retail** sub-district as a means of establishing an attractive and comfortable public realm—with respect to building orientation and scale, access, and outdoor amenity—and reducing the dominance of the auto on the built form. Landscaping, lighting, and signage should present a unified appearance and theme and help create a sense of place. Buildings will typically be 1 or 2 stories in height, although 3-story buildings are permitted. It is important that development in this sub-district provide connections to neighboring sub-districts to allow easy pedestrian movement within the –MAC Overlay District.

- **Office/Institutional (OI).** This sub-district provides for the development of single-use, large floorplate office and institutional buildings. It differs in scale and concentration from the office use allowable in the **-MFR Mixed Format Retail** sub-district, where office must be located above ground-floor retail and is one of many uses within a single building. This sub-district encourages both traditional office uses and complementary office-related uses, such as research and development, business services, and educational uses. A range of accessory uses are also permitted, such as a dry cleaner, snack bar, or daycare. Development in this sub-district will be of high-quality design that contributes to community character while enhancing employment opportunities for residents of the City.

As in the **-LFR Large Format Retail** sub-district, development in the **-OI Office/Institutional** sub-district will complement the pedestrian orientation of neighboring development. Building frontages will be oriented toward internal streets to encourage pedestrian activity. Building walls on these streets must meet requirements for transparency and building articulation should create opportunities for outdoor spaces for seating and other amenities. Landscaping, lighting, and signage should present a unified appearance and theme and help create a sense of place. Structured parking is encouraged where possible to serve a multi-building complex.

Sec. 125-84.B. Zoning Map Designator

A **-MAC Overlay District** will be combined with the base zoning district(s) applied to the area and will be shown on the Zoning Map by a **-MAC designator** applied to the base district(s) designation.

Sec. 125-84.C. Applicability

A **-MAC Major Activity Center Overlay District** may be applied as an alternative to the **-PUD Planned Unit Development Overlay District** in any undeveloped area that is greater than 40 acres in size. In the case of a conflict between the provisions of an underlying base zoning district and the **-MAC Overlay District**, the provisions of the **-MAC Overlay District** shall govern.

Sec. 125-84.D. Land Use Regulations

Schedule 125-84.D below prescribes the land use regulations for the **-MAC Major Activity Center Overlay District** by sub-district. The regulations for each sub-district are established by letter designations as follows:

“P” designates permitted use classifications.

“L” designates use classifications that are permitted, subject to certain limitations prescribed by the additional use regulations in Article IV, Division 1: Standards for Specific Uses. Number designations refer to the specific limitations listed at the end of Schedule 125-84.D.

“S” designates use classifications permitted after review and approval of a Special Use Permit by the City Council. These uses are also subject to certain limitations in Article IV, Division 1: Standards for Specific Uses.

Use classifications are defined in Article V, Division I: Use Classifications. In cases where a specific land use or activity is not defined, the City Planner or designee shall assign the land use or activity to a classification that is substantially similar in character. Use classifications not listed in the Schedule below are prohibited.

Schedule 125-84.D: Use Regulations – Major Activity Center Overlay District

<i>Use Classifications</i>	<i>MFR</i>	<i>LFR</i>	<i>OI</i>	<i>Additional Regulations</i>
<i>Residential</i>				
Residential Dwellings				Refer to Section 125-90.B
<i>Multi-Family Residential</i>	P	—	P	
Group Residential Facilities				Refer to Section 125-90.J
<i>Assisted Living Facility</i>	P	—	P	
<i>Continuing Care Facility</i>	P	—	P	
<i>Disabled Group Dwelling</i>	P	—	P	
<i>Nursing Home</i>	P	—	P	
<i>Public and Semi-Public</i>				
Clubs or Lodges	—	—	P	
Colleges, Public or Private	—	—	P	
Cultural Institutions	P	P	P	
Day Care	P	P	P	
Educational Research and Development	—	—	P	
Government Offices and Facilities				
<i>Small-Scale</i>	P	P	P	
Parks and Recreation	P	P	P	
Public Safety Facilities	P	P	P	
Religious Assembly	—	—	S	
Schools, Public or Private	—	—	S	
<i>Commercial</i>				
Alcoholic Beverage Sales	S	P	—	
Animal Sales and Services	P	P	—	
Automobile/Vehicle/Equipment Sales and Services				
<i>Automobile/Vehicle/Equipment Sales and Rental</i>	—	S	—	
<i>Automobile Rentals</i>	L1, L2	L1,L2	L1,L2	
<i>Car Wash</i>	—	P	L1	

Schedule 125-84.D: Use Regulations – Major Activity Center Overlay District

<i>Use Classifications</i>	<i>MFR</i>	<i>LFR</i>	<i>OI</i>	<i>Additional Regulations</i>
<i>Gas and Service Stations</i>	—	P	—	
<i>Light Vehicle Service</i>	—	P	—	
Banks and Other Financial Institutions	L3	P	P	Refer to Section 125-90.A
Bed and Breakfast Establishment	P	—	—	
Business Services	P	P	P	
Catering Business	P	P	—	
Convention Center	P	—	P	
Eating and Drinking Establishments				
<i>Full Service</i>	P	P	L1	
<i>Limited Service</i>	P	P	L1	
<i>With Drive-Through Facilities</i>	L3	P	—	
<i>With Live Entertainment</i>	P	P	—	
<i>With Outdoor Seating</i>	L4	L4	L1	
Food and Beverage Sales	P	P	L1	
Home Improvement Sales and Services	P	P	—	Refer to Section 125-90.C
Hotels and Commercial Lodging	S	P	S	
Laboratory, Commercial	—	—	P	
Nurseries and Garden Supply Stores	P	P	—	Refer to Section 125-90.C
Offices	L5	—	P	
Parking Facilities	S	P	P	
Personal Instructional Services	L5	P	—	
Personal Services	P	P	L1	
Recreation and Entertainment				
<i>Large-Scale</i>	L6	L6	L7	Refer to Section 125-90.E
<i>Small-Scale</i>	P	P	—	
Retail Sales	P	P	L1	
Temporary Sales and Uses	L8	L8	L8	
<i>Transportation, Communications, and Utilities</i>				
Communications Facilities	P	P	P	
Transportation Facilities				
<i>Marinas, Docks</i>	P	P	—	
<i>Marinas, Private</i>	P	P	—	
<i>Marinas, Public</i>	P	P	—	
<i>Transportation Passenger Terminals</i>	S	P	P	
Utility, Minor	P	P	P	

Schedule 125-84.D: Use Regulations – Major Activity Center Overlay District

<i>Use Classifications</i>	<i>MFR</i>	<i>LFR</i>	<i>OI</i>	<i>Additional Regulations</i>
<i>Agriculture and Extractive</i>				
Excavation and Mining	S	S	S	Refer to Chapter 98
<i>Pipelines, Oil and Gas Wells</i>				
Gas Well Drilling	S	S	S	Refer to Section 125-90.G
Oil Well Drilling	S	S	S	Refer to Section 125-90.G
Pipelines	S	S	S	Refer to Section 125-90.H
Pump Stations	S	S	S	Refer to Section 125-90.I
<i>Specific Use Limitations</i>				
L1 Permitted only as an accessory use within the district.	L2 No outdoor storage or washing of vehicles.			
L3 Drive-through facilities not permitted.	L4 Hours of operation may be limited.			
L5 Permissible if not a ground floor use.	L6 Fitness and recreation sports centers and entertainment complexes and theaters permitted only.			
L7 Fitness and recreation sports centers permitted only.	L8 Permissible if in accordance with Section 125-130 of this Chapter.			
<i>Accessory Uses and Structures</i>			See Article IV, Division 2	
<i>Temporary Uses</i>			See Article IV, Division 3	
<i>Nonconforming Uses and Structures</i>			See Article IV, Division 7	

Sec. 125-84.E. Land Use Distribution

Development within a -MAC Overlay District shall be distributed across each of three sub-districts that comprise the District, including –MFR Mixed Format Retail, –LFR Large Format Retail, and –OI Office/Institutional. Schedule 125-84.E specifies the minimum land area as a proportion of the total -MAC Overlay District area to be allocated to each sub-district. These requirements are expressed as minimums to provide flexibility for the applicant while ensuring the diversity of land uses necessary to support a viable major activity center. If development within a -MAC Overlay District is completed in phases, each phase must meet the proportional distribution requirements presented in Schedule 125-84.E.

Schedule 125-84.E: Sub-district Distribution – Major Activity Center Overlay District

	<i>MFR</i>	<i>LFR</i>	<i>OI</i>	<i>Additional Regulations</i>
Sub-district Distribution (Percent of total MAC District area)	25	--	15	(1)

1. **Sub-district Distribution.** The –MFR Mixed Format Retail sub-district shall be a single contiguous sub-district located within the –MAC Overlay District in order to maximize opportunities for the area to become a vital focal point of the District. The –LFR Large Format Retail and –OI Office/Institutional sub-districts shall generally surround the –MFR Mixed Format Retail sub-district and provide connections for easy pedestrian movement between sub-districts.

Sec. 125-84.F. Development Regulations

Schedule 125-84.F below prescribes the development regulations for the –**MAC Major Activity Center Overlay District**, including building scale, building form and location, pedestrian orientation, vehicle accommodation, and open space and landscaping. The number designations in the right-hand column refer to the additional regulations listed at the end of Schedule 125-84.F. Refer also to Article IV: Regulations Applicable in All or Several Districts.

Schedule 125-84.F: Development Regulations – Major Activity Center Overlay District

<i>Development Standards</i>	<i>MFR</i>	<i>LFR</i>	<i>OI</i>	<i>Additional Regulations</i>
<i>Building Scale – Intensity of Use</i>				
Minimum Lot Area (sq. ft.)	5,000	25,000	25,000	
Minimum Lot Dimensions (ft.)				
<i>Width</i>	25	100	100	
<i>Frontage</i>	25	100	100	
<i>Building Form and Location</i>				
Maximum Height (ft.)	45	45	60	
Minimum Yards (ft.)				
<i>Front</i>	--	--	--	
<i>Side (Nonresidential/Residential)</i>	--/15	--/30	10/20	
<i>Street Side (Corner Lot)</i>	--	--	10	
<i>Rear (Nonresidential/Residential)</i>	10/20	20/40	10/20	
Maximum Lot Coverage (Percent)	90	85	80	(1)
Minimum Build-to Lines (Percent)	--	--	20	
Limitations on Blank Walls	Yes	Yes	Yes	(2)
Minimum Storefront Continuity (Percent)	25	25	--	(3)
Building Transparency (Percent)	25	25	25	(4)
<i>Pedestrian Orientation and Vehicle Accommodation</i>				
<i>Choose Option A or B:</i>				
<u>Option A</u>				
Minimum Build-to Lines (Percent)	75	50	50	(5)
Location of Parking and Loading	Yes	Yes	Yes	(6)

Schedule 125-84.F: Development Regulations – Major Activity Center Overlay District

<i>Development Standards</i>	<i>MFR</i>	<i>LFR</i>	<i>OI</i>	<i>Additional Regulations</i>
Option B				
Landscape Setback (ft.)	10	10	10	(7)
Open Space and Landscaping				
Minimum Landscaped Area (Percent)	10	15	15	
Other Standards				
Accessory Uses and Structures			See Article IV, Division 2	
Off-Street Parking and Loading			See Article IV, Division 5	
Landscaping and Buffer Yards			See Article IV, Division 6	

1. **Maximum Lot Coverage.** Includes buildings, parking areas, and driveways and maneuvering areas, but excludes common open space amenities and landscaped areas.
2. **Blank Walls.** No blank walls greater than 15 feet in length, excluding garage doors, shall be permitted on the primary street frontage. Building surfaces shall include an offset, recess, or projection providing shadows or visual interest for at least 25 percent of the frontage.
3. **Storefront Continuity.** Ground floor of retail buildings shall have a storefront appearance along the primary street frontage. This requirement may be reduced to 50 percent to accommodate non-retail frontage occupied by entertainment or outdoor eating areas.
4. **Building Transparency.** Ground floor of buildings shall have views into occupied space provided by windows, displays, or doors along the primary street frontage. This requirement may be reduced to 50 percent to accommodate non-retail frontage occupied by entertainment or outdoor eating areas.
5. **Minimum Build-to Lines.** Ground floor of buildings shall be built to the sidewalk along the primary street frontage.
6. **Location of Parking and Loading.** Parking shall be located behind or at the side of buildings, except for passenger drop-off areas which may be located at the building entry. Loading areas shall be screened so as not to be visible from public streets. Where the building abuts a residential district, the preferred location of loading facilities shall be the side away from the residential district boundary.
7. **Landscape Setback.** A minimum 10-foot-wide landscaped area shall be located between all portions of the parking lot and the street and shall contain the following:

- a. One shade tree for every 30 feet of linear street frontage, excluding driveways. Trees may be planted in clusters or spaced linearly rather than being on 30-foot centers. The minimum size of the tree should be 1 ½ - inch caliper (15 gallons) upon installation.
- b. A continuous hedge consisting of shrubs that are not less than 3 feet or more than 4 feet in height and planted in 3- or 5-gallon container stocks upon installation. The landscape hedge shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle.
- c. In lieu of a landscape hedge, a berm measuring not less than 3 feet or more than 4 feet in height from finish grade of the parking lot may be utilized. The berm shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle. The maximum slope shall not exceed 4:1.

Sec. 125-84.G. Procedures for -MAC Overlay District Application

In addition to the procedures for an application for a zoning map amendment under Section 125-49, an application for rezoning to a -MAC Overlay District shall be processed in the following manner.

1. ***Pre-Application Conference.*** Prior to submitting an application for a Major Activity Center Development, the prospective applicant shall request a review by the City Planner or designee and representatives from other City departments, as appropriate, to discuss the prospective development with respect to compatibility with existing and anticipated land uses in the vicinity and the City's adopted planning rationale. The pre-application conference is intended to guide the prospective applicant in the preparation of a Concept Plan to be submitted for Planning and Zoning Commission consideration and City Council approval. There is no fee associated with a request for a pre-application conference; however, additional requests for a pre-application conference for the same site within a period of 1-year from the date of the initial conference may incur a fee associated with any City costs to do so.
2. ***Submission and Approval of Concept Plan.*** The applicant shall submit a Concept Plan (bubble plan) as part of the application for rezoning to a -MAC Overlay District, the required contents of which are noted in Section 125-84.H below. The City Planner or designee shall prepare a written report on the Concept Plan that will summarize the anticipated impacts of the proposed development on planning goals, utilities, emergency services, vehicular traffic, taxes, and properties within a 200-foot distance of the site for which the development is proposed. The Concept Plan and report by the City Planner or designee shall be submitted for consideration by the Planning and Zoning Commission and recommendation to City Council. Upon approval of the Concept Plan by City Council, the applicant may proceed with the preparation of a Master Plan, the required contents of which are noted in Section 125.84.H below, and proceed to subsequent steps for approval with reasonable

assurance that if the agreed upon concept is carried forth, then preliminary and final plat approvals will be granted by the City.

3. ***Approval of Master Plan.*** After City Council has approved the -MAC Overlay District, then the applicant shall submit a Master Plan for consideration and approval by the Planning and Zoning Commission. The applicant may proceed with platting after approval of the Master Plan. The Master Plan must not have more than a 15 percent change in the land use or a significant change in geographic location from the previously approved Concept Plan for the -MAC Overlay District. Changes that alter the uses permitted by more than 15 percent and/or have a significant change in geographic location shall require submittal of a revised Concept Plan to be considered and approved by the Commission and City Council via a public hearing and notified in the same manner as a text or map amendment. When determining whether or not a -MAC development has exceeded 15 percent and should be considered by City Council, each of the following shall be considered:
 - a. *The total acreage change in the -MAC development based on the original Concept Plan document.* The Concept Plan establishes the land use acreages, and represents the baseline in determining the percentage of change. (Example: In a 100-acre "TND", an increase of 10 acres of residential and a decrease of 10 acres of commercial is still a total change of 10 acres and the percentage of change of the total acreage is 10 percent.)
 - b. *Percentage of change (increased or decreased) within each land use category based on the original Concept Plan document.* For residential uses, the density units per acre shall also be calculated. (Example: In a 100-acre -MAC, a decrease from 15 to 10 acres in the residential land use category represents a 5 percent change in acreage. However, an increase in density units per acre (dua) from 100 dua to 150 dua represents a 50 percent density increase.)
 - c. *Intangibles* such as re-locating a thoroughfare shown on the Transportation Plan, changing the general concept or changing the location of uses that may not necessarily have anything to do with the acreage of land uses per se, but may be just as important in evaluating whether or not a -MAC should be reconsidered by the Commission and City Council.
4. ***Lapse of Approval and Renewal of Master Plan.*** A Master Plan shall be effective on the date the ordinance creating the -MAC Overlay District is approved and shall expire after 2 years unless a building permit has been issued and a vested right established. An approved Master Plan may specify a development staging program exceeding 2 years. The Planning and Zoning Commission may recommend, and the City Council may renew, a Mater Plan for a period of up to 2 years if it finds the renewal consistent with the purposes of this Section. Application for renewal shall be

made in writing to the City Planner or designee not less than 30 days or more than 120 days prior to expiration.

5. **Revisions to Master Plan.** Changes to the Master Plan that do not alter the basic relationship of the proposed development to adjacent property; do not alter the uses permitted or increase the density, building height or coverage of the site; do not decrease the off-street parking ratio or reduce the yards provided at the boundary of the site; and do not significantly alter the landscape plans or signage as indicated on the approved development may be authorized by the City Planner or designee. Changes that alter the uses permitted by more than 15 percent and/or have a significant change in geographic location shall require submittal of a revised Concept Plan to be considered and approved by the Commission and City Council via a public hearing and notified in the same manner as a text or map amendment. When determining whether or not a -MAC development has exceeded 15 percent and should be considered by City Council, each of the following shall be considered:
 - a. *The total acreage change in the -MAC development based on the original Concept Plan document.* The Concept Plan establishes the land use acreages, and represents the baseline in determining the percentage of change. (Example: In a 100-acre "TND", an increase of 10 acres of residential and a decrease of 10 acres of commercial is still a total change of 10 acres and the percentage of change of the total acreage is 10 percent.)
 - b. *Percentage of change (increased or decreased) within each land use category based on the original Concept Plan document.* For residential uses, the density units per acre shall also be calculated. (Example: In a 100-acre -MAC, a decrease from 15 to 10 acres in the residential land use category represents a 5 percent change in acreage. However, an increase in density units per acre (dua) from 100 dua to 150 dua represents a 50 percent density increase.)
 - c. *Intangibles* such as re-locating a thoroughfare shown on the Transportation Plan, changing the general concept or changing the location of uses that may not necessarily have anything to do with the acreage of land uses per se, but may be just as important in evaluating whether or not a -MAC should be reconsidered by the Commission and City Council.

Sec. 125-84.H. Required Plans and Materials

An application for rezoning to a -MAC Overlay District requires the approval of a Concept Plan by City Council and approval of a Master Plan by the Planning and Zoning Commission. This section outlines the information required for each plan.

1. **Concept Plan.** The Concept Plan shall include the following information:

- a. A site inventory analysis showing existing vegetation, natural watercourses or standing water, flood prone areas, and any other known hazard areas. This analysis shall include graphic and textural materials indicating how the proposed development will affect such natural features and identify what, if any, trees intended for removal.
- b. An accurate survey of the subject property showing the existing topographical contour intervals of not more than five feet, and a plan showing the proposed topography at minimum five-foot contour intervals and significant change in drainage.
- c. A summary of the proposed development program, including: detailed tabulation showing the proposed acreage of each land use; the approximate size and number of residential units; the approximate square footage of non-residential buildings; description of the open space program, including the location and function of developed and/or improved open space, its relationship to any natural or historic values on the site, and its status as either public or private open space.
- d. The location of -MAC Overlay District sub-districts and analysis showing compliance with sub-district minimum provision requirements.
- e. A scale drawing showing the proposed street and circulation system design, including a layout diagram, street changes (including the location and width of all curb cuts), width of travel lanes, landscaping, and pedestrian amenities; building sites or lots; areas reserved for use as parks, playgrounds, utility easements, and school sites; lands to be dedicated to the City; general location and description of existing and proposed utility services (including size of water and wastewater mains); and the existing zoning classification of all abutting properties.
- f. A determination that adequate public facilities exist to service the proposed development (road, sewerage, water, fire suppression, and storm drainage) as defined by the City's Adequate Public Facilities Ordinance.
- g. An estimate of the projected population within the -MAC Overlay District to assist the City and the applicable School District(s) in determining future needs.
- h. A summary of requested variance(s) from any provision in the League City Code of Ordinances.
- i. A development schedule indicating the rate of anticipated development to completion from the date on which construction begins. As part of the PUD Plan, the development schedule shall be adhered to by the owner, applicant, and any successor in interest.
- j. Perspective illustrations, either hand drawn or computer generated, indicating the general form and character of development, including representative examples of residential and non-residential buildings.

2. **Master Plan.** In addition to presenting the final form of the various elements required in the Concept Plan above, the Master Plan shall include the following information:
 - a. A description of proposed governance institute or institutions, such as homeowners associations, and initial governance documents, if applicable.
 - b. A plot plan showing adherence to the Buffer Yards requirements (refer to Section 125-190.C.)
 - c. A depiction of existing surface drainage patterns and proposed retention and detention areas is required.

Sec. 125-84.I. Review of Plans

All development is subject to development review in accordance with the City's applications and procedures, pursuant to Article II, Division 2: Applications and Procedures, and shall be in accordance with the adopted Master Plan for the area.

Sec. 125-85 –HCD Historic Conservation Overlay District

The Historic Conservation –HC Overlay District is confirmed and continued. Historic Conservation Over Districts may be created or added-to as provided in this section.

Criteria for including area in an –HC Overlay District (by creation or addition) are as follows:

- a. The included area must be a geographically definable area possessing significant concentration, linkage or continuity of buildings, structures, sites, areas or lands that are united by architectural, historical, or cultural importance or significance.
- b. The included are must meet three or more of the following criteria:
 1. It has character, interest or value as part of the development, heritage or cultural characteristics of the City, the state, or the United States.
 2. It includes one or more Texas Historic Landmark, National Historic Landmarks or places entered into the National Register of Historic Places.
 3. It includes distinguishing characteristics of an architectural type or specimen.
 4. It is identified with the work of an architect or master builder who influenced the development of the City.
 5. It includes elements of design, detail, materials or craftsmanship that represent a significant innovation.
 6. It has a close relationship to distinctive buildings, sites or areas that can be preserved under a plan based on architectural, historic, or cultural motif.
 7. It portrays the environment of a group of people in an area characterized by a distinctive architectural style.
 8. It exemplifies the cultural, economic, social, ethnic, or historical heritage of the City, state or nation.
 9. It includes the location of a significant historical event.
 10. It is identified with a person or persons who significantly contributed to the culture and development of the City, state or nation.
 11. It contributes significantly to community identity, spirit, or pride.

The Historic Commission shall consider an application for including area in an –HC Overlay District if it contains:

- c. a report to the commission containing the following information:
 - 1. a list of representative buildings and places within the included area and a description of the significance of each one;
 - 2. a map clearly showing the boundaries of the included area and the locations of the representative buildings and places (identified by a number or letter);
 - 3. a written description, with photographs, of each representative building and place, including color, condition, architectural style, date of construction (if known), builder and architect (if known), the chain of uses and ownership, materials, construction techniques, recognition by governmental agencies (for architecturally or historic significance), cultural importance or value (if made the basis of the application), any proposed restrictions upon use or construction, and anticipated effects on public facilities (including utilities, streets, and other public improvements, existing or proposed); and
- d. all applicable fees; and
- e. a petition signed by 100% of the number of owners of parcels of land lying wholly or partly within the included area (other than streets). For this purpose, parcels and owners are determined by the most current records of the central appraisal district at the time of filing. To be effective, the signature of an owner must be affixed in the same form and manner as would be required for a deed conveying the whole parcel (and more than one signature may be required).

Applications must be filed with the Historic Commission. The Commission may also consider creating or adding to an –HC Overlay District on its own motion or at the request of the Council. The Commission shall apply the criteria listed in this section and make a recommendation to the Planning & Zoning Commission, which shall handle the recommendation as a proposed amendment to this Ordinance (refer to Section 125-49). A recommendation from the Historic Commission to create or add-to an –HC Overlay District shall include a draft ordinance with:

- a. a description of the boundaries of the included area;
- b. findings that the area meets the criteria prescribed by this section; and
- c. a recommended preservation plan (or any changes to an existing plan).

A preservation plan must include:

- e. a classification of existing occupancies and structures and their effects upon the character, safety, economic and physical impact of the district;

- f. necessary amendments to existing regulations (e.g., regulations affecting occupancies, signs, parking, setbacks or yards, curbs, driveways, sidewalks, trees, etc.);
- g. architectural regulations to guide the issuance of certificates of appropriateness, including, as appropriate, regulations of materials, architectural character and style, appurtenances (e.g., gables, parapets, balconies, dormers), accessories and fixtures (e.g., lights, canopies, exterior details, signs, banners, flags and projections, fences), textures and ornamentation, paint colors, types of paint, and other characteristics that could affect the character of the district;
- h. provisions for health and safety regulations (affecting, e.g., accessibility, wiring, fire walls, fire sprinklers, flammability, fire escapes, entrances, exits, etc.); and
- i. provisions for buildings or places which lack historical, architectural, or cultural importance or value.

Creating or adding-to an –HC Overlay District requires an ordinance with:

- a. a description of the boundaries of the included area;
- b. findings that the area meets the criteria prescribed by this section; and
- c. a recommended preservation plan (or any changes to an existing plan).

Preservation Plan for the League City Townsite – HC Overlay District

Effect of this Plan. Compliance with this Preservation Plan and the other provisions of this Ordinance is required, whether a certificate of appropriateness is required or not. It shall be unlawful for any person to construct, alter, occupy, own, rent (as lessor or lessee) or use any structure, building or place in this District, unless the structure, building or place complies with this Preservation Plan and the other provisions of this Ordinance.

a. Existing occupancies and structures and their effects are classified as follows:

A mixture of residential and commercial uses within walking distance, cottage style retail and office; including plazas, parks and nature open spaces. A suburban village development with majestic oak trees and landscaping developed in a street grid pattern, walkable and bike friendly.

This classification shall be an integral part of the City's system for the survey and inventory of historic properties.

b. Amendments to existing regulations are as follows:

1. *Parking.* The Zoning Board of Adjustment may issue a special exception to relax parking regulations in this District, to the extent necessary to preserve or protect an historic building or place (or large tree). Relaxation may include the use of off-site spaces, leased spaces, tandem spaces, shared spaces, on-street spaces, etc.

2. *Sidewalks* are not required in this District, except adjacent to non-residential occupancies. The historic preservation officer may approve alternate sidewalk designs and materials (including flexible pavement and crushed stone) to the extent necessary to preserve or protect an historic building or place (or large tree).

3. *Curbs and gutters* are not required in this District, except along major arterials or thoroughfares.

4. *Platting decisions* affecting property in this District shall not be made until the proposed decision is referred to the Historic Commission for review and comment.

5. *Interpretations and variances.* All City officials, boards and commissions are authorized and encouraged to: (i) interpret and apply other ordinances, rules and regulations liberally to minimize conflicts with this Preservation Plan and to preserve and protect historic buildings and places, (ii) consider the need to preserve or protect an historic building or place as grounds for "hardship," whenever a hardship is required for an exception or variance, subject to applicable state law.

c. Architectural regulations to guide the issuance of certificates of appropriateness are the *League City Historic District Design & Materials Guidelines*, originally adopted by City Council by Resolution No. 2008-53, December 9, 2008, and hereby readopted and incorporated into this Ordinance by reference. Such regulations apply to other structures and places, even if no certificate of appropriateness is required.

d. Health and safety regulations shall apply within this District, but subject to the provisions of Section "b" of this Plan. Also, city officials, boards and commissions are authorized and encouraged to seek and approve creative and alternative means of compliance with health and safety regulations, to the extent necessary to preserve or protect historic buildings and places.

e. Buildings or places which lack historical, architectural, or cultural importance or value must comply with the provisions of this Preservation Plan. However, all city officials, boards and commissions are authorized and encouraged to: (i) interpret this Preservation Plan liberally in connection with buildings or places which lack historical, architectural or cultural importance or value, with the objective of achieving compatibility with properties nearby and to preserve and protect the integrity of the overall District, and (ii) consider the circumstances of such buildings or places in connection with any requested exception or variance from the provisions of this Preservation Plan.

Article III – Zoning Regulations

Division 1. Applicability

Sec. 125-60 Zoning Districts and Mapping..... III-1

 Sec. 125-60.A. Purposes..... III-1

 Sec. 125-60.B. Establishment of Base Zoning Districts III-1

 Sec. 125-60.C. Establishment of Overlay Zoning Districts III-2

 Sec. 125-60.D. Zoning District Map III-2

 Sec. 125-60.E. Interpretation of Zoning District Boundaries III-3

 Sec. 125-60.F. Zoning Upon Annexation III-4

Division 2. Base Zoning District Regulations

Sec. 125-70 Residential Single Family Districts III-5

 Sec. 125-70.A. Purposes..... III-5

 Sec. 125-70.B. Land Use Regulations..... III-6

 Sec. 125-70.C. Development Regulations III-8

 Sec. 125-70.D. Review of Plans..... III-9

Sec. 125-71 Residential Multi-Family Districts III-11

 Sec. 125-71.A. Purposes..... III-11

 Sec. 125-71.B. Land Use Regulations..... III-11

 Sec. 125-71.C. Development Regulations III-13

 Sec. 125-71.D. Review of Plans..... III-14

Sec. 125-72	Commercial and Mixed Use Districts	III-15
Sec. 125-72.A.	Purposes	III-15
Sec. 125-72.B.	Land Use Regulations	III-16
Sec. 125-72.C.	Development Regulations	III-20
Sec. 125-72.D.	Review of Plans	III-22
Sec. 125-73	Industrial Districts	III-23
Sec. 125-73.A.	Purposes	III-23
Sec. 125-73.B.	Land Use Regulations	III-23
Sec. 125-73.C.	Development Regulations	III-26
Sec. 125-73.D.	Review of Plans	III-28
Sec. 125-74	Public and Semi-Public District.....	III-29
Sec. 125-74.A.	Purposes	III-29
Sec. 125-74.B.	Land Use Regulations	III-29
Sec. 125-74.C.	Development Regulations	III-31
Sec. 125-74.D.	Review of Plans	III-34
Sec. 125-75	Open Space District	III-35
Sec. 125-75.A.	Purposes	III-35
Sec. 125-75.B.	Land Use Regulations	III-35
Sec. 125-75.C.	Development Regulations	III-37
Sec. 125-75.D.	Review of Plans	III-38

Division 3. Overlay Zoning District Regulations

Sec. 125-80 –PUD Planned Unit Development Overlay District..... III-39

Sec. 125-80.A. Purposes III-39

Sec. 125-80.B. Zoning Map Designator III-40

Sec. 125-80.C. Applicability III-40

Sec. 125-80.D. Land Use Regulations III-40

Sec. 125-80.E. Development Regulations III-41

Sec. 125-80.F. Initiation III-41

Sec. 125-80.G. Criteria for Consideration of -PUD Overlay District Application..... III-41

Sec. 125-80.H. Procedures for -PUD Overlay District Application III-42

Sec. 125-80.I. Required Plans and Materials III-44

Sec. 125-80.J. Review of Plans III-46

Sec. 125-81 –RNC Residential Neighborhood Conservation Overlay District III-47

Sec. 125-81.A. Purposes..... III-47

Sec. 125-81.B. Zoning Map Designator..... III-47

Sec. 125-81.C. Applicability III-48

Sec. 125-81.D. Land Use Regulations..... III-48

Sec. 125-81.E. Exceptions to Development Regulations..... III-50

Sec. 125-81.F. General Site Disposition..... III-51

Sec. 125-81.G. Parking and Accessory Structures III-52

Sec. 125-81.H. Site and Architectural Details..... III-54

Sec. 125-81.I. Township Subdivision and Historic District Architectural Styles III-57

Sec. 125-82 –CRC Commercial Revitalization Overlay District III-61

Sec. 125-82.A. Purposes..... III-61

Sec. 125-82.B.	Zoning Map Designator	III-61
Sec. 125-82.C.	Applicability	III-61
Sec. 125-82.D.	Land Use Regulations	III-62
Sec. 125-82.E.	Development Regulations	III-64
Sec. 125-82.F.	Review of Plans	III-66
Sec. 125-83 –TND Traditional Neighborhood Development Overlay District III-67		
Sec. 125-83.A.	Purposes	III-67
Sec. 125-83.B.	Zoning Map Designator	III-69
Sec. 125-83.C.	Applicability	III-69
Sec. 125-83.D.	Land Use Regulations	III-69
Sec. 125-83.E.	Land Use Distribution.....	III-72
Sec. 125-83.F.	Building Types	III-72
Sec. 125-83.G.	Building Type Distribution	III-73
Sec. 125-83.H.	Development Regulations – All Building Types	III-74
Sec. 125-83.I.	Development Regulations – Mixed Use Buildings.....	III-77
Sec. 125-83.J.	Development Regulations – Apartment Buildings	III-78
Sec. 125-83.K.	Development Regulations – Townhouse Buildings.....	III-78
Sec. 125-83.L.	Development Regulations – Duplex Buildings.....	III-79
Sec. 125-83.M.	Development Regulations – Single Family Buildings.....	III-79
Sec. 125-83.N.	Development Regulations – Public and Semi-Public Buildings....	III-79
Sec. 125-83.O.	Open Space and Landscaping	III-80
Sec. 125-83.P.	Circulation.....	III-82
Sec. 125-83.Q.	Procedures for -TND Overlay District Application.....	III-85
Sec. 125-83.R.	Required Plans and Materials	III-87

Sec. 125-83.S.	Review of Plans.....	III-89
Sec. 125-84	–MAC Mixed Use Activity Center Overlay District.....	III-91
Sec. 125-84.A.	Purposes.....	III-91
Sec. 125-84.B.	Zoning Map Designator.....	III-93
Sec. 125-84.C.	Applicability.....	III-93
Sec. 125-84.D.	Land Use Regulations.....	III-93
Sec. 125-84.E.	Land Use Distribution.....	III-96
Sec. 125-84.F.	Development Regulations.....	III-97
Sec. 125-84.G.	Procedures for -MAC Overlay District Application.....	III-99
Sec. 125-84.H.	Required Plans and Materials.....	III-101
Sec. 125-84.I.	Review of Plans.....	III-103
Sec. 125-85	–HCD Historic Conservation Overlay District.....	III-104
Appendix	Preservation Plan for the L.C. Townsite–HC Overlay District..	III-107

Article IV – Regulations Applying to All or Several Districts

Division 1. Standards for Specific Uses

Sec. 125-90 Standards for Specific Uses

Sections:

- 125-90.A. Drive-Through Facilities
- 125-90.B. Home Occupation
- 125-90.C. Outdoor Retail Sales and Merchandise Displays
- 125-90.D. Outdoor Storage
- 125-90.E. Recreational Vehicle (RV) Parks
- 125-90.F. Hotels and Commercial Lodging
- 125-90.G. Oil and Gas Well Drilling
- 125-90.H. Pipelines
- 125-90.I. Pump Stations
- 125-90.J. Group Residential Facilities

This section establishes regulations for the specific land uses in the City. The regulations for home occupations, RV parks, outdoor storage, and outdoor display are carried over from the existing ordinance. New provisions are provided for drive-through facilities.

Sec. 125-90.A. Drive-Through Facilities

Drive-through service facilities must be located, developed, and operated in compliance with the following standards.

1. **Buffer Yards.** A Type B buffer yard is required along R district boundaries. Within a district, a Type A buffer yard is required in the side, rear, and street yards. Buffer yards shall meet the standards of Section 125-190.C of this Article. Buffer yard planting may be located in a required setback area.
2. **Drive-Through Queue Area.** Each facility shall provide sufficient queue area at a minimum of 20 feet per vehicle in advance of the service to accommodate a minimum of 6 vehicles per establishment. The queue area may not interfere with other on-site circulation and parking facilities.
3. **Litter.** One permanent trash receptacle must be installed.
4. **Menu Boards.** Menu boards must be located at least 50 feet from any R district boundary. Noise levels measured at the property line of a drive-through service facility may not increase the existing ambient noise levels in the surrounding area.

5. **Pedestrian Walkways.** Pedestrian walkways must have clear visibility, and be emphasized by enhanced paving or markings when they intersect the drive through aisles.

Sec. 125-90.B Home Occupation

The City of League City desires to encourage home occupations that are compatible with residential neighborhoods. No permit shall be required for a home occupation. However, home occupations shall be operated only in accordance with the following provisions.

1. No person other than members of the family residing on the premises shall be engaged in a home occupation.
2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants.
3. The home occupation shall be conducted entirely within the dwelling unit or an accessory structure.
4. There shall be no change in the outside appearance of the dwelling or premises, or other visible evidence of the conduct of such home occupation.
5. No traffic shall be generated by such home occupation in greater volumes than would be expected in residential neighborhood, provided that deliveries to the premises shall not be prohibited.
6. No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, odors, or electrical interferences, outside the dwelling unit. In the case of electrical interferences, no equipment or process shall be used which creates visual or audible interference in any television or radio receivers off the premises, or cause fluctuations in line voltage off the premises.

Sec. 125-90.B. Outdoor Retail Sales and Merchandise Display

Outdoor retail sales and merchandise displays shall be located, developed, and operated in compliance with the following standards.

1. Outdoor retail sales and merchandise displays shall not obstruct ingress and egress to a building, obstruct fire lanes, interfere with vehicular circulation or sight distance, be located in landscaped areas, or extend into the right-of-way. Outdoor retail sales and merchandise display areas shall be adjacent to the structure containing the business selling the merchandise. Site Development Plans shall designate permitted areas for outdoor retail sales and merchandise display.
2. **Maximum Area.** Other than for automobile/vehicle/equipment sales and rental uses, the maximum area of outdoor retail sales shall be 5 percent of the gross floor area of the use.

3. **Height.** Display merchandise shall not exceed a height of 10 feet above finished grade. Construction equipment including fork lifts, boom trucks, cranes, bucket trucks and similar equipment shall be displayed in an unextended position.
4. **Temporary Use of Parking Area.** The temporary use of a parking area for sales and display may be permitted pursuant to Division 2 of this Article.

Sec. 125-90.C. Outdoor Storage

Outdoor storage areas that are accessory, incidental, and subordinate to the principal use may be located outside an enclosed building, provided that such storage:

1. Is limited to a height of 6 feet;
2. Is enclosed by a screening fence or wall at least 6 feet in height;
3. Does not exceed 25 percent of the floor area of the principal building located on the lot, excluding space used for the parking or storage of vehicles; and
4. Is not located between the building and the street property line.

Sec. 125-90.D. Recreational Vehicle Parks

Recreation vehicle (RV) parks shall be located, developed, and operated in compliance with the following standards.

1. **Public and Private Streets.** Rights-of-way, design and paving standards shall conform to City standards.
2. **Driveways and Interior Roads.**
 - a. **Setbacks.** Setbacks, at a minimum, shall meet those required in the district within which the recreational vehicle is located.
 - b. **General Requirements.** All RV parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to the internal parking area or RV site. All surfaces shall be paved with concrete or flexible base.
 - c. **Access.** Access to RV parks shall be designed to minimize congestion and hazards at the entrance or exit and allow free movement of traffic on adjacent streets. The entrance road to the RV park off a public street shall conform to Section 125-170.G of this Article.
 - d. **Interior Paving Widths.** Interior driveways and roadways planned for two-way traffic should be 25 feet wide. One-way roads should be 15 feet wide. Inside turning radii should be a minimum of 25 feet, and outside turning radii 40 feet.

- e. *Illumination.* All RV parks shall be furnished with uniform perimeter, roadway and pad site lighting units which direct the light downward and within the RV park.

3. ***Office and Parking Areas.***

- a. Off-street parking areas shall be provided near the office for 1 RV for every 1-acre of gross site area. Each parking space shall be 10 feet wide and 60 feet long.
- b. Each RV park shall have a designated office on the site which is a permanent building, and a sign on the property providing information as to the office location.

4. ***Caretaker's Quarters.*** One existing residential structure may be retained or one new residential structure may be permitted for the occupancy of the owner or operator of the RV park. A mobile home may be permitted if in compliance with Section 66-10.

5. ***Pad Site Layout.***

- a. Pull-through parking sites shall have full hookups and shall be not less than 12 feet wide and 57 feet long.
- b. Motor home pull-through sites shall have full hookups and shall be a minimum of 12 feet wide and 72 feet long.
- c. Back-in sites for small RVs shall have a combination of full and partial hookups and shall be not less than 12 feet wide and 20 feet in length. Any small RV with plumbing facilities will be required to have hookups.
- d. Each site shall be supplied with an enclosed utility stand for all utility services. All utility services shall be underground.
- e. Each site shall be level, with a maximum of 1-inch variation for every 5 feet, side-to-side and end-to-end.

6. ***Water and Wastewater Systems.***

- a. Adequately sized circulating looped water lines approved by the Engineering Department shall be installed and connected with the City lines, at the owner's expense, for domestic use and fire protection.
- b. Adequately sized sanitary sewer lines approved by the Engineering Department to dispose of sanitary wastes shall also be installed and connected with the City sanitary sewer system at the owner's expense.
- c. Properly located and adequately sized easements as approved by the

Engineering Department for publicly maintained water or sewer lines on private property shall require dedication by separate instrument unless dedicated by plat.

d. Dedication of right-of-way for public use will require a separate instrument unless dedicated by plat.

7. ***Drainage Systems.*** An adequate drainage system shall be designed by a Texas licensed engineer retained by the property owner to drain the RV park site into an approved drainage system, in accordance with plans and specifications approved by the City Engineer.
8. ***Required Recreation Areas.*** Recreational vehicle parks must include a common area, which shall be a minimum of 10 percent of the RV park area. Amenities may be constructed in lieu of open space. Such amenities shall be approved by the Parks Board. Recreation areas shall be so located as to be free of traffic hazards.
9. ***Refuse Handling.*** The method of storage, collection and disposal of refuse in the RV park shall be approved by the Fire Marshal prior to site development plan approval. It shall also comply with Section 125-140.K.
10. ***Landscaping and Planting.*** Any portion of the site not required for pad sites, driveway or parking areas, but not less than 15 percent of the site area, shall be planted with greenery, shrubbery and trees. Planting shall include 1 tree for every 30 feet of street frontage, distributed evenly, planted not more than 20 feet from the front lot line. In addition, 1 tree shall be planted for every 50 feet of site depth and rear lot line, distributed evenly. Utilization of established trees will be considered in-lieu of this requirement.

Sec. 125-90.E. Hotels and Commercial Lodging

The following standards shall apply to full service hotels, limited service hotels and residence hotels.

1. ***Exterior Building Facade.***
 - a. ***Building Materials.*** A minimum of 90% of all exterior walls, including parking structures, garages, and accessory structures, shall be constructed of: stone, brick or tile laid up by unit and set in mortar; stucco (exterior portland cement plaster with three coats of metal lath or wire fabric lath); cultured stone, brick or cast stone; architecturally finished block – i.e. burnished block, glazed block, and split-faced concrete masonry units (not to exceed 40 percent of each façade); exterior insulation and finish system (EIFS – but not less than 20 feet above grade); architectural glass (less than 25% reflectance); or a maximum of 10% of the façade may include accent materials not listed in this section.

- b. A minimum of two distinct building materials are required, each covering at least 20% of the exterior building façade on each side. For a unique style of architecture, the City Planner may grant administrative approval to use less than the required number of materials.
 - c. *Prohibited Materials.* Prohibited materials are: aluminum siding or cladding (excludes composite aluminum cladding, such as Alucobond); galvanized steel or other bright metal; wood or plastic siding; cementitious fiberboard, unfinished concrete block; exposed aggregate; wood roof shingles; and reflective glass.
2. **Roofing Materials.** Variations in roof lines shall be used to add interest and reduce the scale of large buildings. Roof features shall complement the character of the overall development.
- a. *Flat Roofs.* Flat roofs shall only be permitted on full service hotels. Flat roofs are permitted on limited service hotels and residence hotels if they are LEED (Leadership in Environmental and Energy Design) certified or have substantive rooftop amenities such as gardens and restaurants.
 - b. *Overhanging Eaves.* Overhanging eaves shall extend no less than three feet pass the supporting walls. Overhanging eaves may be reduced to no less than two feet as long as it is embellished by an articulated cornice.
 - c. *Pitched Roofs.* Pitched roofs shall have a minimum pitch of 4/12. This requirement shall not apply to roofs for entries or dormers. Asphalt shingles, industry approved synthetic shingles, standing seam metal or roofs are allowed for sloping roofs.
3. **Entry Features.**
- a. All public entrances shall incorporate arcades, roofs, alcoves, porticoes and awnings that protect pedestrians from the sun and weather. This requirement shall not apply for loading areas.
 - b. Primary building entrances are to be defined and treated as a signature element of the building and articulated with architectural elements such as pediments, columns, porticos, and overhangs.
 - c. A porte cochere or other covered area shall be provided immediately adjacent to the building entrance nearest the registration desk with an area for temporary parking of at least two vehicles underneath the covered area for guests checking in and out.
 - d. Full service and limited service hotels must provide some design element such as, but not limited to, water features, sculptures, and public art at the building entrance. Water features must be designed in proportion to the

primary building entrance.

4. ***Façade Articulation.*** Building façades fronting public and private streets and driveways shall have massing changes and architectural articulation to provide visual interest and texture and reduce large areas of undifferentiated building façade. Buildings should avoid oversimplified, one-dimensional façades that lack human scale. Design articulation should not apply evenly across the building façade, but should be grouped for greater visual impact employing changes in volume and plane. Architectural elements include projecting volumes, windows, balconies, loggia, canopies, pediments and moldings that break up the mass of the building.
5. ***Design Elements.*** Design features used as part of the building's entry feature may not be counted towards the design element requirement. Building shall include a minimum of at least four design features. These features include, but are not limited to: overhangs; canopies or porticos; recesses/projections; arcades; raised corniced parapets over the entrance; peaked roof forms; arches; outdoor patios; tower elements (at strategic locations); roof deck terraces; display windows; integral planters that incorporate landscaped areas or seating areas; water features; public art/sculptures; trellises; balconettes; and architectural pavers such as scored, stamped, or stained concrete in the porte-cochere area.
6. ***Site Design.***
 - a. All outside equipment such as air conditions, pool equipment, satellite dishes, etc., shall be screened from view by a masonry wall or landscaping. Individual window air conditioning units are prohibited.
 - b. Hotels shall conform to Crime Prevention through Environmental Design (CPTED) principles and provide good visibility in all public areas, open space areas, driveway entrances from public streets, driveway intersections, and parking lots. Lighting, for example, shall be used to create safe and secure public areas while illuminating only those areas for which lighting is designed, and shall be designed to reduce glare and not impact adjacent uses.
7. ***Full Service Hotels.*** The following standards apply to full service hotels only.
 - a. Access to guest rooms shall be restricted exclusively to interior corridors, which shall be accessed via the main lobby of the building or entryways.
 - b. The hotel shall install and maintain, in properly operating order surveillance cameras in each interior hallway and lobby area, in the parking lots and at each exterior door. The cameras shall be placed so as to provide visibility to the front and rear exteriors of the building. Monitors shall be provided for security and other hotel personnel so that on-site activities may be viewed at all times. Surveillance cameras shall be in operation 24 hours a day and records of images shall be kept a minimum of 30 days.

- c. A minimum of 200 guest rooms.
 - d. A minimum guest room size of 350 square feet.
 - e. An open and unobstructed lobby area (excluding the work area for hotel employees) that is designed as part of the check-in/check-out area for guests. The lobby shall be a minimum size of five square feet per guest room.
 - f. A lounge or waiting area with a minimum size of five square feet per guest room. Atriums or other open space areas (excluding the lobby) may be counted as waiting area if seating is provided.
 - g. Conference/meeting spaces that total a minimum of 20,000 square feet with the largest space a minimum of 10,000 square feet.
 - h. Recreation facilities including a swimming pool with a minimum surface area of 1,000 square feet; and an exercise room or comparable recreation facilities such as sports courts.
 - i. At least one interior restaurant with a full service kitchen, cooking and service staff offering meals during normal dining hours (breakfast, lunch and dinner). Restaurant(s) shall be open to the public and provide seating for a minimum of 200 guests.
 - j. Daily housekeeping service; room service; concierge service; and a bellman.
 - k. On-site management 24 hours a day to provide check-in/check-out services, custodial and maintenance response, or other guest services.
 - l. A business center featuring personal computers with internet access, facsimile and copy machines.
8. **Limited Service Hotels.** The following standards apply to limited service hotels only.
- a. Access to guest rooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security controlled access system.
 - b. The hotel shall install and maintain, in properly operating order surveillance cameras in each interior hallway and lobby area, in the parking lots and at each exterior door. The cameras shall be placed so as to provide visibility to the front and rear exteriors of the building. Monitors shall be provided for security and other hotel personnel so that on-site activities may be viewed at all times. Surveillance cameras shall be in operation 24 hours a day and records of images shall be kept a minimum of 30 days.
 - c. A minimum of 100 guest rooms.

- d. A minimum guest room size of 350 square feet.
 - e. An open and unobstructed lobby area (excluding the work area for hotel employees) that is designed as part of the check-in/check-out area for guests. The lobby shall be a minimum size of two and half square feet per guest room.
 - f. A lounge or waiting area with a minimum size of two and a half square feet per guest room. Atriums or other open space areas (excluding the lobby) may be counted as waiting area if seating is provided.
 - g. Conference/meeting spaces that total a minimum of 1,250 square feet.
 - h. Recreation facilities including a swimming pool with a minimum surface area of 700 square feet; and an exercise room or comparable recreation facilities.
 - i. An area for the preparation of food or beverages for on-site consumption. Seating shall be provided in the area at a minimum of 40 percent of the total number of guest rooms.
 - j. Daily housekeeping service.
 - k. On-site management 24 hours a day to provide check-in/check-out services, custodial and maintenance response, or other guest services.
 - l. A business center featuring personal computers with internet access, facsimile and copy machines.
9. **Residence Hotels.** The following standards apply to residence hotels only.
- a. Access to guest rooms shall be restricted exclusively to interior corridors, which shall be accessed via the main lobby of the building or entryways individually equipped with some form of security controlled access system.
 - b. The hotel shall install and maintain, in properly operating order surveillance cameras in each interior hallway and lobby area, in the parking lots and at each exterior door. The cameras shall be placed so as to provide visibility to the front and rear exteriors of the building. Monitors shall be provided for security and other hotel personnel so that on-site activities may be viewed at all times. Surveillance cameras shall be in operation 24 hours a day and records of images shall be kept a minimum of 30 days.
 - c. A minimum of 80 guest rooms.
 - d. A minimum guest room size of 300 square feet. Each room must contain a telephone as well as a complete kitchen, including a refrigerator, rangetop, sink and cabinets.

- e. An open and unobstructed lobby area (excluding the work area for hotel employees) that is designed as part of the check-in/check-out area for guests. The lobby shall be a minimum size of two and a half square feet per guest room.
- f. The lounge or waiting area with a minimum size of two and half square feet per guest room. Atriums or other open space areas (excluding the lobby) may be counted as waiting area if seating is provided.
- g. Conference/meeting spaces that total a minimum of 1,250 square feet.
- h. Recreation facilities a minimum of 1,000 square feet that include a swimming pool or exercise equipment room.
- i. An area for the preparation of food or beverages for on-site consumption. Seating shall be provided in the area at a minimum of 40 percent of the total number of guest rooms.
- j. Weekly housekeeping service and on-site laundry facilities.
- k. On-site management 24 hours a day to provide check-in/check-out services, custodial and maintenance response or other guest services.
- l. A business center featuring personal computers with internet access, facsimile and copy machines.

Sec. 125-90.G. Oil and Gas Well Drilling

The regulations required by this Ordinance for a Special Use Permit are in addition to and are not in lieu of permits required by Chapter 42 (Environment) of the Code of Ordinances, any other provision of this Code, or any other governmental agency. No well may be drilled within the corporate limits of the City of League City without a Special Use Permit for such purposes. Where a zoning overlay district encumbers real property where an application for a Special Use Permit for oil and gas well drilling is requested, the applicable Concept and/or Master Plans shall also be amended in accordance with this Chapter.

- 1. ***Location and distance setback requirements.*** The Operator or designated representative shall establish a drill site within which the well bore will be located and an operation site within which the storage tanks will be located.
 - a. The proposed drill site shall not be located within any floodway as identified by FEMA on the most current FIRM.

- b. The proposed drill site shall not be within fifty (50) feet of any alley, street, road, highway, right-of-way or future right-of-way as shown on the Thoroughfare Plan of the City or equivalent thereof.
- c. The proposed well bore shall not be within six hundred (600) feet of any fresh water well. The measurement shall be in a direct line from the closest well bore to the fresh water well bore. The setback may be reduced to no less than two hundred (200) feet from the fresh water well if all current surface property owners within a radius of two hundred (200) to six hundred (600) feet from the fresh water well sign a notarized affidavit consenting to the encroachment at the time the Special Use Permit Application is submitted to the City. The Operator or designated representative shall submit the notarized affidavits noting the property legal descriptions with the Special Use Permit application. The reduction of the distance requirement for fresh water wells is subject to the regulations of the Texas Commission on Environmental Quality, Railroad Commission and any other state or federal requirements.
- d. The proposed well bore shall not be within three hundred (300) feet of any off-site building or structure for the support, shelter, enclosure or partial enclosure of movable property of any kind for which a building permit has been issued on or before the date the Special Use Permit Application is accepted by the City. The measurement shall be in a direct line from the closest well bore to the nearest portion of the building or structure. The setback may be reduced from the building or structure if all current surface property owners within the affected radius sign a notarized affidavit consenting to the encroachment at the time the Special Use Permit Application is submitted to the City. The Operator or designated representative shall submit the notarized affidavits noting the legal descriptions with the Special Use Permit application. The reduction of the distance requirement is subject to the regulations of the Railroad Commission and any other state or federal requirements.
- e. The proposed well bore shall not be within six hundred (600) feet of any off-site pool, building or structure for the support, shelter, enclosure or partial enclosure of persons or animals for which a building permit has been issued on or before the date the Special Use Permit Application is accepted by the City. The measurement shall be in a direct line from the closest well bore to the nearest portion of the pool, building or structure. The setback may be reduced from the pool, building or structure if all current surface property owners within the affected radius sign a notarized affidavit consenting to the

encroachment at the time the Special Use Permit Application is submitted to the City. The Operator or designated representative shall submit the notarized affidavits noting the legal descriptions with the Special Use Permit application. The reduction of the distance requirement is subject to the regulations of the Railroad Commission and any other state or federal requirements.

- f. The proposed well bore shall not be within six hundred (600) feet of a public or private park or within six hundred (600) feet of a dwelling unit, religious assembly building, hospital building, public or private school boundary, or day care boundary for which a building permit has been issued on or before the date the Special Use Permit application is accepted by the City. The distance shall be calculated from the proposed well bore, in a straight line, without regard to intervening structures or objects, to the primary structure of the protected use or boundaries of a park, school or day care, whichever is applicable. The Planning and Zoning Commission may recommend and the City Council may approve a reduction in the setback distance. The applicant must show that the reduction is necessary in order to gain access to minerals owned by or leased to the applicant. Upon showing evidence that there are no other viable alternatives that would impact the adjacent property owners to a lesser degree while still providing access to the minerals, a reduction in the setback distance may be approved. If a reduction is approved, then additional requirements may be imposed for nuisance and aesthetic control.
- g. The proposed battery and storage tanks cannot be within three hundred (300) feet or the distance mandated by the applicable state entity, whichever is greater, of any off-site building or structure, public or private park, dwelling unit, religious assembly building, hospital building, public or private school boundary, or day care boundary for which a building permit has been issued on or before the date of the production permit application.

2. Notice requirements

- a. The Operator or designated representative shall meet with property owners lying within 600 feet of the drilling and production zone prior to submittal of the application. The meeting announcement shall be delivered via U.S. mail. The City may provide the list of property owners as identified on the most recently approved municipal tax roll upon request. Documentation of the meeting in the form of a copy of the meeting announcement, the list of notified property owners and a list of the signatures from meeting attendants

shall accompany the application. The meeting shall be held within five miles of the boundaries of the City of League City limits.

- b. The City shall provide notice (including written and posting of signs) of all public hearings in the same manner as prescribed for all other special use permits except the radius shall be 600 feet of the boundaries of the property to be used for drilling and operations.
3. The Special Use Permit applicant shall submit the following information with the application:
- a. Submit a copy of the application filed with the Railroad Commission along with the approved permit by the Commission for operations within the City, copies of the Water Board letter from the Texas Commission on Environmental Quality, and any casing exceptions applied for and/or granted.
 - b. A map showing the proposed transportation routes and roads for equipment, water, chemicals or waste products used or produced by the operation. The map shall include a list of the length of all roadways that will be used to access the site.
 - c. A preliminary site layout delineating the proposed drill site and operation site, including but not limited to the proposed location of all major components, improvements and equipment; rigs; proposed well(s); tanks; lights; separators; storage sheds; fire hydrants proposed to supply water to the site; impacted vegetation, creeks and other topographic features; easements; adjoining roadways; and surrounding property, parks, buildings and structures within 600 feet of the site.
 - d. Exhibits showing the types of mitigation measures that will be utilized to buffer noise, dust, vibration, odors, lighting, and structures. Mitigation measures shall at a minimum include the requirements for fencing, landscaping and buffer yards required by Chapter 42 of the Code of Ordinances. However, fencing, landscaping and buffer yards shall be increased above the minimum and other screening methods incorporated when necessary to mitigate nuisance impacts based upon the proposed drilling and operations program.

- e. Proposed mitigation measures to include permanent and temporary methods for noise abatement that meet the noise restrictions required for oil and gas well drilling in Article III, Chapter 42 of the Code of Ordinances.
- f. An accurate legal description of the property to be used for the drilling and operation, the parcel, and the production unit and name of the field and reservoir as used by the Railroad Commission. Property recorded by plat should reference subdivision, block and lot numbers.
- g. A description of public utilities required during drilling and operation.
- h. An estimate of the total volume of water needed, the approximate dates the water supply will be needed at the site, and the maximum instantaneous withdrawal rate in gallons per minute from each point of withdrawal.
- i. A copy of the determination by the Texas Commission on Environmental Quality of the depth of ground water aquifers bisecting the proposed well bore to help determine the surface casing setting depth.
- j. A preliminary Spill Prevention, Control and Countermeasure Plan utilizing requirements established by the Environmental Protection Agency, Texas Commission on Environmental Quality, Department of Transportation, and the Texas Railroad Commission (or their successor agencies).
- k. Emergency Action Response Plan establishing written procedures to minimize any hazard resulting from drilling, completion or producing of oil and gas wells. The Plan should include drive-to-maps from public rights-of-way to operation site and evacuation routes for surrounding area that utilize the same roadways.
- l. A preliminary Risk Management Assessment to identify, assess, and prioritize risks including coordination and economical application of resources to minimize, monitor, and control the probability and/or impact of incidents.
- m. A preliminary Hazard Mitigation Plan describing actions that will be taken before, during or after a disaster to eliminate or reduce risks to human life and property in accordance with City Ordinance and established policies.

- n. Geologic report addressing how fracking, subsidence and other environmental impacts will be mitigated.
 - o. A copy of any incident reports or written complaints received from and operator's response submitted to the Railroad Commission, Texas Commission on Environmental Quality, Texas General Land Office, Environmental Protection Agency, Occupational Safety & Health Administration, or other applicable governmental agency.
 - p. A determination on the feasibility of alternative drill site locations.
 - q. A determination that adequate water supply exists for the proposed drilling operation.
4. Upon a completed Special Use Permit application and remittance of all fees, City staff will review the application and may submit it to a technical advisor for review. A report shall be submitted to the Planning and Zoning Commission with findings on:
- a. Mitigation measures for noise, dust, vibration, odors and lighting to include screening, landscaping, and sound barrier walls.
 - b. Operation, plan, design, layout or any change in the on-site and technical regulations in Chapter 42, Environment Code of Ordinances.
 - c. Any other matters reasonably required by public interest.
5. The burden of proof on all matters considered in the hearing shall be upon the Operator or designated representative.
6. The Planning and Zoning Commission and City Council shall consider the following in deciding whether to grant a Special Use Permit for Oil or Gas Well drilling:
- a. Whether the operations proposed are reasonable under the circumstances and conditions prevailing in the area considering the particular location and the character of the improvements located there;
 - b. Whether the drilling of such wells would conflict with the orderly growth and development of the City;
 - c. Whether there are other alternative drill site locations;

- d. Whether the operations proposed are consistent with the health, safety and welfare of the public when and if conducted in accordance with the conditions to be imposed;
 - e. Whether the impact upon the adjacent property and the general public by operations conducted in compliance with the conditions are reasonable and justified, balancing the right of the owners(s) of the mineral estate to explore, develop, and produce the minerals.
7. In making its decision, the City Council shall have the power and authority to refuse any Special Use Permit and grant variances to drill any oil or gas well at any particular location within the City, when by reason of such particular location and other characteristics, the drilling of such wells at such particular location would be injurious to the health, safety or welfare of the inhabitants in the immediate area of the City. Revisions to exhibits, plans and reports based upon First Reading shall be made prior to Second Reading.

Sec. 125-90.H. Pipelines

The regulations required by this Ordinance for a Special Use Permit are in addition to and are not in lieu of permits required by Chapter 42 (Environment) of the Code of Ordinances, any other provision of this Code, or by any other governmental agency. No pipeline may be installed or modified within the corporate limits of the City of League City without a Special Use Permit for such purposes. Where a zoning overlay district encumbers a property where pipelines are requested, the applicable Concept and/or Master Plans shall also be amended in accordance with this Chapter.

- 1. The Special Use Permit applicant shall submit the following information with the application:
 - a. Submit a copy of the application filed with the Railroad Commission along with the approved permit by the Commission for operations within the City, copies of the Water Board letter from the Texas Commission on Environmental Quality, and any casing exceptions applied for and/or granted.
 - b. Map showing proposed transportation routes and roads for equipment, water, chemicals or waste products used or produced by the operation. The map shall include a list of the length of all roadways that will be used to access the site.
 - c. Preliminary drawings of the pipeline route through the City inclusive of, but not limited to, horizontal and vertical dimensional representation, nominal

diameter of pipe and materials of construction. Include fire hydrants proposed to supply water to the site; impacted vegetation, creeks and other topographic features; easements; adjoining roadways; and surrounding property, parks, buildings and structures within 500 feet of the pipeline alignment.

- d. Preliminary documentation regarding the kind (such as saltwater disposal lines, flowlines, intralease piping, gathering, or transmission) and character of the pipeline including construction material, radiography requirements, cathodic protection, maximum pressure level, a list of the materials that will be transported through the pipeline, and where the materials will be transported.
- e. For above-ground pipelines, exhibits showing the types of mitigation measures that will be utilized for screening of the pipelines. Mitigation measures shall at a minimum include the requirements for screening and landscaping required by Chapter 42 of the Code of Ordinances. However, fencing and landscaping shall be increased above the minimum and other screening methods incorporated when necessary based upon the proposed pipeline location.
- f. An accurate legal description of the property to be used for the pipeline easement. Property recorded by plat should reference subdivision, block and lot numbers.
- g. A description of public utilities required for the pipeline operation.
- h. A preliminary Spill Prevention, Control and Countermeasure Plan utilizing requirements established by the Environmental Protection Agency, Texas Commission on Environmental Quality, Department of Transportation, and the Railroad Commission of Texas (or their successor agencies).
- i. Emergency Action Response Plan establishing written procedures to minimize any hazard resulting from the construction and operation of the pipeline in accordance with all applicable state and federal agencies having jurisdiction. The Plan should include drive-to-maps from public rights-of-way to the operation site and evacuation routes for surrounding area that utilize the same roadways.
- j. A preliminary Risk Management Assessment to identify, assess, and prioritize risks including coordination and economical application of

resources to minimize, monitor, and control the probability and/or impact of incidents.

- k. A preliminary Hazard Mitigation Plan describing actions that will be taken before, during or after a disaster to eliminate or reduce risks to human life and property in accordance with City Ordinance and established policies.
- l. A copy of any incident reports or written complaints received from and operator's response submitted to the Railroad Commission, Texas Commission on Environmental Quality, Texas General Land Office, Environmental Protection Agency, Occupational Safety and Health Administration, or other applicable governmental agency for all pipelines operated by the proposed Operator.
- m. A determination on the feasibility of alternative pipeline alignments.

2. *Notice requirements*

- a. The Operator or designated representative shall meet with property owners of real property lying within 500 feet of the alignment of the pipeline prior to submittal of the application. The meeting announcement shall be delivered via U.S. mail. The City may provide the list of property owners as identified on the most recently approved municipal tax roll upon request. Documentation of the meeting in the form of a copy of the meeting announcement, the list of notified property owners and a list of the signatures from meeting attendants shall accompany the application. The meeting shall be held within five miles of the boundaries of the City of League City limits.
 - b. The City shall provide notice (including written and posting of signs) of all public hearings in the same manner as prescribed for all other special use permits.
3. Upon a completed Special Use Permit application and remittance of all Special Use Permit application fees, City staff will review the application or submit it to a technical advisor for review. A report shall be submitted to the Planning and Zoning Commission with findings on:
- a. Mitigation measures for screening of above-ground pipelines to include screening, landscaping, and sound barrier walls.

- b. Operation, plan, design, layout or any change in the on-site and technical regulations in Chapter 42, Environment Code of Ordinances.
 - c. Any other matters reasonably required by public interest.
- 4. The burden of proof on all matters considered in the hearing shall be upon the Operator or designated representative.
- 5. The Planning and Zoning Commission and City Council shall consider the following in deciding whether to grant a Special Use Permit for a Pipeline:
 - a. Whether the operations proposed are reasonable under the circumstances and conditions prevailing in the area considering the particular location and the character of the improvements located there;
 - b. Whether there are other alternative pipeline alignment locations; and
 - c. Whether the operations are consistent with the health, safety and welfare of the public when and if conducted in accordance with the pipeline operation permit conditions to be imposed.
- 6. In making its decision, the City Council shall have the power and authority to refuse any Special Use Permit and grant variances for a pipeline at any particular location within the City, when by reason of such particular location and other characteristics, the pipeline at such particular location would be injurious to the health, safety or welfare of the inhabitants in the immediate area of the City. Revisions to exhibits, plans and reports based upon First Reading shall be made prior to Second Reading.

Sec. 125-90.I. Pump Stations

The regulations required by this Ordinance for a Special Use Permit are in addition to and are not in lieu of permits required by Chapter 42 (Environment) of the Code of Ordinances, any other provision of this Code, or by any other governmental agency. No pump station may be operated within the corporate limits of the City of League City without a Special Use Permit for such purposes. Where a zoning overlay district encumbers a property where a pump station is requested, the applicable Concept and/or Master Plans shall also be amended in accordance with this Chapter.

- 1. ***Location and distance setback requirements.***
 - a. The proposed site shall not be within any floodway as identified by FEMA on the most current FIRM.

- b. The proposed pump station shall not be within fifty (50) feet of any alley, street, road, highway, right-of-way or future right-of-way as shown on the Thoroughfare Plan of the City or equivalent thereof. (The Department of Public Works may permit temporary access in with consideration of the nature of the request and the number of hours and/or days that any street or alley may be blocked, encumbered or closed.)
- c. The proposed pump station shall not be within six hundred (600) feet of any fresh water well. The measurement shall be in a direct line from the pump station to the fresh water well bore. The setback may be reduced to no less than two hundred (200) feet from the fresh water well if all current surface property owners within a radius of two hundred (200) to six hundred (600) feet from the fresh water well sign a notarized affidavit consenting to the encroachment at the time the Special Use Permit Application is accepted by the City. The Operator or designated representative shall submit the notarized affidavits noting the property legal descriptions with the Special Use Permit application. The reduction of the distance requirement for fresh water wells is subject to the regulations of the Texas Commission on Environmental Quality, the Railroad Commission and any other state or federal requirements.
- d. The proposed pump station shall not be six hundred (600) feet of any off-site pool, building or structure for the support, shelter, enclosure or partial enclosure of persons or animals for which a building permit has been issued on or before the date the Special Use Permit Application is accepted by the City. The measurement shall be in a direct line from the closest well bore to the nearest portion of the building or structure. The setback may be reduced from the building or structure if all current surface property owners within the affected radius sign a notarized affidavit consenting to the encroachment at the time the Special Use Permit Application is submitted to the City. The Operator or designated representative shall submit the notarized affidavits noting the legal descriptions with the Special Use Permit application. The reduction of the distance requirement is subject to the regulations of the Railroad Commission and any other state or federal requirements.
- e. The proposed pump station site shall not be within six hundred (600) feet of a public or private park or within six hundred feet of a dwelling unit, religious assembly building, hospital building, public or private school boundary, or day care boundary for which a building permit has been issued on or before

the date of the Special Use Permit application. The distance shall be calculated from the proposed pump station site, in a straight line, without regard to intervening structures or objects, to the primary structure of the protected use or boundaries of a park, school or day care, whichever is applicable. The Planning and Zoning Commission may recommend and the City Council may approve a reduction in the setback distance if the applicant demonstrates that the reduction is necessary because of the type of pump station and its operations. If a reduction is approved, then additional requirements may be imposed for nuisance and aesthetic control.

2. *Notice requirements*

- a. The Operator or designated representative shall meet with property owners of real property lying within 600 feet of the boundaries of the property prior to submittal of the application. The meeting announcement shall be delivered via U.S. mail. The City may provide the list of property owners as identified on the most recently approved municipal tax roll upon request. Documentation of the meeting in the form of a copy of the meeting announcement, the list of notified property owners and a list of the signatures from meeting attendants shall accompany the application. The meeting shall be held within five miles of the boundaries of the City of League City limits.
- b. The City shall provide notice (including written and posting of signs) of all public hearings in the same manner as prescribed for all other special use permits except the radius shall be 600 feet of the boundaries of the property.

3. The Operator or designated representative shall submit exhibits with the application to include the following information:

- a. Submit a copy of the application filed with the Railroad Commission along with the approved permit by the Commission for operations within the City, copies of the Water Board letter from the Texas Commission on Environmental Quality, and any casing exceptions applied for and/or granted.
- b. Map showing proposed transportation routes and roads for equipment, water, chemicals or waste products used or produced by the operation. The map shall include a list of the length of all roadways that will be used to access the site.
- c. A preliminary site layout delineating the proposed site, including but not limited to the proposed location of all major components, improvements and

equipment; storage sheds; fire hydrants proposed to supply water to the site; water (including but not limited to water wells) and power supply; impacted vegetation, creeks and other topographic features; easements; adjoining roadways; and surrounding property, parks, buildings and structures within 600 feet of the site.

- d. Exhibits showing the types of mitigation measures that will be utilized to buffer noise, dust, vibration, odors, lighting, and structures. Mitigation measures shall at a minimum include the requirements for screening and landscaping required by Chapter 42 of the Code of Ordinances. However, screening and landscaping shall be increased above the minimum and other screening methods incorporated when necessary to mitigate nuisance impacts.
- e. Proposed mitigation measures to include permanent and temporary methods for noise abatement that meet the noise restrictions required for the pump station in Article III, Chapter 42 of the Code of Ordinances.
- f. An accurate legal description of the property to be used for the site. Property recorded by plat should reference subdivision, block and lot numbers.
- g. A description of public utilities required for the pump station.
- h. An estimate of the total volume of water needed, the approximate dates the water supply will be needed at the site, and the maximum instantaneous withdrawal rate in gallons per minute from each point of withdrawal.
- i. A preliminary Spill Prevention, Control and Countermeasure Plan utilizing requirements established by the Environmental Protection Agency, Texas Commission on Environmental Quality, Department of Transportation and the Railroad Commission of Texas (or their successor agencies).
- j. Emergency Response Action Plan establishing written procedures to minimize any hazard resulting from the pump station in accordance with all applicable state and federal agencies having jurisdiction. The Plan should include drive-to-maps from public rights-of-way to the operation site and evacuation routes for surrounding area that utilize the same roadways.
- k. A preliminary Risk Management Assessment to identify, assess, and prioritize risks including coordination and economical application of

resources to minimize, monitor, and control the probability and/or impact of incidents.

- l. A preliminary Hazard Mitigation Plan describing actions that will be taken before, during or after a disaster to eliminate or reduce risks to human life and property in accordance with City Ordinance and established policies.
 - m. A copy of any incident reports or written complaints received from and operator's response submitted to the Railroad Commission, Texas Commission on Environmental Quality, Texas General Land Office, Environmental Protection Agency, Occupational Safety and Health Administration, or other applicable governmental agency for all pipelines operated by the proposed Operator.
 - n. A determination on the feasibility of alternative pump station site locations.
 - o. A determination that adequate water supply exists for the proposed drilling operation.
4. Upon a completed application and remittance of all Special Use Permit application fees, City Staff will review the application or submit it to a technical advisor for review. A report shall be submitted to the Planning and Zoning Commission with findings on:
- a. Mitigation measures for noise, dust, vibration, odors and lighting to include screening, landscaping, and sound barrier walls.
 - b. Operation, plan, design, layout or any change in the on-site and technical regulations in Chapter 42, Environment Code of Ordinances.
 - c. Any other matters reasonably required by public interest.
5. The burden of proof on all matters considered in the hearing shall be upon the Operator or designated representative.
6. The Planning and Zoning Commission and City Council shall consider the following in deciding whether to grant a Special Use Permit for a pump station:
- a. Whether the operations proposed are reasonable under the circumstances and conditions prevailing in the area considering the particular location and the character of the improvements located there;

- b. Whether the compressor station would conflict with the orderly growth and development of the City;
 - c. Whether there are other alternative pump station site locations; and
 - d. Whether the operations proposed are consistent with the health, safety and welfare of the public when and if conducted in accordance with the conditions to be imposed.
7. In making its decision, the City Council shall have the power and authority to refuse any Special Use Permit and grant variances for a pump station at any particular location within the City, when by reason of such particular location and other characteristics, the pump station at such particular location would be injurious to the health, safety or welfare of the inhabitants in the immediate area of the City. Revisions to exhibits, plans and reports based upon First Reading shall be made prior to Second Reading.

Sec. 125-90.J. Group Residential Facilities

Group Residential facilities must be located, developed and operated in compliance with the following standards.

1. *Location of Disabled Group Dwelling.* A Disabled Group Dwelling shall not be located within one-half mile of another Disabled Group Dwelling.
2. *Location of Halfway Houses and Homeless Shelters.* Halfway houses and Homeless Shelters shall not be located within one-half mile of another halfway house or homeless shelter, or within 1,000 feet of a park or K-12 school.
3. *Architecture and Character.* Group Residential Facilities located in RSF Residential Single Family zoning districts shall be designed, constructed and maintained to uphold the single family residential architectural character of the surrounding area.
4. *Location of Parking.* Group Residential Facilities located in RSF Residential Single Family zoning districts shall provide for their required parking on the side or rear of the property. All parking areas shall be paved and screened from surrounding residential uses by an opaque fence of wood or masonry, no less than six (6) feet, and no more than eight (8) feet in height.
5. *State License.* Applicable state license or certification shall be provided prior to the issuance of an Operations Permit.

6. *Evacuation Plan.* Group Residential Facilities shall prepare and provide an evacuation plan to the Fire Department prior to receipt of an Operations Permit.
7. *Operations Permit.* All Group Residential Facilities shall obtain an Operations Permit from the City of League City.

Division 2. Accessory Structures and Uses

Sec. 125-120 Accessory Structures and Uses

Sections:

- 125-120.A. General
- 125-120.B. Accessory Structures
- 125-120.C. Accessory Uses

This section generally refines the City's existing regulations for accessory structures and uses. Permitted accessory uses are more clearly defined.

Sec. 125-120.A. General

Structures and uses ancillary to a permitted principal use are considered accessory structures and uses. Accessory structures and uses are subject to the same regulations that apply to principal uses in each district, except as otherwise specified by this Section. Accessory structures may not be constructed without the primary structures that they support. This Section establishes regulations for residential and nonresidential accessory structures and uses, excluding home occupations (refer to Division 1 of this Article).

Sec. 125-120.B. Accessory Structures

Accessory structures shall be located, developed, and operated in compliance with the following standards:

1. **Location.** No accessory structure is permitted in a required front or rear yard setback, or in any easement on the property. Detached accessory structures shall be located to the rear or to the side of the principal building.
2. **Setbacks.** The minimum setbacks for detached accessory structures shall be equal to those of the principal building on the lot, except that detached accessory structures shall not be located within 10 feet of any rear lot line; where a rear alley is provided, the setback from the rear lot line may be reduced to 6 feet.
3. **Maximum Size.** No residential accessory structure shall occupy more than 30 percent of the required rear yard setback, defined as the space extending the full width of the lot between the principal structure and the rear lot line and measured perpendicular to the building at the closest point to the rear lot line. The maximum size of non-residential accessory structures shall be determined by the maximum lot coverage standard in the district within which it is located.
4. **Maximum Height.** No residential accessory structure shall exceed 25 feet. The maximum height of non-residential accessory structures shall be determined by the

maximum height permitted in the district within which it is located.

5. **Storage Containers.** Storage containers are prohibited from being used as accessory structures.

Sec. 125-120.C. Sec. 125-120.C. Accessory Uses

Principal uses authorized as permitted uses are deemed to include accessory uses. The following accessory uses are permitted within non-residential districts:

1. Caretaker units, other than mobile homes, for security or maintenance personnel;
2. Gates and guard houses;
3. Cafeterias, dining halls, and other similar limited service eating and drinking establishments when operated primarily for the convenience of employees, residents, clients or visitors to the principal use;
4. Gift shops, news stands, and similar commercial activities operated primarily for the convenience of employees, residents, clients or visitors to the principal use;
5. Parking garages and off-street parking areas;
6. Other necessary and customary uses determined by the City Planner or designee to be appropriate, incidental, and subordinate to the principal use on the lot.

Division 3. Temporary Uses

Sec. 125-130 Temporary Structures and Uses

Sections:

- 125-130.A. General
- 125-130.B. Temporary Structures
- 125-130.C. Temporary Uses

This section generally refines the City's existing regulations for temporary structures and uses. Additional permitted temporary structures, including sales trailers and storage containers, are defined.

Sec. 125-130.A. General

Structures and uses ancillary to a permitted principal that are intermittent in nature are considered temporary structures and uses. Temporary structures and uses are subject to the same regulations that apply to principal uses in each district, except as otherwise specified by this Section. This Section establishes regulations for temporary structures and uses.

Sec. 125-130.B. Temporary Structures

Temporary structures shall be located, developed, and operated in compliance with the following standards:

1. **Construction Trailers.** Construction trailers are permitted only on a lot or parcel during construction undertaken pursuant to a valid building permit. Construction trailers may be occupied for office or security purposes, or may be used for storage of equipment and material used in construction on the site. Upon completion or abandonment of construction or expiration of the building permit, construction trailers buildings shall be removed at the owner's expense. Temporary construction trailers shall be located and developed in compliance with the following standards:
 - a. **Setbacks.** Setbacks shall be the minimum required in the district within which the construction trailer is located.
 - b. **Signage.** The parking of a vehicle, trailer, or other device that is parked in such a manner that it is used principally as a portable sign is prohibited.
2. **Sales Trailers.** Sales trailers, including modular offices, used for the sale and lease of residential real estate are permitted only on a lot or parcel during construction undertaken pursuant to a valid building permit. Upon completion or abandonment of construction or expiration of the building permit, sales trailers buildings shall be removed at the owner's expense. Temporary sales trailers shall be located and

developed in compliance with the following standards:

- a. *Setbacks.* Setbacks for sales trailers are set forth in the development regulations of each base zoning district.
 - b. *Surfacing.* The area of the sales trailer including parking areas, access points, aisles, driveways, and travel ways shall be constructed to support emergency apparatus.
3. ***Storage Containers.*** Temporary storage containers are permitted only for the purpose of storage of equipment, supplies, merchandise, or similar materials are permitted only on a lot or parcel during construction undertaken pursuant to a valid building permit. Upon completion or abandonment of construction or expiration of the building permit, storage containers shall be removed at the owner's expense. Temporary storage containers shall be located and developed in compliance with the following standards:
- a. *Location.* Temporary storage containers shall not be located in: landscape areas; retention basins; travel ways and drive aisles; fire lanes; required parking spaces; sidewalks; loading zones; or any other location that may cause hazardous conditions, constitute a threat to public safety, or create a condition detrimental to surrounding land uses and developments.

Sec. 125-130.C. Temporary Uses

Special events that will occur for a consecutive 72 hours or less in a 12-month period shall obtain approval from the City of League City Police Department. Temporary uses that will occur for longer than a consecutive 72-hour period in 12 months shall obtain a temporary use permit and be located, developed, and operated in compliance with the following standards:

1. ***Temporary Use Permits (Administrative).*** The Planning Manager and Building Official or designees shall approve or deny temporary use permits based upon consideration of the nature of the use; existing uses in the surrounding area; noise, dust, light and traffic generated; and health and sanitary conditions. The Planning Manager and Building Official or designees shall have the right, upon finding that a hazard or nuisance shall exist by continuing such use, to revoke any temporary use permit at any time or to deny any extension. The Planning Manager and Building Official or designees may consider temporary use permits for the following uses:
 - a. *Temporary uses of a religious or philanthropic nature* by those organizations not normally conducting business for profit may be allowed for the period of their actual duration up to a maximum of 30 days, except that two extensions of up to 30 days may be possible upon application and approval.
 - b. *Temporary sales of seasonal products* such as firewood, cut trees, plants, fruits and vegetables, and the like may be allowed during their normal and generally accepted season for a period of up to 30 days, except that two

extensions of up to 30 days may be possible upon application and approval. Temporary sales of seasonal products may be allowed no more than 90 days, whether consecutive or cumulative, per site within a 12-month period.

2. **Temporary Use Permits (Planning and Zoning Commission).** The Planning and Zoning Commission shall approve or deny temporary use permits based upon consideration of the nature of the use; existing uses in the surrounding area; noise, dust, light and traffic generated; and health and sanitary conditions. The Planning and Zoning Commission shall have the right, upon finding that a hazard or nuisance shall exist by continuing such use, to revoke any temporary use permit at any time or to deny any extension. The Planning and Zoning Commission may consider temporary use permits for the following uses:
 - a. *Concrete mixing or batching plant uses* temporarily required by contractors during the construction of residential structures, buildings and infrastructure improvements, provided that such use shall not be permitted nearer than 250 feet to a developed lot in a district zoned for residential uses. The period of time for which the use may be permitted shall be determined by the Planning and Zoning Commission.
 - b. *Temporary parking lots* for overflow parking of principal uses on site or adjacent to the site. The period of time for which the use may be permitted shall be determined by the Planning and Zoning Commission. *Exception:* The City Planner and Building Official or designees may approve for a period of up to 30 days, except that two extensions of up to 30 days may be possible upon application and approval.
 - c. All other temporary uses that are not described in this section may be considered by the Planning and Zoning Commission.
3. **Building and Fire Permits.** Temporary uses shall obtain applicable building and fire permits prior to commencement of activities.
4. **Setbacks.** The temporary use shall be set back a minimum of 50 feet from any adjacent, occupied residential lot or parcel.
5. **Parking.** Any parking for the use shall be on site or adjacent to the site. The number of spaces required shall conform to the requirements of Division 5 of this Article.
6. **Signage.** All signage shall conform to the requirements of Division 7 of this Article.
7. **Additional Requirements.** Adequate sanitation, water, traffic control, parking and public health measures shall be provided for all temporary uses.

Division 4. General Site Standards

Sec. 125-140 General Site Standards

Sections:

- 125-140.A. Accessibility for Handicapped Persons
- 125-140.B. Building Projections into Yards
- 125-140.C. Drainage Systems
- 125-140.D. Fences, Walls and Plantings
- 125-140.E. Fire Protection
- 125-140.F. Flood Damage Prevention Standards
- 125-140.G. Interior Streets
- 125-140.H. Lighting
- 125-140.I. Performance Standards
- 125-140.J. Projections Above Height Limits
- 125-140.K. Refuse Storage Areas
- 125-140.L. Screening of Mechanical Equipment
- 125-140.M. Sidewalks
- 125-140.N. Signs
- 125-140.O. Utility Easements
- 125-140.P. Water and Sanitary Sewer Systems
- 125-140.Q. Exterior Construction Requirements

This section generally refines the City's existing site development standards. New regulations are provided for building projections into yards, exceptions to height limits, projections above height limits, refuse storage areas, and screening of mechanical equipment.

Sec. 125-140.A. Accessibility for Handicapped Persons

All accessibility provisions for the handicapped shall be subject to approval by the Building Official.

Sec. 125-140.B. Building Projections into Yards

Except where permitted by this Section, required yards in all districts shall remain unobstructed. The following building elements may project into required yards.

1. In RSF districts, balconies, stairs, chimneys, canopies, decks, covered patios, and awnings may encroach no more than 18 inches into any required setback area. Bay windows may encroach no more than 3 feet into any required setback area. A bay window encroachment shall not exceed 1/3 the length of the wall plane upon which it

is located. Covered porches may project up to 6 feet into the required front yard setback. In no case shall the front building setback be less than 10 feet.

2. In RMF and in non-residential districts, canopies and awnings may encroach no more than 3 feet into any required setback area.
3. Belt courses, cornices, window sills, pop-outs, quoins, and similar decorative architectural features may encroach no more than 18 inches into any required setback area.
4. Roof overhangs may encroach no more than 18 inches into a required setback.
5. Separation fences located on a side or rear property line may encroach into any required side and rear yard setback.
6. Freestanding signs may encroach into required building setback areas.
7. Outdoor lighting fixtures may encroach into required building setback areas.

Sec. 125-140.C. Drainage Systems

Refer to Chapter 102, Subdivision and Development Regulations.

Sec. 125-140.D. Fences, Walls and Plantings

1. ***Clear Vision Triangle at Intersections.*** Within the triangular area formed by the right-of-way lines of intersecting streets and a line connecting points 25 feet on either side of the intersecting rights-of-way, including triangles formed from the centerline of driveways, there shall be clear space and no obstruction to vision. Fences, walls, plantings and other obstructions shall be restricted to a height of 30 inches or less above the grade of the lowest street as measured at the right-of-way line thereof in the above clear space.
2. ***Walls or Fences Containing Injurious Materials.*** Walls, fences or similar structures less than 6 feet in height shall not contain any substances, such as broken glass, barbed wire, spikes, nails or similar materials, designed to inflict pain or injury to any person or animal. Agricultural uses are exempt from this requirement.
3. ***Required Fences or Walls.*** For the open storage of recreational vehicles, boats, rental trucks or equipment, an approved opaque 6-foot high wall, suitably constructed of masonry, or wood fence, or suitable landscaping, shall be required around the perimeter of the site, and shall be maintained by the owner. This subsection shall not be interpreted to preclude the City from requiring an 8-foot fence for needs of public health or safety, or to prevent nuisance impacts to adjacent properties or streets.

Sec. 125-140.E. Fire Protection

1. **Fire Hydrants.** Prior to issuance of a building permit for the erection of any building or significant alteration of an existing building, the lot owner shall at his/her own expense cause an approved fire hydrant to be installed within 300 feet of the furthest extremity of the proposed building. If none exists within that distance, or at City Fire Marshal's discretion, an alternate fire protection system may be provided. The fire hydrant must have an approved blue reflector pavement mark in the street for night-time identification. This marker and its location must be approved by the City Engineer. The fire hydrant must be placed on a 6-inch water line or larger and be placed in the utility easement. Fire protection water lines constructed within a project may be required to be metered with a UL approved meter.
2. **Storage Tanks.** Aboveground atmospheric pressure storage tanks with more than 500 gallons capacity must comply with Section 46-10.
3. **Sprinklers Systems.** Sprinkler systems shall meet the requirements and specifications of the Fire Marshal's office as adopted in Section 46-7. Applicants for staff review under this Article shall acknowledge willingness to comply with the City fire code and the City Fire Marshal's sprinkler requirements.

Sec. 125-140.F. Flood Damage Prevention Standards

Refer to Chapter 50, Article II, Flood Damage Prevention and Protection.

Sec. 125-140.G. Interior Streets

1. **Standards.** All interior streets, defined as all public and private streets within a building site, shall be a minimum 28 feet in width and constructed of concrete or flexible base paved section in accordance with City standards and at the owner's expense. Interior streets paved in accordance with the City specifications, and not a part of the required parking area, shall be provided at the owner's expense for the access of fire and police protection and for garbage pickup.
2. **Building Location.** Each building shall abut an interior street or parking lot and may additionally be served by a concrete or flexible base alley without curbs, not less than 12.5 feet per traffic lane in width, adequately drained with catch basins and storm sewers constructed in accordance with City standards and at the owner's expense.

Sec. 125-140.H. Lighting

Outdoor lights shall be directed or hooded so that their rays are directed toward the ground and away from adjacent residential property or streets. No outside light shall be directed nearer to a side or rear property line than the height of the light, and, except for security purposes, lights shall be extinguished at the close of normal business. Provide a lighting plan at the time of permitting.

Sec. 125-140.I. Performance Standards

1. **Purpose.** The following performance standards are intended to control dangerous or objectionable environmental effects—including noise, vibration, smoke, dust or other particulate matter, toxic or noxious materials, odors, fire, explosive hazard or glare—and ensure compatible land use relationships.
2. **Noise.** At no point on a property line shall the sound intensity level of any individual operation or plant exceed the decibel levels as stipulated in Chapter 42, Article H.
3. **Vibration.** No use shall be permitted which produces ground vibrations noticeable without instruments at the lot line of the premise on which the use is located.
4. **Smoke Emissions.** Smoke emissions shall be in compliance with federal, state, and county regulations.
5. **Odors.** No use shall be permitted so as to produce the emission of objectionable or offensive odors in such concentration as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located. Table III, Chapter 5, "Air Pollution Abatement Manual," of the Manufacturing Chemist's Association, Inc., is hereby adopted as the guide in determining the quantities of offensive odors, as are the guides and standards contained in the prohibitions against air pollution of the state air control board.
6. **Discharge of Toxic or Noxious Matter.** No use shall, for any period of time, discharge across boundaries of a lot line on which it is located toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort or general welfare, or cause injury or damage to persons, property, or the use of property or land, or render unclean the waters of the state to the extent of being harmful or inimical to public health, animal or aquatic life, or the use of such waters for domestic water supply, recreation or other legitimate and necessary uses. Disposal of toxic or hazardous waste within the city is specifically prohibited.
7. **Nuclear Radiation.** Any operation involving radiation, i.e., the use of gamma rays, X-rays, alpha and beta particles, high-speed electrons, neutrons, protons, and other atomic or nuclear particles, shall be permitted only in accordance with the codes, rules and regulations of the state board of health and the state air control board.
8. **Electromagnetic Radiation and Interference.** No person shall operate or cause to be operated for any purpose a planned or unplanned source of electromagnetic radiation which does not comply with the current regulations of the Federal Communications Commission regarding such sources of electromagnetic radiation. Any operation in compliance with the Federal Communications Commission regulations will be deemed unlawful if such radiation causes an abnormal degradation of performance of any electromagnetic receptor of quality and proper design. The determination of abnormal degradation in performance and of quality and proper design shall be made in accordance with good engineering principles and standards of the American Institute of Electrical Engineers, the Institute of Radio Engineers and the Electronic

Industries Association.

9. **Interference.** No use, activity or process shall be conducted which produces electromagnetic interference with normal radio, television or non-mobile telephone reception.
10. **Heat or Glare.** Any activity producing heat or glare shall be carried on in such a manner that such heat or glare is not perceptible at any lot line. Exposed sources of light, including bare bulbs and tubes and immediately adjacent reflecting surfaces, shall be shielded to avoid creating a nuisance across lot lines.

Sec. 125-140.J. Projections above Height Limits

The following projections above base district height limits are permitted:

1. Belfries, domes, chimneys, cupolas, skylights, clock towers and other similar structural elements not used for human occupancy, may project above the base district height limit, provided that they do not cover more than 20 percent of the roof area;
2. Mechanical equipment and enclosures, elevator penthouses, ventilators, and other similar equipment, may project up to 5 feet above the base district height limit, but may not exceed the height of parapet walls;
3. Parapet walls or cornices may project up to 5 feet above the base district height limit;
4. Theater scenery lofts only to the height necessary to accomplish their purpose;
5. Church steeples, religious symbols, or similar elements on religious assembly buildings;
6. Signs, pursuant to Chapter 90: Signs;
7. Flagpoles; and
8. Wireless communications facilities, pursuant to Communications Towers and Structures Ordinance.
9. **Exceptions to Height Limits.** Height limits do not apply to barns, silos, or other farm buildings and structures; spires, belfries, cupolas, domes, and false mansards; monuments; water towers, fire and hose towers; windmills, chimneys, smoke stacks; flag poles, radio and television towers, masts, aerials and parabolic satellite receivers and microwave transmitters and receivers used in connection with radio and television broadcasting, but not including parabolic satellite TV reception antennas, unless otherwise regulated.

Sec. 125-140.K. Refuse Storage Areas

1. **Purpose.** The purpose of these regulations is to ensure the provision of adequate, accessible, and convenient locations for the collection and storage of refuse and recyclable materials within containers and enclosures that are compatible with surrounding land uses and structures.
2. **Applicability.** Refuse collection and recycling containers are required for all multi-family residential development and all non-residential developments. Any alteration adding 30 percent or more to the existing gross floor area of any non-residential use shall meet the requirements of this Section.
3. **Design, Location and Maintenance.**
 - a. **Access.** Driveways and aisles shall be unobstructed.
 - b. **Location.** Enclosures for refuse collection and recycling containers shall be located within the principal structure or within a permanently enclosed structure, if one exists, and shall be approved by the Fire Marshal. Enclosures may be functionally combined into a single unit or may be established at separate locations on a lot. Enclosures shall not be located in any required parking, buffer or landscape areas.
 - c. **Drains.** Drains in the refuse storage area must be equipped with a Building Department approved "P" trap when using City sanitary sewers.
 - d. **Enclosures or Screening Required.** All refuse collection and recycling containers shall be within enclosed facilities or screened so as not to be visible from a public street.
 - e. **Enclosure Materials.** The structure shall be enclosed on all sides, one of which includes a gate or door. The enclosure shall be made of screen fencing or wood fencing, or finished masonry walls. The enclosure shall be architecturally compatible with the principal structure. Electrical, barbed, and razor wire fences are prohibited.
 - f. **Height.** Minimum height is 6 feet. Maximum height is 8 feet.
 - g. **Landscaping.** The perimeter of the enclosure shall be landscaped with native species landscaping where practical.
 - h. **Security.** All refuse collection enclosures shall have a gate or door that can be secured.
 - i. **Maintenance.** Enclosures shall be maintained in a manner that protects adjacent properties as well as tenants located on the subject property from adverse environmental, health and safety impacts such as noise, odors and attraction of rodents or other pests. The receptacle shall be covered by

either a roof on the enclosure or covered receptacles.

Sec. 125-140.L. Screening of Mechanical Equipment

1. **Purpose.** The purpose of these regulations is to protect public views from unsightly equipment that is typically required of new development.
2. **Applicability.** These regulations shall apply in all zoning districts, with the exception of I Industrial districts unless such mechanical equipment is visible from a R Residential district
3. **General Requirements.** All exterior ground, building, and rooftop mechanical equipment shall be screened from public view on all sides. Equipment to be screened includes, but is not limited to: heating, air conditioning, and refrigeration equipment; plumbing lines; ductwork; transformers; and meter banks.
4. **Screening Specifications.** Screening materials may be solid concrete, wood, landscaping, or other opaque material that is compatible with the building architecture and effectively screens mechanical equipment so that it is not visible from a public street or adjoining lot. Screening material may have evenly distributed openings or perforations not exceeding 50 percent of the surface area. Rooftop equipment may be screened using enclosure, partial screens, or parapet walls.

Sec. 125-140.M. Sidewalks

Refer to Chapter 102, Subdivision and Development Regulations.

Sec. 125-140.N. Signs

Refer to Chapter 90, Signs.

Sec. 125-140.O. Utility Easements

Refer to Chapter 102, Subdivision and Development Regulations.

Sec. 125-140.P. Water and Sanitary Sewer System

Refer to Chapter 102, Subdivision and Development Regulations.

Sec 125-140.Q. Exterior Construction Requirements

1. **Residential Masonry Construction Standards**
 - a. **Single and Two-family.**
 - i. Except as noted below, this paragraph "a." applies to all new single-family, single-family with secondary dwelling, duplex, townhomes, and manufactured homes, and any associated attached or detached garages or residential units in residential

subdivisions for which a master plan, preliminary, or final plat application was submitted to the City on or after the effective date of this amendment. There is no intent via this paragraph "a." to apply said regulations to new residential construction on lots, plats, replats, etc. in neighborhoods existing at the time of this amendment. The provisions of this paragraph "a." shall not apply to land located within the Historic or Residential Neighborhood Conservation Overlay districts.

- ii. All exterior building walls oriented towards the street on which the property is addressed and those exterior walls facing parks, designated open spaces, detention/amenity ponds, trails, or other public/common spaces shall be no less than one-hundred percent (100%) masonry. All other exterior building walls shall be no less than eighty-five percent (85%) masonry. The above masonry requirements shall be exclusive of doors and windows.
- b. *Multi-family.* This paragraph "b." applies to all new multi-family buildings constructed after the date of this amendment. All principal and accessory exterior building walls oriented towards the street on which the property is addressed and those exterior walls facing parks, designated open spaces, detention/amenity ponds, trails, or other public/common spaces shall be no less than one-hundred percent (100%) masonry. All other exterior building walls shall be no less than seventy-five percent (75%) masonry. The above masonry requirements shall be exclusive of doors and windows.

2. ***Non-Residential Masonry Construction Standards.*** The following standards apply to all new non-residential building construction, and to an existing non-residential building having a cumulative building expansion of fifty percent (50.0%) or more in floor area as calculated from the date of this amendment.

- a. All non-residential buildings not located within a Limited Industrial (IL) or General Industrial (IG) zoning district shall have not less than eighty percent (80%) masonry construction on each exterior wall, excluding doors and windows.
- b. All non-residential buildings located (1) within a Limited Industrial (IL) or General Industrial (IG) zoning district and (2) adjacent to a public or private street, shall have not less than fifty percent (50%) masonry construction on each exterior wall, excluding doors and windows.
- c. Screening materials for the following uses shall be of masonry construction compatible with the main building:
 - i. Solid waste receptacles including but not limited to dumpsters and compactors;
 - ii. Above-ground storage tanks;
 - iii. Loading docks; and
 - iv. Similar accessory equipment and uses.

3. ***Hotels, Motels, and Commercial Lodging.*** See Section 125-90. E.

4. The City Planner may allow for minor deviations to the exterior construction requirements described in this Section 125-140.Q. to the extent that such approved minor deviations are not contrary to the intent or spirit of this Section.

Division 5. Off-Street Parking and Loading

Sec. 125-170 Off-Street Parking and Loading

Sections:

- 125-170.A. Purposes
- 125-170.B. Applicability
- 125-170.C. General Provisions
- 125-170.D. Off-Street Parking Requirements
- 125-170.E. Parking and Aisle Dimensions
- 125-170.F. Striping and Marking
- 125-170.G. Parking Access and Driveways
- 125-170.H. Passenger Loading
- 125-170.I. Screening, Landscaping and Lighting
- 125-170.J. Off-Street Loading
- 125-170.K. Bicycle Parking

This section combines the City's existing site off-street parking and loading requirements and development standards and includes an updated use list to match the use classification scheme. New standards are included for screening, landscaping, lighting, and bicycle parking.

Sec. 125-170.A. Purposes

The purposes of the off-street parking and loading regulations are to:

1. Ensure that adequate but not excessive parking is provided for new land uses and major alterations to existing uses to meet the parking needs created by such uses.
2. Establish regulations for new uses, new or relocated buildings and buildings that have been altered or expanded.
3. Ensure that off-street parking and loading areas are designed and located to protect the public safety, minimize congestion, reduce solar heat gain, minimize traffic conflicts and congestion on parking aisles and public streets, and buffer surrounding land uses and public areas from visual and noise impacts.
4. Ensure pedestrian-friendly parking areas by providing for safe pedestrian routes, parking lot lighting, parking spaces sized for contemporary vehicles, and trees for shade.
5. Provide for the accessibility needs and requirements of disabled and elderly persons.

Sec. 125-170.B. Applicability

These regulations shall apply to new uses and to alterations and additions to nonconforming structures. No building permit shall be issued for a use unless the use complies with this Section.

Sec. 125-170.C. General Provisions

1. **Required Parking.** All required parking shall be provided on site, except as provided in Subsection 7 below. The number of parking spaces required for individual uses in this Zoning Ordinance is set forth in Section 125-170.D below.
2. **Required Parking and Parking Lot Landscaping for Structures that are Altered.** The parking and parking lot landscaping requirements of this Section shall apply to the new portion of the parking lot when an existing structure is altered.
3. **Uses Not Mentioned.** Parking requirements for a use not identified in this Section shall be determined by the City Planner or designee based on parking requirements for the most similar use listed in Division 1 or Article V of this Zoning Ordinance. The City Planner or designee may require submission of a parking study prepared by a person licensed to prepare such study.
4. **Fractional Spaces.** If the number of parking spaces required in this Section results in a fraction, then the required number shall be rounded to the nearest whole number. For example, if the computed requirement equals 9.5 spaces, then 10 spaces are required. If the computed requirement equals 9.4 spaces, then 9 spaces are required.
5. **Computation of Required Parking for Residential Use.** Residential parking for multi-family uses shall be based on the number of bedrooms. Any rooms defined as bedrooms by the City of League City building code shall be counted as a bedroom for the purpose of determining off-street parking requirements.
6. **Visitor Parking.** On-street parking may be counted toward the visitor-parking requirement for developments in all residential districts, provided that the street has a minimum 8-foot wide legal parking area exclusive of travel lanes. To qualify as one visitor parking space, there shall be an uninterrupted 20-foot long space and a sidewalk adjacent to the parking side of the street. The City may require on-street visitor parking spaces to be striped.
7. **Shared Parking.** Where a use generates parking demand primarily during hours when an adjacent use or uses are not in operation or generate shared trips, a reduction of up to 50 percent of the required parking may be approved by means of a Special Use Permit. The Special Use Permit shall terminate if the use changes. The application shall include:
 - a. Submission of a parking study prepared by a person licensed to prepare such study;

- b. Proposed documents for recordation of cross-easements for parking purposes satisfactory to the City Attorney; and
 - c. Proposed documents satisfactory to the City Attorney to ensure maintenance of the shared parking spaces.
- 8. **Temporary Use of Parking Area.** The temporary use of parking areas for uses other than parking is permitted provided that:
 - a. The non-parking use complies with all temporary use and license requirements;
 - b. The use does not interfere with fire or emergency vehicle access;
 - c. The use does not create a traffic hazard or interfere with vehicular or pedestrian circulation on the site;
 - d. The use provides accessible parking in accordance with applicable laws; and
 - e. The non-parking use is conducted with written property owner authorization.
- 9. **Parking for Age Restricted Uses or to Comply with the Americans with Disabilities Act.** A reduction in parking requirements for a multi-family age-restricted use may be approved by an Special Use Permit where the project is restricted by covenant or deed restriction to an age-restricted use. Any such approval shall be based on a parking study or other acceptable evidence that supports the requested parking reduction. In no event shall required parking be reduced below 0.5 parking spaces per dwelling unit. Parking requirements for the multi-family use shall revert to those specified in this Section if age restrictions are no longer in effect.
- 10. **Restrictions on Parking in Commercial and Office Districts.** Recreational Vehicles, trailers, commercial vehicles, or combinations of vehicles exceeding 21 feet in length shall not be parked within any commercial zoned property, except for the purpose of loading, unloading, service, or patronizing a commercial use on the site. In commercial districts, no vehicle shall be parked overnight and used for permanent or temporary habitation.
- 11. **Prohibited Parking.** Parking shall be prohibited in the following locations:
 - a. Fire lanes;
 - b. Required landscape areas;
 - c. Unimproved properties or portions of properties in nonresidential and multi-family districts; and

- d. Outside areas not designated for parking on an approved site plan.
12. **Separation from Buildings.** Parking spaces shall be separated from a multi-family residential building or non-residential building by:
- a. A raised walkway of at least 4 feet in width exclusive of any overhang permitted in Subsection 18 below and in compliance with minimum ADA requirements, or;
 - b. A raised landscape planter of at least 5 feet in width exclusive of any overhang permitted in Subsection 18 below.
13. **Parking Overhang.** Vehicles may overhang landscape areas or sidewalks by 24 inches provided that:
- a. The overhang does not interfere with the base of any structure, raised planter, seating bench, fence, utility equipment, light pole or base, or trunk of any tree;
 - b. The unobstructed width of the sidewalk, exclusive of the 24 inch overhang, is not less than 4 feet;
 - c. The allowable overhang does not reduce any landscape planter width below 5 feet; and
 - d. No part of any parked vehicle extends into any required landscape area or beyond any property line.
14. **Opposing Overhangs.** Where parking spaces are on opposite sides of the landscaping or sidewalk or combination thereof, the landscape area or sidewalk shall be at least 9 feet in width.
15. **Parking Wheel Stops.** Concrete or metal parking wheel stops held in place by steel posts or placed directly on the parking surface are prohibited.
16. **Side Clearance.** Each parking space located at the end of a row of spaces shall provide a 3-foot wide area clear of vertical obstructions more than 6 inches in height, exclusive of landscaping, next to the side of the space.
17. **Tandem Parking, Non-residential.** Tandem parking spaces shall only be approved for full-time valet or attended parking. Tandem parking spaces may be used to satisfy a portion of the parking requirement for non-residential uses, subject to the approval of an Special Use Permit. The Special Use Permit shall terminate if the use changes.
18. **Striping.** One or more 4-inch wide lines of white or other contrasting color paint shall delineate all multi-family residential and non-residential parking spaces. Such lines shall be maintained to clearly identify each space.

19. ***Pavement Edge Protection.*** All permanent uses other than single family residential lots shall provide a 6-inch, poured-in-place concrete curb or other approved material for all parking areas and drive aisles abutting landscaped areas.

20. ***Parking On Single Family Residential Lots.*** One additional uncovered parking space may be constructed next to the driveway or adjacent to a garage or carport. On corner lots, the parking space shall not be constructed in the street side setback area. No vehicle or trailer shall be parked in the front or side yard setback area visible from the street, except on a driveway or additional parking space permitted in this subsection. The additional parking space permitted by this subsection shall comply with the following standards:
 - a. The parking space shall have a surface of asphalt, concrete, decomposed granite or gravel;
 - b. The surface may consist of 2 parallel concrete or cement strips. The area between such parallel strips shall be landscaped with vegetative or non-vegetative ground cover;
 - c. No parked vehicle may obstruct or encroach on a sidewalk; and
 - d. Access to the parking space shall be via a curb cut, rolled curb, or driveway.

Sec. 125-170.D. Off-Street Parking Requirements

Off-street parking requirements for all uses are prescribed in Schedule 125-170.D below.

Schedule 125-170.D: Off-Street Parking Requirements

<i>Use Classification</i>	<i>Parking Requirement</i>
Residential	
Child Care Family Homes	
<i>Listed Family Homes</i>	No additional spaces required
<i>Registered Family Homes</i>	No additional spaces required
Residential Dwellings	
<i>Single Family Dwelling</i>	4 spaces/unit (may be tandem)
<i>Single Family with Secondary Dwelling</i>	1 additional space
<i>Townhouse</i>	4 spaces/unit (may be tandem)
<i>Duplex</i>	4 spaces/unit (may be tandem)

Schedule 125-170.D: Off-Street Parking Requirements

<i>Use Classification</i>	<i>Parking Requirement</i>
<i>Multi-Family Residential</i>	1 space/1 bedroom or studio unit; 2 spaces/2 or more bedroom units; 0.3 guest spaces/unit
Group Residential Facilities	
<i>Assisted Living Facility</i>	0.75 spaces/unit
<i>Continuing Care Facility</i>	0.75 spaces/unit
<i>Disabled Group Dwelling</i>	1 space/every 3 residents, plus 1 space for each employee (based on maximum number of employees working at one time)
<i>Emergency Shelter</i>	1 space/every 4 residents, plus 1 space for each employee (based on maximum number of employees working at one time)
<i>Halfway House</i>	1 space/sleeping room, plus 1 space for each employee (based on maximum number of employees working at one time)
<i>Homeless Shelter</i>	1 space/40 beds, plus 1 space for each employee (based on maximum number of employees working at one time)
<i>Nursing Home</i>	1 space/every 4 residents, plus 1 space for each employee (based on maximum number of employees working at one time)
Public and Semi-Public	
Cemeteries	None required
Clubs or Lodges	1 space/250 sq. ft.
Colleges, Public or Private	1 space/250 sq. ft. of classroom and office area
Cultural Institutions	1 space/250 sq. ft.
Day Care	1 space/250 sq. ft.
Educational Research and Development	1 space/250 sq. ft.
Government Offices and Facilities	
<i>Large-Scale</i>	1 space/250 sq. ft.
<i>Small-Scale</i>	1 space/250 sq. ft.
Hospitals	1.5 spaces/bed

Schedule 125-170.D: Off-Street Parking Requirements

<i>Use Classification</i>	<i>Parking Requirement</i>
Parks and Recreation	2 spaces/court; 40 spaces/soccer field; 30 spaces/ball diamond; 1 space/150 sq. ft. of indoor area;
Public Maintenance Facilities	1 space/250 sq. ft.
Public Safety Facilities	1 space/250 sq. ft.
Religious Assembly	1 space/100 sq. ft. of assembly area; 1 space/200 sq. ft. of other indoor area
Schools, Public or Private	2 spaces/classroom for elementary/junior: 7 spaces/classroom for high
Commercial	
Alcoholic Beverage Sales	1 space/250 sq. ft.
Ambulance Services	1 space/250 sq. ft.
Animal Sales and Services	1 space/250 sq. ft.
Automobile/Vehicle/Equipment Sales and Services	
<i>Automobile/Vehicle/Equipment Sales and Rental</i>	1 space/250 sq. ft. of indoor area
<i>Automobile Rentals</i>	1 space/150 sq. ft. of indoor area
<i>Car Wash</i>	2 spaces for automated/self-service; 10 spaces for full service
<i>Gas and Service Stations</i>	2 spaces/service bay; 1 space/150 sq. ft.
<i>Light Vehicle Service</i>	2 spaces/service bay; 1 space/250 sq. ft. of other indoor area
<i>Auto Repair and Other Heavy Vehicle Service</i>	3 spaces/service bay; 1 space/250 sq. ft. of other indoor area
Banks and Other Financial Institutions	1 space/250 sq. ft.

Schedule 125-170.D: Off-Street Parking Requirements

<i>Use Classification</i>	<i>Parking Requirement</i>
Bed and Breakfast Establishment	1 space/guest room
Building Materials Sales and Services	1 space/500 sq. ft.
Business Services	1 space/250 sq. ft.
Catering Business	1 space/250 sq. ft.
Convention Center	1 space/250 sq. ft.
Eating and Drinking Establishments	
<i>Full Service</i>	1 space/125 sq. ft.
<i>Limited Service</i>	1 space/125 sq. ft.
<i>With Drive-Through Facilities</i>	2 spaces for waiting area
<i>With Live Entertainment</i>	1 space/125 sq. ft.
<i>With Outdoor Seating</i>	1 space/300 sq. ft. of outdoor seating area
Food and Beverage Sales	1 space/250 sq. ft.; 1 space/125 sq. ft. for convenience uses
Home Improvement Sales and Services	1 space/250 sq. ft.
Hotels and Commercial Lodging	1.25 spaces/unit
Laboratory, Commercial	1 space/250 sq. ft.
Maintenance and Repair Services	1 space/250 sq. ft.
Massage Establishments and Massage Services	1 space/250 sq. ft.
Nurseries and Garden Supply Stores	1 space/500 sq. ft.
Offices	1 space/250 sq. ft.
Parking Facilities	1 space/250 sq. ft. of office area; 2 spaces for waiting area
Pawn Shops	1 space/250 sq. ft.
Personal Instructional Services	1 space/250 sq. ft.
Personal Services	1 space/250 sq. ft.

Schedule 125-170.D: Off-Street Parking Requirements

<i>Use Classification</i>	<i>Parking Requirement</i>
Recreation and Entertainment	
<i>Large-Scale</i>	1 space/3 spectator seats; 2 spaces/court; 1 space/batting cage; 2 spaces/golf hole; 1 space/150 sq. ft. of indoor area
<i>Small-Scale</i>	1 space/125 sq. ft.
Retail Sales	1 space/250 sq. ft.
Self Storage	1 space/1,000 sq. ft.; 1 space/250 sq. ft. of office area; 4 spaces for waiting area
Sexually Oriented Businesses	1 space/250 sq. ft.
Temporary Sales	Determined by City Planner or designee
Undertaking, Funeral and Interment Services	1 space/100 sq. ft. of assembly area; 1 space/250 sq. ft. of office area
Industrial	
Contractor’s Storage	1 space/250 sq. ft. of office area
Production Industry	
<i>Artisan</i>	1 space/500 sq. ft.
<i>General</i>	1 space/750 sq. ft.
<i>Limited</i>	1 space/500 sq. ft.
Recycling Collection	1 space/250 sq. ft. of office area
Research and Development	1 space/250 sq. ft.
Warehousing and Storage	
<i>Indoor Storage</i>	1 space/1,000 sq. ft.; 1 space/250 sq. ft. of office area

Schedule 125-170.D: Off-Street Parking Requirements

<i>Use Classification</i>	<i>Parking Requirement</i>
<i>Outdoor Storage</i>	1 space/250 sq. ft. of office area
Wholesaling and Distribution	
<i>With Store Facilities</i>	1 space/1,000 sq. ft.; 1 space/250 sq. ft. of store area
<i>Non-Store Facilities</i>	1 space/1,000 sq. ft.
Transportation, Communication, and Utilities	
Communications Facilities	1 space/250 sq. ft.
Communication Towers and Structures	2 spaces
Transportation Facilities	
<i>Airports and Heliports</i>	Determined by City Planner or designee
<i>Freight/Truck Terminal and Warehouse</i>	1 space/1,000 sq. ft.; 1 space/250 sq. ft. of office area
<i>Marinas, Docks</i>	1 space/marina slip
<i>Marinas, Private</i>	1 space/marina slip; 0.25 guest spaces/marina slip; 1 space/250 sq. ft. of office area; 1 space/250 sq. ft. of other indoor area
<i>Marinas, Public</i>	1 space/marina slip; 0.25 guest spaces/marina slip; 1 space/250 sq. ft. of office area; 1 space/250 sq. ft. of other indoor area
<i>Transportation Passenger Terminals</i>	Determined by City Planner or designee
<i>Truck Weight Stations</i>	1 space/250 sq. ft. of office area
Utility Major	1 space/250 sq. ft. of office area
Utility, Minor	1 space/250 sq. ft. of office area

Schedule 125-170.D: Off-Street Parking Requirements

<i>Use Classification</i>	<i>Parking Requirement</i>
Agriculture and Extractive	
Crop and Animal Raising	Determined by City Planner or designee
Mining and Drilling	1 space/250 sq. ft. of office area
Plant Nursery	1 space/500 sq. ft. of indoor area

Sec. 125-170.E. Parking and Aisle Dimensions

This Section sets forth dimensional requirements for open parking spaces, covered parking spaces, spaces in parking structures, and residential garage parking.

1. ***Location of Off-Street Parking Spaces.*** Off-street parking spaces shall be located so that any parcel on which such parking spaces are located shall be adjacent to and bordering the property on which the building or use to which such parking spaces are assigned is located. In the event that two or more separate parcels on which off-street parking is located are assigned to a single building or use, at least one such parcel of real property (an "adjoining parking property") must be adjacent to and bordering the property on which the building or use is located and the remaining such parcels must be adjacent to and bordering either an adjoining parking property or the property on which the building or use is located.
2. ***Open Parking Spaces.*** The minimum dimensions of open parking spaces and parking aisles are set forth in Schedule 125-170.E below. For high turnover uses and uses utilizing shopping carts, space width shall be increased by 6 inches for 50 percent of the required parking spaces closest to the building entrances.
3. ***Unenclosed Covered Parking Spaces.*** Each unenclosed covered parking space shall measure at least 9 feet in width and 19 feet in depth of unobstructed area. These measurements shall not include the exterior walls or supports of the structure. An unenclosed covered parking space shall have an unobstructed backup area of not less than 25 feet.
4. ***Spaces in Parking Structures.*** Each parking space in a parking structure shall measure at least 9 feet in width and 19 feet in depth, and have an unobstructed back- up area of not less than 25 feet.
5. ***Vertical Clearance for Unenclosed Covered Spaces and Parking Structures.*** Covered parking and parking structures shall have a minimum vertical clearance of 8 feet.

6. **Compact Parking Spaces.** Parking spaces that front on a landscape planter that is a minimum size of 6 feet wide and 6 feet long may be restricted to parking for compact cars by clearly marking the pavement surface. Such compact spaces shall be at least 9 feet in width and 16 feet in length.
7. **Residential Garages.** Single- and multi-family residential enclosed garage structures intended to accommodate one vehicle shall have a minimum interior unobstructed width of 12 feet and a minimum interior unobstructed length of 20 feet. For two vehicles, the minimum unobstructed interior width shall be 20 feet.
8. **Residential Tandem Parking.** Single family residential enclosed garages intended to accommodate two vehicles parked end-to-end shall have a minimum unobstructed interior width of 12 feet and a minimum interior unobstructed length of 38 feet.
9. **Parking Dimensions.** The following dimensions shall apply to all uses other than high turnover uses and those uses utilizing shopping carts.

Schedule 125-170.E: Parking Space and Aisle Dimensions for Parking Angles

<i>Space Angle</i>	<i>Aisle Width (ft.)</i>	<i>Space Width (ft.)</i>	<i>Space Length (ft.)</i>
One Way			
0 degrees	14.0	10.0	22.0
30 degrees	15.0	9.0	19.0
45 degrees	16.0	9.0	19.0
60 degrees	17.0	9.0	19.0
90 degrees	24.0	9.5	19.0
Two Way			
0 degrees	20.0	10.0	22.0
30 degrees	20.0	9.0	19.0
45 degrees	22.0	9.0	19.0
60 degrees	24.0	9.0	19.0
90 degrees	25.0	9.0	19.0

Sec. 125-170.F. Striping and Marking

1. All parking shall be delineated by painted lines, curbs or other means to indicate individual spaces. Traffic control signs and other pavement markings shall be used as necessary to ensure safe and efficient traffic operation on the lots. Such signing and markings shall be subject to the approval of the City Engineer.

2. Placement, signing, and markings for fire zones shall be approved by the Fire Marshal.
3. Placement, signing and markings for handicap facilities shall be subject to approval by the Building Official.
4. All parking lot surfaces and curb striping shall be maintained in good condition at all times.

Sec. 125-170.G. Parking Access and Driveways

1. Each parking stall shall have appropriate access to a street or alley, and the maneuvering and access aisle shall be sufficient to permit vehicles to enter and leave the parking area in a forward motion.
2. All driveways constructed to serve development addressed in this subsection shall be constructed in a manner and with materials similar to the frontage roadway. At a minimum, all driveways shall be concrete or asphalt. Paved driveways shall extend at a minimum to the property line or the end of the curb return, whichever is greater.
3. All two-way driveways from arterials and collectors shall have ingress and egress lanes delineated by yellow traffic buttons placed in accordance with Texas Department of Transportation (TxDOT) specifications.
4. New driveways shall conform to the requirements outlined in Schedule 125-170.G-1 below or to TxDOT approved criteria, unless special circumstances warrant variations approved by the Planning and Zoning Commission.

Schedule 125-170.G-1: Driveway Dimensions

	<i>Arterial Street</i>	<i>Collector Street</i>	<i>Residential Street</i>	<i>Alley</i>
Curb Return (ft.)				
<i>Minimum</i>	20	10	5	5
<i>Maximum</i>	25	20	10	10
Minimum Corner Clearance (ft.)	30	30	20	20
Driveway Width (ft.)				
<i>Minimum</i>	35	30	20	25
<i>Maximum</i>	45	40	30	--
Maximum Driveway Grade (%)	4	8	12	12

5. The maximum number of driveways shall conform to the requirements outlined in Schedule 125-170.G-2 below or to TxDOT approved criteria, unless special circumstances warrant variations approved by the Planning and Zoning Commission.

Schedule 125-170.G-2: Maximum Driveways

<i>Street Frontage</i>	<i>Number of Driveways</i>
Up to 58 feet	1
59 to 95 feet	1
96 to 135 feet	2
136 to 320 feet	2
321 to 600 feet	3

Sec. 125-170.H. Passenger Loading Areas

1. **General.** For the purposes of this Section, a passenger loading space is the area a vehicle occupies while loading or unloading passengers. A passenger loading space shall be a minimum of 12 feet in width and 20 feet in length. Passenger loading areas shall be provided adjacent to the principal facility entrance or entrances and shall consist of vehicle turnout lanes located outside access aisles. Passenger loading areas shall be identified exclusively for this use.
2. **Loading Area Requirements.** Passenger loading shall be provided in accordance with Schedule 125-170.H below.

Schedule 125-170.H: Passenger Loading Areas

<i>Use Classification</i>	<i>Required Spaces</i>
Residential Care Apartment Facilities	1
Clubs or Lodges	1
Convention Center	5
Cultural Institutions	1
Day Care	3
Government Offices and Facilities	2
Hospitals	2
Hotels and Commercial Lodging	3
Parks and Recreation	
<i>Amphitheatre</i>	2
<i>Court or sports field</i>	1 per court/field
<i>Performing Arts</i>	2
<i>Skating Rink</i>	2
<i>Swimming Pool</i>	2
<i>Theatre</i>	1 per 3 screens
Religious assembly	3

Schools, public or private	3
Transportation passenger terminals	4

Sec. 125-170.I. Screening, Landscaping and Lighting

1. Parking areas, automotive fuel pump islands, and parking access aisles parallel to and within 75 feet of rights-of-way shall be screened from view from those rights-of-way, public parks and public buildings with one of the following:

a. ***Landscape Screening***

- i. *Height.* Where landscaping is used as a substitute screening method, it shall be planted and maintained as a continuous landscape hedge not less than 3 feet or more than 4 feet, measured from finish grade of the parking lot.
- ii. *Location.* The landscape hedge shall not be located in public rights-of-way.
- iii. *Clearance.* The landscape hedge shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle.
- iv. *Plant Materials.* Plant materials shall be an evergreen species.
- v. *Sight Distance Triangle.* Ground covers and shrubs planted within sight distance triangles shall not exceed a height of 24 inches at maturity.

b. ***Berms***

- i. *Height.* Where a berm is used as a substitute screening method, it shall measure not less than 3 feet nor more than 4 feet from finish grade of the parking lot.
- ii. *Location.* The berm shall not be located in public rights-of-way.
- iii. *Clearance.* The berm shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle.

- iv. *Slope.* The maximum slope of the berm shall not exceed 4:1.

c. ***Parking Screen Fences***

- i. *Height.* Fences shall be not less than 3 feet nor more than 4 feet, measured from finish grade of the parking lot.
- ii. *Location.* Fences shall not be located in public rights-of-way or on top of any retaining walls.
- iii. *Alignment.* Fences shall be horizontally staggered a minimum of 1 foot for every 100 linear feet.
- iv. *Clearance.* Fences shall be set back a minimum of 3 feet and a maximum of 6 feet from the perimeter of any parking space, driveway, or any access aisle, as measured from the back of curb.
- v. *Materials and Finish.* Fences shall be constructed of decorative block, brick, stone, or similar materials and finished on both the interior and the exterior elevations.

2. ***Shade Trees.***

- a. Shade trees shall be planted in the parking lot at a ratio of 1 tree for every 8 spaces. Trees shall be dispersed throughout the parking lot to maximize the shading effect on the parking spaces. These trees are exclusive of trees planted around the perimeter of the parking lot.
- b. The end spaces in a row of parking spaces shall be separated from drive aisles by landscape islands or peninsulas that are a minimum width of 6 feet.
- c. The landscape planter for any parking lot tree shall have a minimum area of 50 square feet and a minimum interior width of 5 feet.
- d. The minimum trunk size of parking lot trees shall have a minimum trunk height of 6 feet and a minimum of a 2 inch single trunk caliper measurement or a 1.5 inch average trunk caliper measurement for multiple trunk trees when planted, measured 4 feet above grade. This size of tree is generally referred to as 24 inch box.
- e. The minimum trunk height of parking lot trees shall be 6 feet.

3. ***Light Poles.*** Parking lot light poles shall be located in a landscape planter or incorporated into a walkway or other pedestrian area. Concrete bases for light poles

shall not exceed a height of 30 inches from finished grade.

Sec. 125-170.J. Off-Street Loading

This Section applies to any non-residential use having a gross floor area of 10,000 square feet or more requiring the delivery or distribution of material or merchandise by trucks measuring 36 feet or more, including cab and trailer.

1. **Requirement.** At least 1 off-street loading space shall be provided. One additional loading space shall be provided for each additional 40,000 square feet of gross floor area over 10,000 square feet. Required loading spaces shall be maintained during the existence of the use.
2. **Standards.**
 - a. *Location.* Loading spaces shall not be closer than 100 feet to any land designated for residential use, or within 100 feet of land zoned for residential use, unless such loading spaces are within an enclosed building.
 - b. *Dimensions.* Each required off-street loading space shall be not less than 12 feet wide and 45 feet long.
 - c. *Clear height.* Each required off-street loading space shall have a minimum clear height of 14 feet.
 - d. *Screening.* Each off-street loading space visible from a public street, within 200 feet of land designated for residential use on the General Plan, or within 200 feet of land zoned for residential use shall be enclosed on three sides by a solid fence not less than 14 feet in height.
 - e. *Maneuvering.* Truck-maneuvering areas shall not encroach into required parking spaces or rights-of-way.
3. **Customer Loading Zones.** This Section applies to retail uses where customers take delivery of goods in non-commercial vehicles other than in designated parking spaces. Such uses are characterized by the sale of large or bulky items and include home improvement stores, appliance, and electronics stores.
 - a. *Requirement.* A customer-loading zone shall be provided for any use having a gross floor area of 20,000 square feet.
 - b. *Location.* The loading zone shall be located within 50 feet of the primary exit. Customer loading is prohibited in designated fire lanes.
 - c. *Dimensions.* A loading zone shall be a minimum width of 10 feet and a minimum length of 30 feet.

- d. *Clear Height.* The loading zone shall have a minimum clear height of 14 feet.

Sec. 125-170.K. Bicycle Parking

Bicycle parking stalls shall measure 2 feet by 6 feet per stall. Stall area shall not encroach into any required landscaping or pedestrian access areas.

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Division 6. Landscaping and Buffer Yards

Sec. 125-190 Landscaping and Buffer Yards

Sections:

- 125-190.A. Purpose
- 125-190.B. Landscaping
- 125-190.C. Nonconforming Lots 125-
- 190.D. Nonconforming Structures

These regulations combine the City's existing landscaping requirements for special uses and those included in the Scenic Byways Overlay District regulations. Requirements for a landscaping plan are new as are regulations for buffering to protect incompatible land uses.

Sec. 125-190.A. Purpose

The purpose of the landscaping and buffer yard regulations is to:

1. Promote attractive development and preserve the appearance and character of the surrounding area through the use of landscaping.
2. Eliminate or minimize conflicts between potentially incompatible, but otherwise permitted land uses, on adjoining lots through buffering, which may include a combination of setbacks and visual buffers or barriers.
3. Prescribe standards for the development and maintenance of planting, fences, and walls.

Sec. 125-190.B. Landscaping

These provisions are intended to promote attractive development and preserve the appearance and character of area surrounding new development. These provisions apply to all development for which landscaping is required under this Code and to Planned Developments.

1. **Applicability.** These regulations shall apply to:
 - a. All new residential and non-residential subdivisions;
 - b. All new construction other than individual single family residences;
 - c. Additions of 25 percent or more to existing buildings and uses in all multi-family residential and non-residential districts; and

- d. New construction and expansion by 25 percent or more of all existing permanent non-residential uses in residential districts.
2. **Minimum Area and Perimeter Requirements.** The minimum area and perimeter landscaping area requirements for any residential or non-residential lot or parcel are set forth in the development regulations for each base and overlay zoning district (refer to Divisions 2 and 3 of Article III).
3. **Landscaping Plan.** When landscaping is required, a landscaping plan has to be submitted in conjunction with other application materials, as provided in Division 2 of Article II. Landscaping may include trees, shrubs, ground cover, vines, walkways, ponds, fountains, benches, sculpture, shade structures and other materials used for enhancing the exterior appearance of a development or parking area.
4. **Preparation and Completion of Landscaping Plan.** A landscaping plan must be prepared by a landscape designer, a State-licensed landscape architect, or other qualified person and no significant or substantive changes to approved landscaping plans may be made without prior written approval by the Building Official. Evidence of completion of required landscaping must be supplied to the City Planner or designee and submitted prior to issuance of an occupancy permit for new construction.
5. **Components of Landscaping Plan.** A landscaping plan shall include a site plan, drawn to scale with a north arrow, that is equal to standard architectural or engineering quality and indicates the following:
 - a. The species and size of all existing trees greater than 1.5-inch caliper, showing those that are proposed for removal and those proposed for retention;
 - b. All proposed plant materials clearly labeled and drawn to size at maturity;
 - c. Adjacent land uses;
 - d. Plant list, indicating common names, scientific names and varieties, quantities, planting sizes, and types, and plant spacing for hedges and screens for all plant materials proposed;
 - e. Description of the proposed method of protecting existing trees during construction; and
 - f. Irrigation system.
6. **Required Materials.** Native and wildlife beneficial species preferred. All plant materials shall be suitable for League City soils and climatic conditions, the plant's slope exposure, shall meet the following requirements:

- a. *Uniform Distribution.* Plant material should be distributed so as to provide a relatively uniform planting. Where the planting is along a street and some visibility into the development is desired, the plant material may be arranged to provide view corridors.
 - b. *Ground Cover.* Ground cover must be appropriate to the surface conditions of the area. Grass is the default landscaping material, although in parking lots and on steep slopes, other ground covers able to withstand the physical conditions are appropriate.
 - c. *Combination of Materials.* The landscaped planting areas should be entirely pervious except for fence or wall structures and walks that provide pedestrian access. No more than 25 percent of a landscaped area should have gravel, stones, wood chips, or paving.
7. ***Parking Area Landscaping.*** Landscaping requirements for parking areas are set forth in Division 5 of this Article.
 8. ***Maintenance.*** All required planting must be permanently maintained as approved in good growing condition and replaced with new plant materials when necessary to ensure continued compliance with applicable landscaping requirements.
 9. ***Irrigation.*** A programmable automatic irrigation system shall be provided to all landscaped areas. Water conservation fixtures shall be used in accordance with applicable City requirements.
 10. ***Surety for Delayed Installations.*** There may be cases where landscaping cannot be completed prior to building occupancy due to weather or other conditions. In these instances, the City may require surety to be provided in the amount of 120 percent of the estimated cost of the landscaping to be provided. The form of the surety must be approved by the City Attorney.

Sec. 125-190.C. Buffer Yards

Buffer yards are intended to eliminate or minimize conflicts between potentially incompatible, but otherwise permitted land uses on adjoining lots. Buffering may include a combination of setbacks and visual buffers or barriers. Schedule 125-190.C-1 prescribes the minimum buffer yard standards for three buffer yard types. Schedule 125-190.C-2 defines the types of buffer yards required for specific situations.

1. ***Applicability.*** The buffer yard standards of this section apply to:
 - a. All new development on vacant land;
 - b. Redevelopment or expansion of existing site development by more than 50 percent, not including single family dwellings or the addition of accessory uses or structures;

- c. Addition or expansion of an existing building by more than 5,000 square feet;
 - d. Any change in use that increases development intensity and results in increased traffic, processes, noise, water or air pollution, etc. For the purposes of this Section, a change in use includes: from a residential use to a commercial use; from a commercial uses to an industrial use; and in some cases from a manufacturing use to a commercial use.
2. **Location and Measurement.** Required buffer yards must be developed along the perimeter of the lot and are measured from the property line of the development site and extending inward. Buffer yard planting may be located in a required setback area. Buffer yards may not be located within any dedicated public or private street right-of-way.
3. **Buffer Yard Plan.** A buffer yard plan must be submitted in conjunction with other application materials, as provided in Division 2 or Article II. The plan must be prepared by a landscape designer, a State-licensed landscape architect, or other qualified person. Where a landscaping plan is also required pursuant to Section 125-190.B above, the landscaping plan must incorporate the buffer yard plan. Where a landscaping plan is not required, the buffer yard plan must show the location of all buffer yards on the project site, proposed plant locations, a plant list and key, location of utility easements, roads, emergency access, walkways, and existing and proposed structures on the site.
4. **Buffer Yard Standards.** Schedule 125-190.C-1 describes the minimum requirements for each buffer yard type. Native and wildlife beneficial species preferred.

Schedule 125-190.C-1: Buffer Yard Standards

	<i>Buffer Yard Types</i>			<i>Additional Regulations</i>
	<i>A</i>	<i>B</i>	<i>C</i>	
Buffer yard width (ft.)	20	30	50	a.
Canopy trees (per 100 lineal feet)	4	4	4	b.
Ornamental trees (per 100 lineal feet)	4	4	4	c.
Shrubs	continuous	continuous	continuous	d.
Berm height (ft.), if provided	--	--	4	e.
Fence height (ft.), if provided	--	6	8	f.

- a. On any portion of the development site where this Section would require two buffer yard types, the greater buffer yard type shall be required.

- b. Canopy trees shall mean deciduous and broadleaf evergreens capable of growing at least 25 feet in height or spread at maturity and not less than 10 feet high and 1.5-inch caliper at time of planting. If a fence is provided, the trees shall be placed at least 8 feet from the fence.
 - c. Ornamental trees shall mean deciduous or evergreen trees capable of growing between 10 and 15 feet in height at maturity and not less than 8 feet high and 1.5-include caliper at time of planting. If a fence is provided, the trees shall be placed at least 8 feet from the fence.
 - d. Shrubs shall not be less than 2 feet high and 5-gallons in size at time of planting. The Urban Forester may approve a 1-gallon size for fast-growing species. Groundcover shall be consistent with the requirements of Section 125-190.B.6 above. If a fence is provided, shrubs shall be placed at least 4 feet from the fence.
 - e. The requirement for a berm may be waived if a fence is provided in a Type C buffer yard
 - f. Fences are not required as part of buffer yards; however, if a fence is provided in a Type B or C buffer yard, then the required width of the buffer yard may be reduced by 5 feet provided that the fence provides a solid visual barrier. No reduction in buffer yard width is permitted in a Type A buffer yard even if a fence is provided.
5. **Required Buffer Yards.** Buffer yards are required between certain land uses, with the type of yard depending on the adjoining zoning district. Schedule 125-190.C-2 prescribes the required buffer yards between proposed development and adjoining development by zoning district. For each zoning district, the required buffer yard type is specified. In some cases, a buffer yard is not required.
6. **Maximum Achievable Buffer Yards.** In cases where shape, topography, easements, or existing buildings on a lot make it impractical to provide a required buffer yard, the City Planner or designee may recommend and the Planning and Zoning Commission may approve a maximum achievable buffer yard that provides planting and design that is consistent with the use being buffered.
7. **Surety for Delayed Installations.** There may be cases where buffer yards cannot be completed prior to building occupancy due to weather or other conditions. In these instances, the City may require surety to be provided in the amount of 120 percent of the estimated cost of the landscaping to be provided. The form of the surety must be approved by the City Attorney.

Schedule 125-190.C-2: Required Buffer Yards

Adjoining Development or District

Proposed Development Providing Buffer	<i>RSF-20</i>	<i>RSF-10</i>	<i>RSF-7</i>	<i>RSF-5</i>	<i>RSF-2</i>	<i>RMF-2</i>	<i>RMF-1.2</i>	<i>CN</i>	<i>CG</i>	<i>CO</i>	<i>CM</i>	<i>IL</i>	<i>IG</i>	<i>PS</i>	<i>OS*</i>
RSF-2	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
RMF-2	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
RMF-1.2	B	B	B	B	A	A	A	A	A	A	A	A	A	A	A
CN	B	B	B	B	A	A	A	—	—	—	—	—	—	—	B
CG	C	C	C	C	A	A	A	—	—	—	—	—	—	B	C
CO	C	C	C	C	A	A	A	—	—	—	—	—	—	B	C
CM	C	C	C	C	A	A	A	—	—	—	—	—	—	B	C
IL	C	C	C	C	A	A	A	B	—	—	—	—	—	B	C
IG	C	C	C	C	A	A	A	C	B	B	B	B	—	C	C
PS	C	C	C	C	A	A	A	—	—	—	—	—	—	—	B
OS	A	A	A	A	A	A	A	—	—	—	—	—	—	—	—
PUD	B	B	B	B	A	A	A	A	B	B	B	B	C	B	B
RNC	—	—	—	—	A	A	A	—	B	B	B	B	C	B	—
CRC	B	B	C	C	A	A	A	—	—	—	—	—	B	B	C
TND	B	B	B	B	A	A	A	A	B	B	B	C	C	B	B
MAC	C	C	C	C	A	A	A	—	—	—	—	—	B	B	C

— No buffer yard required; A,B,C Buffer yard standard

*** Exception:** The proposed development is not required to provide a buffer adjacent to property zoned Open Space that meets the following criteria: 1) Shall be a separately owned parcel; 2) Shall be solely utilized as a drainage easement or other utility; and 3) The width shall equal or exceed the width of the required buffer. The proposed development shall provide an 8-foot tall fence along the property line adjoining the Open Space parcel if the Open Space parcel is adjacent to a zoning district that would require a buffer by the proposed development.

Division 7. Nonconforming Uses, Lots and Structures

Sec. 125-191 Nonconforming Uses, Lots and Structures

Sections:

- 125-191.A. Purpose
- 125-191.B. Certificate of Nonconforming Status
- 125-191.C. Nonconforming Uses
- 125-191.D. Nonconforming Lots
- 125-191.E. Nonconforming Structures

This section represents the City's existing nonconforming regulations.

Sec. 125-191.A. Purposes

The purpose of this Section is to regulate uses lawfully established prior to the effective date of this Zoning Ordinance that do not conform to the use regulations of this Ordinance in the zoning districts in which such uses are located (known as “nonconforming uses”). This Section also regulates uses, lots and structures lawfully constructed prior to the effective date of this Zoning Ordinance that do not comply with the applicable development standards of this Ordinance in the zoning districts in which such uses, lots or structures are located (known as “nonconforming uses, lots or structures”).

Sec. 125-191.B. Certificate of Nonconforming Status

In order to obtain a Certificate of Nonconforming Status, the owner of the property whose land use, lot or structure is deemed to be nonconforming shall file an application with the City's Planning Department. The application shall include a current survey and/or site plan describing the improvements and uses to which the property is being put at the time of the application. Upon receipt of a complete application, the City shall issue a Certificate of Nonconforming Status.

Sec. 125-191.C. Nonconforming Uses

A nonconforming use legally existing at the time of adoption of this Zoning Ordinance is grandfathered under these regulations and may be continued, but shall not be enlarged to occupy more of a building or site. A nonconforming use shall not be substituted for any other nonconforming use. If a nonconforming use is discontinued for 6 consecutive months, it shall be presumed abandoned and may not be reestablished or resumed.

A legally existing nonconforming use for which the City has issued a Certificate of Nonconforming Status or has a survey and/or site plan on file with the City and whose discontinuation or termination is the result of a fire or natural cause without the intervention

of man, or arising wholly above the control of human agencies, and which could not have been prevented by the exercise of prudence, diligence, and care shall be allowed to reconstruct in order to permit the pre-existing use. The pre-existing use shall be consistent with the survey and/or site plan on file with the City, but in no event shall be allowed to enlarge to occupy more of a building or site.

A legally existing nonconforming use for which the City has issued a Certificate of Nonconforming Status or has a survey and/or site plan on file with the City and whose configuration has been altered involuntarily by eminent domain shall be allowed to reconfigure within the remaining space and reconstruct in order to permit the pre-existing use. The pre-existing use shall be consistent with the survey and/or site plan on file with the City, but in no event shall be allowed to enlarge to occupy more of a building or site.

Sec. 125-191.D. Nonconforming Lots

2. **Single Lots.** A building may be erected on any single nonconforming lot that is located on a properly filed and approved plat. In addition, a building may be erected on a lot, tract, or parcel defined in a recorded deed prior to the adoption of Subdivision Ordinance Number 81 on September 11, 1969, notwithstanding limitations imposed by other provisions of this Zoning Ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even if such lot fails to meet the applicable lot area or width requirements for the district within which the lots are located, provided that such development complies with all other development standards applicable within the zoning district. Any variance to such requirements shall be obtained only through action of the Zoning Board of Adjustment.
3. **Multiple Lots.** If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage of this Zoning Ordinance, and if all or part of the lots do not meet the applicable lot area or width requirements for the district within which the lots are located, the lands involved may be considered to be an undivided parcel for the purposes of this Section and shall be subject to all use and development regulations for the district within which said lands are located..
4. It is provided, however, that if any building or portion of a building constructed on a nonconforming lot or lots for which the City has issued a Certificate of Nonconforming Status or has a survey and/or site plan on file with the City is destroyed as the result of a fire or natural cause without the intervention of man, or arising wholly above the control of human agencies, and which could not have been prevented by the exercise of prudence, diligence, and care, to an extent of more than 50 percent of its replacement cost at the time of such destruction, the owner shall be allowed to reconstruct on a nonconforming lot or lots. The reconstruction shall be consistent with the survey and/or site plan on file with the City, but, in no event shall be allowed to enlarge to occupy more of a building or site.

A legally existing nonconforming lot for which the City has issued a Certificate of

Nonconforming Status or has a survey and/or site plan on file with the City and whose configuration has been altered involuntarily by eminent domain shall be allowed to reconfigure within the remaining space and reconstruct in order to permit the pre-existing use. The pre-existing use shall be consistent with the survey and/or site plan on file with the City, but in no event shall be allowed to enlarge to occupy more of a building or site.

Sec. 125-191.E. Nonconforming Structures

1. ***Repair, Maintenance, and Alteration.*** Any nonconforming structure may be repaired, maintained, or altered provided that no such repair, maintenance, or alteration either creates any new nonconformity or increases the degree of the existing nonconformity of all or any part of such structure.

2. ***Destruction.*** Any nonconforming structure or portion of a structure destroyed by any means to an extent of more than 50 percent of its replacement cost at the time of destruction shall not be reconstructed unless consistent with the use and development regulations for the district within which it is located. It is provided, however, that in the event any nonconforming structure or portion of a structure for which the City has issued a Certificate of Nonconforming Status or has a survey and/or site plan on file with the City is destroyed by the result of a fire or natural cause without the intervention of man, or arising wholly above the control of human agencies, and which could not have been prevented by the exercise of prudence, diligence, and care to an extent of more than 50 percent of its replacement cost at the time of destruction, the owner shall be allowed to reconstruct such nonconforming structure or portion of a structure consistent with the survey and/or site plan on file with the City, but in no event shall be allowed to enlarge to occupy more of a building or site.

A legally existing nonconforming structure for which the City has issued a Certificate of Nonconforming Status or has a survey and/or site plan on file with the City and whose configuration has been altered involuntarily by eminent domain shall be allowed to reconfigure within the remaining space and reconstruct in order to permit the pre-existing use. The pre-existing use shall be consistent with the survey and/or site plan on file with the City, but in no event shall be allowed to enlarge to occupy more of a building or site.

3. ***Removal.*** Any nonconforming structure that is moved for any reason and for any distance shall thereafter conform to the regulations of this Zoning Ordinance.

4. ***Abandonment.*** A nonconforming structure and premises that is discontinued or abandoned for 6 consecutive months, or for 18 months during any 3-year period, except when government action impedes access to the premises, shall be presumed abandoned and may not be reestablished or resumed and shall hereafter conform to the regulations of this Zoning Ordinance.

Article IV –Regulations Applying to All or Several Districts

Division 1. Standards for Specific Uses

Sec. 125-90 Standards for Specific Uses.....IV-1

Sec. 125-90.A.	Drive-Through Facilities.....	IV-1
Sec. 125-90.B.	Home Occupation	IV-2
Sec. 125-90.C.	Outdoor Retail Sales and Merchandise Display	IV-2
Sec. 125-90.D.	Outdoor Storage	IV-3
Sec. 125-90.E.	Recreational Vehicle Parks	IV-3
Sec. 125-90.F.	Hotels and Commercial Lodging	IV-5
Sec. 125-90.G.	Oil and Gas Well Drilling	IV-10
Sec. 125-90.H.	Pipelines.....	IV-16
Sec. 125-90.I.	Pump Stations	IV-19
Sec. 125-90.J.	Group Residential Facilities.....	IV-24

Division 2. Accessory Structures and Uses

Sec. 125-120 Accessory Structures and UsesIV-26

Sec. 125-120.A.	General.....	IV-26
Sec. 125-120.B.	Accessory Structures.....	IV-26
Sec. 125-120.C.	Accessory Uses	IV-27

Division 3. Temporary Uses

Sec. 125-130 Temporary Structures and Uses.....IV-28

Sec. 125-130.A.	General.....	IV-28
Sec. 125-130.B.	Temporary Structures.....	IV-28

Sec. 125-130.C. Temporary Uses.....IV-29

Division 4. General Site Standards

Sec. 125-140 General Site Standards.....IV-31

Sec. 125-140.A. Accessibility for Handicapped PersonsIV-31

Sec. 125-140.B. Building Projections into YardsIV-31

Sec. 125-140.C. Drainage SystemsIV-32

Sec. 125-140.D. Fences, Walls and PlantingsIV-32

Sec. 125-140.E. Fire ProtectionIV-33

Sec. 125-140.F. Flood Damage Prevention StandardsIV-33

Sec. 125-140.G. Interior StreetsIV-33

Sec. 125-140.H. LightingIV-33

Sec. 125-140.I. Performance StandardsIV-34

Sec. 125-140.J. Projections above Height LimitsIV-35

Sec. 125-140.K. Refuse Storage AreasIV-36

Sec. 125-140.L. Screening of Mechanical Equipment.....IV-37

Sec. 125-140.M. Sidewalks.....IV-37

Sec. 125-140.N. SignsIV-37

Sec. 125-140.O. Utility Easements.....IV-37

Sec. 125-140.P. Water and Sanitary Sewer SystemIV-37

Sec. 125-140.Q. Exterior Construction Standards..... IV-37

Division 5. Off-Street Parking and Loading

Sec. 125-170 Off-Street Parking and Loading.....IV-38

Sec. 125-170.A. Purposes.....IV-38

Sec. 125-170.B.	Applicability	IV-39
Sec. 125-170.C.	General Provisions	IV-39
Sec. 125-170.D.	Off-Street Parking Requirements.....	IV-42
Sec. 125-170.E.	Parking and Aisle Dimensions.....	IV-48
Sec. 125-170.F.	Striping and Marking	IV-49
Sec. 125-170.G.	Parking Access and Driveways.....	IV-50
Sec. 125-170.H.	Passenger Loading Areas.....	IV-51
Sec. 125-170.I.	Screening, Landscaping and Lighting.....	IV-52
Sec. 125-170.J.	Off-Street Loading	IV-54
Sec. 125-170.K.	Bicycle Parking.....	IV-55

Division 6. Landscaping and Buffer Yards

Sec. 125-190	Landscaping and Buffer Yards.....	IV-57
Sec. 125-190.A.	Purpose.....	IV-57
Sec. 125-190.B.	Landscaping	IV-57
Sec. 125-190.C.	Buffer Yards.....	IV-59

Division 7. Nonconforming Uses and Structures

Sec. 125-191	Nonconforming Uses and Structures	IV-63
Sec. 125-191.A.	Purposes	IV-63
Sec. 125-191.B.	Certificate of Nonconforming Status	IV-63
Sec. 125-191.C.	Nonconforming Uses	IV-63
Sec. 125-191.D.	Nonconforming Lots.....	IV-64
Sec. 125-191.E.	Nonconforming Structures.....	IV-65

Article V – Definitions

Division 1. Use Classifications

Sec. 125-260 Use Classifications

Sections:

- 125-260.A. Purposes
- 125-260.B. Uses Not Classified
- 125-260.C. Residential Use Classifications
- 125-260.D. Public and Semi-Public Use Classifications
- 125-260.E. Commercial Use Classifications
- 125-260.F. Industrial Use Classifications
- 125-260.G. Transportation, Communication, and Utilities Use Classifications
- 125-260.H. Agriculture and Extractive Use Classifications

The existing Zoning Ordinance does not define specific uses and thereby fails to clearly establish the City’s intent for each specific use. This section rectifies this omission by clearly defining the specific uses referenced in earlier chapters. These definitions will assist the City Planner or designee, the Zoning Board of Adjustment, and the City Council interpret, apply, and enforce use regulations.

A new expanded and inclusive use classification system is used here to regulate land uses. This system also integrates, where appropriate, use categories from the new North American Industrial Classification System (NAICS). These categories are based on the types of production activities performed, and are intended to define and classify newer land uses and reflect recent planning trends.

Sec. 125-260.A. Purposes

Use classifications describe one or more uses of land having similar characteristics, but do not list every use or activity that may appropriately be within the classification. Article III of this Ordinance relies on these defined use classifications and specify in separate schedules the land uses permitted, uses subject to specific limitations, and uses requiring approval of a special use permit.

Sec. 125-260.B. Uses Not Classified

If an application is submitted for a use type that is not listed in any use table, the City Planner or designee shall be authorized to make a similar use interpretation in accordance with Section 125-41. If the City Planner or designee determines that the proposed use does not fit

any of the uses, no similar use interpretation shall be made, and an amendment to this Zoning Ordinance to permit the use must be processed in accordance with Section 125-49.

Sec. 125-260.C. Residential Use Classifications

Child Care Family Homes.

Listed Family Homes. An establishment licensed by the State of Texas Department of Family and Protective Services that is located in a single-family residence where an occupant of the residence provides care and supervision for 3 or fewer children.

Registered Family Homes. An establishment licensed by the State of Texas Department of Family and Protective Services that is located in a single-family residence where an occupant of the residence provides care and supervision for 12 or fewer children with the precise number of children being determined by their ages.

Setbacks. Setbacks shall be the minimum required in the district within which the construction trailer is located.

Residential Dwellings. The occupancy of longer term living accommodations with none of the living units under the same ownership or management on the same lot being occupied on a shorter basis; but exclude institutional living arrangements other than state-licensed residential care facilities for 6 or fewer residents including foster family homes.

Single Family Dwelling. A freestanding building designed for occupancy by 1 household.

Single Family with Secondary Dwelling. A primary dwelling designed for occupancy by 1 household with 1 secondary unit, also designed for occupancy by 1 household.

Townhouse. A single building that contains 2 or more dwelling units each on a single lot with the property line at the common wall. Each townhouse lot and/or unit is owned in fee under a single ownership.

Duplex. A single building that contains 2 dwelling units on a single lot, or a single lot with 2 freestanding buildings, each of which is designed for occupancy by 1 household and is owned in fee under a single ownership.

Condominium. A building, group of buildings, or portion of a building that contains 3 or more dwelling units on a single parcel that is owned in fee under a single ownership. Types of condominiums include triplexes, multiplexes, and high-rise buildings.

Multi-Family Residential. A building, group of buildings, or portion of a building that contains 3 or more dwelling units on a single parcel under single ownership. Types of multiple family dwellings include triplexes, multiplexes, and high-rise buildings.

Manufactured/Modular Homes. A structure designed for occupancy by a single household that was assembled off site in its entirety or in sizable modules that were assembled on the building site.

Caretakers Unit. An accessory dwelling unit intended for occupancy by a caretaker, security guard, or similar position generally requiring residence on the site.

Group Residential Facilities.

Assisted Living Facility. A facility licensed and regulated by the Texas Department of Aging and Disability Services that provides room, board, and personal care services to its residents within a structure containing multiple living quarters for four (4) or more elderly or disabled persons who are unrelated to the owner of the establishment by blood, marriage, or adoption. Disabled person has the meaning defined by the Chapter 123 of the Texas Human Resources Code, and the Federal Fair Housing Act of 1988, as amended. This term does not refer to facilities that provide care for persons mostly incapable of self-preservation due to age, physical or mental disability, or because of security measure not under the occupants' control. This classification excludes homeless shelters, halfway houses, assisted living homes, or any other use specifically defined in this Section.

Continuing Care Facility. A facility defined in the Texas Continuing Care Facility Disclosure and Rehabilitation Action which provides board and lodging, together with personal care services, medical services, or other health-related services. This term does not refer to facilities that provide care for persons mostly incapable of self-preservation due to age, physical or mental disability, or because of security measure not under the occupants' control. This classification excludes homeless shelters, halfway houses, assisted living homes, or any other use specifically defined in this Section.

Disabled Group Dwelling. A residential facility designed and used as a residence by not more than six persons with disabilities and two supervisors who are unrelated to the owner of the establishment by blood, marriage, or adoption and who are living together as a single housekeeping unit. This use includes Community Homes as regulated by Chapter 123 of the Texas Human Resources Code. Disabled person has the meaning as defined by Chapter 123 of the Texas Human Resources Code, and the Federal Fair Housing Act of 1988, as amended.

Emergency Shelter. A facility which provides room and board, protection, and counseling on a temporary basis (180 days or less) during crisis intervention for victims of crime, abuse, or neglect.

Halfway House. A facility operated under the authority of the Texas Department of Criminal Justice for the Federal Bureau of Prisons for persons on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are

provided to mainstream residents back into society, enabling them to live independently.

Homeless Shelter. A facility which provides temporary housing to indigent, needy, homeless, or transient persons. This use may also provide ancillary services such as counseling and limited meal service for residents.

Nursing Home. A facility licensed and regulated by the Texas Department of Aging and Disability Services that provided meals, resident care and services for persons who typically are admitted for periods of time exceeding 30 days. Such services include custodial and attendant care, routine and regular medical and nursing services. The term “nursing home” includes care homes, homes for the aged, convalescent homes, rest homes, and other related facilities not otherwise defined in this section, where such persons are mostly incapable of self-preservation due to age, physical or mental disability, or because of security measures not under the occupants’ control. This term excludes facilities that provide surgical or emergency medical service or that provide care for alcoholism, mental disease, drug addiction or communicable disease.

Sec. 125-260.D. Public and Semi-public Use Classifications

Cemeteries. Burial grounds for the interment of the dead. This classification includes columbaria and mausoleums, but does not include crematories, or mortuaries which are classified as Undertaking commercial uses.

Clubs or Lodges. Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests including residential accommodations that are available to members or guests on a temporary basis but excluding residential hotels. This classification includes union halls, social clubs, and youth centers.

Colleges, Public or Private. Institutions of higher education providing curricula of a general, religious, or professional nature, typically granting recognized degrees, including conference centers and academic retreats associated with such institutions. This classification includes business and computer schools, management training, technical and trade schools, but excludes personal instructional services.

Cultural Institutions. Nonprofit institutions engaged primarily in the performing arts or in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. This classification includes performing arts centers for theater, dance, and events, museums, historical sites, art galleries, libraries, aquariums, observatories, and zoos and botanical gardens.

Day Care. Any facility that provides non-medical care to 1 or more persons on a less than 24-hour basis. This classification includes nursery schools, preschools, day care centers for children or adults, and any other day care facility licensed or certified by the State of Texas.

Educational Research and Development. Facilities engaged in industrial or scientific research and product development of an educational nature and associated with a recognized public or private educational institution, but not including the controlled production of high technology electronic, industrial or scientific products or commodities for sale.

Government Offices and Facilities

Large-Scale. Major government facilities and installations, including correctional institutions established under Texas State law, excluding a state prison, military installations, and other large-scale facilities.

Small-Scale. Administrative, clerical, or public contact offices of a government agency, together with incidental storage and maintenance of vehicles, including post offices.

Hospitals. State-licensed facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons. This classification includes facilities for in-patient or outpatient treatment, including drug and alcohol abuse programs as well as training, research, and administrative services for patients and employees.

Parks and Recreation. Noncommercial parks, playgrounds, recreation facilities, and open spaces. This classification includes community centers, playing fields, courts, gymnasiums, swimming pools, picnic facilities, public festivals, public marinas, as well as related food concessions, including such facilities required by the City for new residential development that are operated and maintained by a homeowners' association.

Public Maintenance Facilities. Facilities providing maintenance and repair services for vehicles and equipment and areas for storage of equipment and supplies. This classification includes corporation yards, equipment service centers, and similar facilities.

Public Safety Facilities. Facilities for public safety and emergency services, including facilities that provide police and fire protection including training facilities.

Religious Assembly. Facilities for religious worship and other religious ceremonies with incidental religious education, offices, social services, and community programs but not including private schools.

Schools, Public or Private. Facilities for educational and/or classroom purposes operated by public or private educational institutions offering a general course of study at primary, middle, or high school levels, including study centers, child care and limited child care centers, vocational and trade programs that are incidental to the operation of such schools.

Sec. 125-260.E. Commercial Use Classifications

Alcoholic Beverage Sales. The retail sale, for on- or off-premises consumption, of liquor, beer, wine, or other alcoholic beverages, but excluding full-service restaurants.

Ambulance Services. Administrative facilities for emergency medical care, including provision of transportation services and incidental storage and maintenance of vehicles.

Animal Sales and Services. Retail sales, boarding, grooming and/or medical care for small animals on a commercial basis. Grooming and boarding of animals for no more than 30 days. This classification does not include dog walking and similar pet care services that are not carried out at a fixed location.

Automobile/Vehicle/Equipment Sales and Services.

Automobile/Vehicle/Equipment Sales and Rental. Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, mobile homes, boats and similar equipment, including storage and incidental maintenance.

Automobile Rentals. Rental of automobiles, including storage and incidental maintenance.

Car Wash. Washing, waxing, or cleaning of automobiles or similar light vehicles.

Gas and Service Stations. Establishments engaged in the retail sale of gas or diesel fuel, including gasoline service stations and gas convenience mart. These establishments may also sell lubricants, parts, and accessories and perform related services provided repairs are made in enclosed bays and no vehicles are stored overnight. This classification excludes uses providing engine repair, body and fender work, vehicle painting, towing or repair of heavy trucks or construction vehicles.

Light Vehicle Service. Establishments engaged in the convenience sales and service of light vehicle lubricants, parts, and accessories, including quick-service oil, tune-up, brake and muffler shops where repairs are made in enclosed bays and no vehicles are stored overnight. This classification excludes uses providing engine repair, body and fender work, vehicle painting, towing or repair of heavy trucks or construction vehicles.

Auto Repair And Other Heavy Vehicle Service. Repair of automobiles, trucks, motorcycles, motor homes or recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. This classification includes auto repair shops, body and fender shops, wheel and brake shops, tire sales and installation, and upholstery shops, but excludes vehicle dismantling or salvage and tire re-treading or recapping.

Banks and Other Financial Institutions. Establishments that provide retail banking, credit, and mortgage services to individuals and businesses. This classification includes banks and savings and loan establishments, check cashing, and currency exchange outlets.

Bed and Breakfast Establishment. A facility that is the owner's personal residence where lodging and meals are provided for transient paying guests.

Building Materials Sales and Services. Retailing, wholesaling, or rental of building supplies or construction equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and building contractors' offices with indoor storage, but excludes contractors' yards with outdoor storage and establishments devoted exclusively to retail sales of paint and hardware and activities classified under vehicle/equipment sales and services, including vehicle towing services.

Business Services. Establishments providing building maintenance, document delivery, mail receiving and boxes, graphic arts, drafting, blueprinting, typesetting, copying, desktop publishing and photographic services. This classification excludes maintenance and repair and accounting, advertising, architectural design, city planning, environmental analysis, insurance, interior design, investment, landscape design, law, management consulting, title companies, and real estate offices.

Catering Businesses. Preparation and delivery of food and beverages for offsite consumption without provision for onsite pickup or consumption. (See also Eating and Drinking Establishments.)

Convention Center. A commercial facility used for assemblies or meetings of the members or representatives of a group. This classification does not include clubs, lodges, or other meeting facilities of private or non-profit groups that are primarily used by group members.

Eating and Drinking Establishments. Businesses that are primarily engaged in serving prepared food or beverages for consumption on or off the premises.

Full Service. Restaurants providing food and beverage services to patrons who order and are served while seated (table service), and pay after eating. Takeout service may be provided.

Limited Service. Restaurants providing food and beverage services to patrons who order and pay before eating. Food and beverages may be consumed on the premises, taken out, or delivered. No table service is provided. This classification includes cafeterias, cafes, fast-food outlets, pizza delivery, snack bars, and takeout eating places.

With Drive-Through Facilities. Service from a building to persons in vehicles through an outdoor service window.

With Live Entertainment. Musical, theatrical, song or dance, pantomime, scene, or performance for the purpose of amusing a guest or patron, on a scheduled basis more than 3 times a calendar year, regardless of whether the performers are compensated.

With Outdoor Seating. Provision of outdoor dining facilities on the same property or in the adjacent public right-of-way.

Food and Beverage Sales. Retail sales of food and beverages for offsite preparation and consumption. Typical uses include supermarkets, specialty food stores, delicatessens, or

convenience markets. This category also includes large-scale stores that sell food items and beverages in bulk, and also may sell bulk household and office products.

Home Improvement Sales and Services. Retail sales, rental and related services of hardware, plumbing, electrical, heating, air conditioning, building supplies, tools and equipment, plants and garden products, patio furniture, swimming pools, spas and hot tubs, lighting fixtures, kitchen and bathroom fixtures and cabinets, paint, carpeting, floor coverings or wallpaper.

Hotels and Commercial Lodging. A building or group of buildings designed for and occupied as a temporary dwelling place which may provide additional services such as conference/meeting rooms and restaurants available to guests or the general public. This definition excludes bed and breakfast establishments and adult motels as defined in Chapter 26 of the Code of Ordinances.

Full Service Hotel. Hotels in which access to guest rooms is exclusively restricted to interior corridors via the main lobby of the building or entryways individually equipped with some form of security, controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops.

Limited Service Hotel. Hotels that are not classified as a full service hotel or residence hotel.

Residence Hotel. Hotels in which more than five percent of its rental units are for stays extending at least thirty (30) consecutive days and not more than one hundred and eighty (180) consecutive days. This definition excludes multi-family residential dwellings.

Laboratory, Commercial. Medical or dental laboratory services or photographic, analytical, or testing services in an establishment.

Maintenance and Repair Services. Establishments providing repair services for personal and household goods, such as household appliances, computers, television, audio or video equipment, office machines, furniture, home and garden equipment, footwear and leather goods, or building maintenance services. This classification excludes maintenance and repair of automobiles and other vehicles and equipment.

Massage Establishments and Massage Services. Establishments providing massage services or on-call massage services by individuals licensed under Chapter 455, Massage Therapy of the Texas Occupational Code, excluding any activity defined by the City as a Sexually Oriented Business.

Nurseries and Garden Supply Stores. Establishments engaged in the retail sale of plants grown on the premises or elsewhere, and the sale or rental of garden and landscape materials and equipment.

Non-retail Sales Tax Generating Business. A business or other nonresidential use that sells annually fewer than three (3) taxable items, as that term is defined by Texas Tax Code Section 151.010, annually at its location within this district.

Offices. Firms or organizations that primarily provide professional, executive, management, or administrative services, such as accounting, advertising, architectural, city planning, computer software consulting, data management, engineering, environmental analysis, insurance, interior design, investment, graphic design, landscape design, law and real estate offices. This classification includes offices for a physician, dentist or chiropractor, as well as medical/dental laboratories incidental to the medical office use. It excludes banks and savings and loan associations and offices that are incidental to retail, production, storage, or other activities.

Parking Facilities. Lots and garages offering parking to the public for a fee when such use is not incidental to another activity.

Pawn Shops. Establishments engaged in the buying or selling of new or secondhand merchandise and offering loans in exchange for personal property.

Personal Instructional Services. Provision of instructional services or facilities, including photography, fine arts, crafts, dance or music studios, driving schools, diet centers, reducing salons, martial arts, yoga and fitness studios, but excludes uses classified as colleges, public or private.

Personal Services. Provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, tanning salons, seamstresses, tailors, shoe repair, dry cleaners (excluding plants), self service laundries, psychic services, and the like.

Recreation and Entertainment. Provision of paying participant or spectator recreation or entertainment.

Large-Scale. This classification includes large, generally outdoor facilities, although some facilities may be indoor, including: sports stadiums and arenas; amusement and theme parks; racetracks; golf courses and country clubs; driving ranges; fitness and recreational sports centers, including fitness centers, gymnasiums, handball, racquetball, or tennis club facilities, ice or roller skating rinks, swimming or wave pools, bowling centers; entertainment complexes and theaters; drive-in theaters; miniature golf courses; archery or shooting ranges; riding stables; campgrounds; etc.

Small-Scale. This classification includes small, generally indoor facilities, although some facilities may be outdoor, including: billiard parlors, poolrooms, amusement arcades having more than 5 coin-operated machines, dance halls, and gambling facilities, including bingo parlors and off-track betting.

Recreational Vehicle Park means a platted tract of land or tract of record prior to 1969 of at least one acre upon which three or more recreational vehicles are occupied for dwelling or sleeping purposes on a temporary basis, regardless of whether or not a charge is made for such accommodations. The term "park," where appropriate in this Article, shall mean recreational vehicular park.

Retail Sales. Establishments engaged in sales of goods, including, but not limited to: furniture and home furnishings; electronics and appliances; clothing and shoes; jewelry, luggage and leather goods; sporting goods and hobbies; books, periodicals and music; tobacco sales; department stores; miscellaneous goods, such as florists, office supplies and stationary, gifts and novelties, etc. This classification includes the retail sale or rental of merchandise not specifically listed under another use classification.

Self Storage. Establishments offering facilities for personal property storage, including mini-warehouses.

Sexually Oriented Businesses. Establishments whose preponderant business is the offering of materials, products, and/or services that have sexual arousal, sexual gratification and/or sexual stimulation as their dominant theme and which are not customarily open to the general public because they exclude minors by virtue of their age as a prevailing business. This classification does not include any establishment offering professional services conducted, operated, or supervised by medical practitioners, physical therapists, nurses, massage therapists, chiropractors, psychologists, social workers, marriage and family counselors, osteopaths, and persons holding unrevoked licenses or certificates under applicable Texas State law or accreditation from recognized programs when performing functions pursuant to the respective license or certificate.

Temporary Sales. Establishments engaged in temporary or seasonal sales. Typical uses include Christmas tree lots and pumpkin lots.

Undertaking, Funeral and Interment Services. Establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead. Typical uses include funeral parlors, crematories, or mortuaries.

Sec. 125-260.F. Industrial Use Classifications

Contractor's Storage. On or off site contractor's yard for storage of materials or equipment.

Production Industry.

Artisan. Establishments primarily engaged in onsite production of goods by hand manufacturing, involving the use of hand tools and small scale equipment.

General. Manufacturing of products, from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. This classification includes: food manufacturing; beverage and tobacco product manufacturing; textile mills; textile product mills; apparel manufacturing; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; primary metal manufacturing; and fabricated metal product manufacturing.

Limited. Manufacturing of finished parts or products, primarily from previously prepared materials. This classification includes: printing and related support activities; machinery manufacturing; computer and electronic product manufacturing; electrical equipment, appliance, and component manufacturing; transportation equipment manufacturing; furniture and related product manufacturing; and miscellaneous.

Recycling Collection. A facility for the deposit of recyclable materials. Recyclable materials are not processed in the facility, except for sorting and batching.

Research and Development. Establishments primarily engaged in the research, development, and controlled production of high technology electronic, industrial or scientific products or commodities for sale. This classification includes biotechnology firms and manufacturers of nontoxic computer components.

Warehousing and Storage.

Indoor Storage. Storage of commercial goods prior to their distribution to wholesale and retail outlets within an enclosed building. This classification excludes personal property storage, including mini-warehouses, and freight/truck terminals.

Outdoor Storage. Storage of vehicles or commercial goods in open lots.

Oil and Gas Storage. Includes tank farms and outdoor facilities for the storage of oil and gas.

Wholesaling and Distribution.

With Store Facilities. Facilities for the sale of merchandise and bulk goods at discount prices for individual consumption, including membership warehouse clubs and superstores.

Non-Store Facilities. Facilities for indoor or outdoor storage and the non-store retail and wholesale distribution of merchandise and bulk goods, such as electronic shopping, mail-order houses, and other direct-selling establishments. This use classification excludes sale of goods at discount prices for individual consumption.

Sec. 125-260.G. Transportation, Communication, and Utilities Use Classifications

Communications Facilities. Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms. This classification includes radio, television, or recording studios, switching centers, and cable television transmitting stations.

Communication Towers and Structures. Any tower or structure designed to support 1 or more reception/transmission systems as defined in Chapter 31, Communication Towers and

Structures, of the League City Code of Ordinances. Examples of such facilities include, but shall not be limited to, radio towers, television towers, telephone exchange/microwave relay towers, and cellular telephone transmission/personal communications systems towers.

Transportation Facilities.

Airports and Heliports. Facilities for the takeoff and landing of airplanes and helicopters, including runways, aircraft storage buildings, public terminal buildings and parking, helicopter pads, and support activities such as airport operations and air traffic control.

Freight/Truck Terminal and Warehouse. Facilities for local or worldwide freight, courier, local messenger, and postal services by truck or rail.

Marinas, Dock. Private facilities for mooring, berthing, storing or securing 3 or fewer watercraft used primarily for non-commercial recreational use and also including private boat ramps.

Marinas, Private. Facilities for launching, mooring, berthing, storing or securing 4 or more watercraft used primarily for non-commercial recreational use. Facility provides services and recreational facilities only for surrounding residents or club members and their guests. This classification includes homeowners' association docks and piers and yacht and boat clubs.

Marinas, Public. Facilities for launching, mooring, berthing, storing or securing 4 or more watercraft used primarily for recreational use. Facility provides services to recreational watercraft and occupants thereof, including sanitary and other minor servicing and repair to watercraft while in the water, and sale of fuel and supplies. Provision of food, lodging, goods, beverages, recreation, and entertainment as accessory uses.

Transportation Passenger Terminals. Facilities for passenger transportation operations. This classification includes rail stations, bus terminals, ferry terminals, urban and regional transit stations, and scenic and sightseeing facilities, but does not include airports, heliports, or seaports.

Truck Weigh stations. Facilities for weighing commercial trucks.

Utility, Major. Generating plants, electrical substations, gas substations, solid waste collection, including transfer stations and materials recovery (recycling processing) facilities with no public drop off, solid waste treatment and disposal, flood control or drainage facilities, water or wastewater treatment plants, and similar facilities of public agencies or public utilities. This classification excludes any activity classified under Hazardous Waste Management.

Utility, Minor. Public or regulated utility facilities that are necessary to support established uses and involve only minor structures such as electrical distribution lines and underground water and sewer lines, and small non-commercial recycling collection facilities.

Sec. 125-260.H. Agriculture and Extractive Use Classifications

Crop and Animal Raising. The raising of tree, vine, field, forage, and other plant crops, intended to provide food or fibers, as well as keeping, grazing, or feeding of animals for animal products, animal increase, or value increase.

Excavation and Mining. The extraction of metallic and nonmetallic minerals and soil, which is dug, cut into, quarried, uncovered, removed, displaced, relocated or bulldozed over one foot in depth to the ground.

Plant Nursery. The cultivation for sale of horticultural specialties such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes.

Sec. 125-260.I. Pipelines, Oil and Gas Well Use Classifications

Compressor Stations. Facilities, also referred to as inline booster stations, which increase the pressure on gas during its extraction, transport and storage.

Gas Well Drilling. Digging or boring a well for the purpose of exploring for, developing or producing gas or other hydrocarbons, or for the purpose of injecting gas, water or any other fluid or substance into the earth.

Oil Well Drilling. Digging or boring a well for the purpose of exploring for, developing or producing oil or other hydrocarbons, or for the purpose of injecting gas, water or any other fluid or substance into the earth.

Pipelines. Any intrastate pipeline or pipe of any size, denomination or characteristic, that is used to transport any and all materials of any and all descriptions and used for any and all purposes, including flowlines and intralease piping. This classification excludes pipelines for public utility operations.

Pump Stations. Facilities utilized for the treatment, regulation and extraction of materials conveyed through pipelines, including but not limited to compressor stations, inline booster stations, and pigging stations.

Division 2. Definitions

Sec. 125-280 Definitions

Sections:

- 125-280.A. Rules of Construction
- 125-280.B. Terms Defined

Sec. 125-280.A. Rules of Construction

The following words and terms used in this Article are defined as follows:

1. Words in the present tense shall include the future tense;
2. The word "person" includes a firm, partnership, corporation or other legal entity, as well as an individual;
3. The word "lot" includes the word "plot" or "parcel";
4. The word "building" includes the word "structure";
5. The word "shall" is mandatory and not discretionary.

Sec. 125-280.B. Terms Defined

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning.

ACCESS means the principal means of ingress and egress to property from a publicly dedicated right-of-way.

ACCESSORY BUILDING OR STRUCTURE means a detached, subordinate building, the use of which is clearly associated with and related to that of the principal building, and which is located on the same lot as the principal building.

ACCESSORY USE means a use that is customarily associated with the principal use, and so necessary that it cannot be prevented by this Article. Accessory uses shall be located on the same premises as the principal use.

ALLEY means a right-of-way which affords only a secondary means of access to property abutting thereon, and is not intended or used for general traffic circulation.

ALTERATION means any modification in a structure which will require a building permit.

ARCHITECT means an individual duly registered and licensed as an architect in the state.

BRICK shall mean severe weather rated kiln fired clay or slate material, or concrete brick if it is to the same as ASTM C216 or C652 and severe weather rated; such shall be no less than two and one-quarter (2 ¼) inches in thickness when applied as a veneer.

BUILDABLE AREA means the portion of a lot remaining after the required setbacks have been provided. Buildings may be placed in any part of the buildable area, but limitations on the percent of the lot which may be covered by buildings may require open space within the buildable area.

BUILDING means any structure built for support, enclosure, shelter or protection of chattels, persons, animals or the like. The word "building" includes the word "structure," and shall include anything constructed or erected which requires permanent location on the ground or is attached to anything having a permanent location on the ground, and shall include but not be limited to such structures as homes, hotels, motels, apartments, stores, service stations, radio towers, cooling towers, tanks and silos.

BUILDING CODE means the building code adopted by the city.

BUILDING HEIGHT means the vertical distance from grade plane to the average height of the highest roof surface.

BUILDING OFFICIAL means the city representative charged with the administration and the enforcement of the building code of the city.

BUILDING SETBACK LINE means a line delineating the minimum allowable distance between the base of the building structure and the adjacent lot line.

BUILDING SITE means a portion or parcel of land considered as a unit devoted to certain use, or occupied by a building or group of buildings that are united by a common interest or use, with the customary accessories and open spaces.

BUSINESS means any individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, joint enterprise, association, sole proprietorship, organization, trust, commercial development, industrial development or other legal entity that sells, leases, rents or otherwise provides any goods or services. Goods and services shall include but not be limited to commercial goods that are sold at retail or wholesale, industrial or manufactured goods, and personal, professional or industrial services.

CERTIFICATE OF OCCUPANCY means an official written approval by the building official setting forth that a building or structure legally complies with the city building code and other applicable ordinances, and that the building or structure may be used for the purposes stated therein.

CITY ENGINEER means the city staff engineer, consulting engineer, or other person designated by the city administrator.

COMMERCIAL DEVELOPMENTS means businesses primarily engaged in direct retail sales of merchandise or service to the public.

COMPLETION means the date the work is completed for the drilling, re-drilling or workover and the drilling equipment is released by the Operator.

CONTIGUOUS means lands that abut each other or are separated by street ways, easements, pipelines, power lines, conduits or rights-of-way under ownership of the petitioner, of a governmental agency or subdivision, or of a public or private utility.

CUL-DE-SAC means a street which is a part of the local street system and is closed on one end in a circular or other approved pattern meeting the minimum radius requirement.

DECORATIVE CONCRETE MASONRY UNIT (CMU) shall include any unpainted upon, highly textured finish CMU including split faced, indented, hammered, fluted, ribbed, or similar architectural finish; such shall be no less than three and five-eighths (3-5/8) inches in thickness when applied as a veneer.

DENSITY means the relationship between numbers of dwelling units and land area.

DEVELOPER means any individual, firm, copartnership, corporation or other legal entity commencing proceedings under this Article.

DRILLING AND PRODUCTION ZONE means the area established for all operations associated with the production, storage, drilling and workover of oil and gas wells. This area excludes driveways and buffer yards.

DRILLING EQUIPMENT means the derrick, together with all parts of and appurtenances to such structure, every piece of apparatus, machinery or equipment used or erected or maintained for use in connection with drilling.

DRILL SITE means the area required for the drilling, completion or workover of a well or wells located there or any associated operation.

DWELLING UNIT means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EASEMENT means any strip of land created by a subdivision or granted by the owner for public or private utilities, drainage, sanitation or other specific uses having limitations. The title to the land shall remain in the name of the property owner, subject to the right of use designated in the reservation.

EMISSION means the act of passing into the atmosphere an air contaminant or a gas stream which contains, or may contain, an air contaminant.

ENGINEER, REGISTERED means a registered professional engineer, registered by the State of Texas, and certified in the discipline to which the work is associated.

EXPLORATION means geologic or geophysical activities, including seismic surveys, related to the search for oil, gas or other subsurface hydrocarbons.

FEMA means Federal Emergency Management Agency

FENCE means a man-made physical barrier used to divide or enclose a defined area.

FIRE MARSHAL means the city fire marshal or his designee.

FIRM means Flood Insurance Rate Map.

FLOODPLAIN means a land area which is floodplain as defined by the Army Corps of Engineers or the Federal Emergency Management Agency pursuant to enforcement of the latest national flood insurance study.

FLOOR, FIRST FINISHED means the first level of a structure intended to be inhabited.

FLOOR, GROUND LEVEL means the first level of a building. Unfinished basements and storage areas for automobiles and other vehicles do not constitute a ground floor.

FRONTAGE means all the property on one side of a street between two lot lines.

GAS means any fluid, either combustible or noncombustible, which is produced in a natural state from the earth and which maintains a gaseous or rarefied state at standard temperature and pressure conditions and/or the gaseous components or vapors occurring in or derived from petroleum or natural gas.

GOVERNMENTAL SERVICES means federal, state, county or city government buildings and related facilities, such as but not limited to libraries, recreational centers or offices.

GRADE means a reference plane representing the average of finished ground level adjoining the building at all exterior walls.

HOME OCCUPATION means any occupation or profession engaged in for monetary gain that is conducted within a dwelling unit or on the premises of a site of a residential use.

INCIDENT means an occurrence of an action or situation that could have a negative or detrimental impact.

LOT means an undivided tract or parcel of land that has been created in accordance with this Chapter, designated on a subdivision plat and filed on record with the appropriate County office.

LOT, CORNER means either a lot bound entirely by streets, or a lot which adjoins the point of intersection of two or more streets.

LOT FRONTAGE means the property line adjacent to a street, which is the property address; it is also the front property line.

LOT LINE means a boundary of a lot.

LOT WIDTH means the horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear property lines.

MASONRY shall mean and include brick, stone, decorative concrete masonry unit, or other materials of equal characteristics laid up unit upon unit set and bonded to one another in mortar.

NONCONFORMING LOT, STRUCTURE OR USE OF STRUCTURE means platted lots, structures and uses of lots or structures which were lawful before the ordinance from which this Article is derived was passed or before this Article was amended, but which would be prohibited, regulated or restricted under the terms of this Article or future amendments.

NUISANCE means an interference with the enjoyment and use of property, including, but not limited to, elements such as odors, liquid wastes, solid wastes, radiation, noise, vibration, smoke, glare or heat.

OIL OR CONDENSATE means a substance occurring naturally in the earth and composed mainly of mixtures of chemical compounds of carbon and hydrogen, with or without other nonmetallic elements such as sulfur, oxygen, and nitrogen. The compounds that compose it may be in the gaseous, liquid, or solid state, depending on their nature and on the existent conditions of temperature and pressure.

OIL WELL means any well drilled, to be drilled, or used for the intended or actual production of oil or petroleum and as defined by statute and the Railroad Commission.

OPERATION SITE means the area used for development and production of oil, gas and all operational activities associated with an oil or gas well after drilling and completion activities are finished.

OPERATOR means the person listed on the appropriate Railroad Commission forms that is, or will be, actually in charge and in control of operations and maintenance related to drilling, production, and pipelines, including, without limitation, a unit Operator or Operator of Record in instances of multiple partners and general partnership. If the Operator, as herein defined, is not the lessee of any premises affected by the provisions of this Ordinance, then such lessee shall also be deemed to be an Operator. The lessees shall include all working interest owners.

PARKING AREA means the total area devoted to the parking and maneuvering of automobiles.

PARKING LOT OR STRUCTURE means an area or structure devoted to the parking or storage of automobiles, which may include a facility for servicing automobiles, provided such facility is primarily an internal function for the exclusive use of automobiles occupying the structure and creates no special problems of ingress and egress.

PARKING SPACE means a cast-in place asphalt or concrete riding surfaced area, enclosed or unenclosed, sufficient in size to store one automobile, together with a driveway connecting the parking space to a street or alley, permitting ingress and egress of an automobile.

PARKS, PRIVATE means a tract of land utilized for playgrounds, recreational facilities, community centers, playing fields, courts, gymnasiums, swimming pools, and picnic facilities operated and maintained by a homeowners' association.

PARKS, PUBLIC means a tract of land, excluding trails, for recreational use owned and operated by a public authority, such as the city or county, for the express use of the general public.

PERSON means an individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

PERSONS mean Every person, firm, co-partnership, association, partnership, corporation or society; and shall include both singular and plural and the masculine shall include the feminine gender.

PLANNING AND ZONING COMMISSION means an advisory, planning and approval body to the City Council to effect the orderly and desired growth, development and beautification of the city.

PLAT means a map depicting the divisions or subdivisions of land into lots, blocks, parcels, tracts or other portions thereof, whatever such divisions or subdivisions may be designated, prepared in accordance with the provisions of this Article and those of any applicable law and any local ordinances.

PROTECTED USE means a dwelling unit; religious assembly; hospital building; public or private school boundary; day care boundary; or public, private or Homeowners' Association park.

PUBLIC AND PRIVATE UTILITY SERVICES means city water and wastewater services and private utility company services.

RAILROAD COMMISSION means the Railroad Commission of Texas or its successor(s).

RECREATIONAL VEHICLE (RV) means a transportable temporary dwelling constructed to be towed by a motor vehicle on its own chassis or constructed with an integral drive train to be operated over public streets and highways under regular highway license without a permanent foundation, for temporary living. This trailer or vehicle shall be built on a chassis and designed for travel, recreation and vacation use and shall have been permanently identified by the manufacturer. The definition specifically excludes mobile homes.

RE-DRILL means re-completion of an existing well by deepening or sidetrack operations extending more than one hundred fifty (150) feet from the existing well bore.

RIGHT-OF-WAY means any area of land within the City that is acquired by, dedicated to, or claimed by the City in fee simple, by easement, by prescriptive right or other interest and that is expressly or impliedly accepted or used in fact or by operation of law as a public roadway, sidewalk, alley, utility, drainage, or public access easement or used for the provision of governmental services or functions. The term includes the area on, below, and above the surface of the public right-of-way. The term applies regardless of whether the public right-

of-way is paved or unpaved.

SETBACK, YARD means a line running a certain distance back, from and parallel to the property line, whichever provides the greater separation, wherein no building or structure, or portion thereof, shall be permitted.

SITE DEVELOPMENT PLAN means a graphic and informative representation of a specific design solution for a development, meeting the requirements of this Article.

STONE shall include naturally occurring granite, marble, limestone, slate, river rock, and other similar durable all-weather stone that is customarily used in exterior building construction; shall include cast or manufactured stone products so long as such has a highly texturized stone-like appearance, is unpainted upon, and is demonstrated to be durable and maintenance free; such shall be no less than three and five-eighths (3-5/8) inches in thickness when applied as a veneer.

STORY means that part of a building between the surface of a floor and the floor or roof immediately above (refer to Floor, ground level).

STREET means a strip of land, privately or publicly owned, which affords the principal means of access to abutting property.

STRUCTURE means that which is built or constructed, not including paving for parking.

SQUARE FOOTAGE means the area of a building included within surrounding exterior walls, exclusive of courts, decks, patios, and porches.

TANK means a container, covered or uncovered, used in conjunction with the drilling or production of gas or other hydrocarbons for holding or storing fluids.

TECHNICAL ADVISOR means such person(s) familiar with and educated in the oil or gas industry or the law as it relates to oil or gas matters who may be retained from time to time by the City.

TEMPORARY CONSTRUCTION STRUCTURE means a trailer, building or shelter for temporary office use, authorized by permit, used in connection with a development or building project for temporary on-site administrative and supervisory functions. It shall be removed upon completion of the project.

TRACT means a parcel of land.

UTILITY LINE means the facilities provided by a municipality or a franchised or other utility company for the distribution or collection within the city of gas, water, sewage, surface drainage water, electric power, telephone service, cable television, or fluid used for thermal control of buildings.

VALUE OF BUILDING shall mean that assessed value of the structure as determined by the appraisal district, or authorized appraising entity.

VARIANCE means a relaxation of the terms of this Article.

WELL BORE means a hole drilled by the bit for the purposes of oil and gas exploration.

WORKOVER means re-completion or re-entry of existing well within the existing bore hole or by deepening or sidetrack operations in an effort to secure production where there has been none, restore production that has ceased or increase production.

Article V – Definitions

Division 1. Use Classifications

Sec. 125-260 Use Classifications.....	V-1
Sec. 125-260.A. Purposes.....	V-1
Sec. 125-260.B. Uses Not Classified	V-1
Sec. 125-260.C. Residential Use Classifications	V-2
Sec. 125-260.D. Public and Semi-public Use Classifications.....	V-3
Sec. 125-260.E. Commercial Use Classifications.....	V-5
Sec. 125-260.F. Industrial Use Classifications	V-10
Sec. 125-260.G. Transportation, Communication, and Utilities Classifications.....	V-11
Sec. 125-260.H. Agriculture and Extractive Use Classifications.....	V-13
Sec. 125-260.I. Pipelines, Oil and Gas Well Use Classifications.....	V-13

Division 2. Definitions

Sec. 125-280 Definitions.....	V-14
Sec. 125-280.A. Rules of Construction.....	V-14
Sec. 125-280.B. Terms Defined.....	V-14